

House Amendments to Senate Bill No. 2938

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is hereby appropriated out of any funds in the State
9 General Fund not otherwise appropriated, for the purpose of
10 defraying the expenses of the Mississippi Emergency Management
11 Agency in accordance with the provisions of Section 33-15-1 et
12 seq., Mississippi Code of 1972, for the fiscal year beginning
13 July 1, 2020, and ending June 30, 2021.....\$ 3,794,801.00.

14 **SECTION 2.** The following sum, or so much thereof as may be
15 necessary, is hereby appropriated out of any money in the special
16 fund in the State Treasury to the credit of the Mississippi
17 Emergency Management Agency which is comprised of special source
18 funds collected by or otherwise available to the agency, for the
19 support and maintenance of the agency for the fiscal year
20 beginning July 1, 2020, and ending June 30, 2021.....
21\$ 27,375,235.00.

22 **SECTION 3.** Of the funds appropriated in Sections 1 and 2,
23 the following positions are authorized:

24 AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	114
26		Part Time.....	0
27	Time-Limited:	Full Time.....	27
28		Part Time.....	0

29 With the funds herein appropriated, it shall be the agency's
30 responsibility to make certain that funds required to be
31 appropriated for "Personal Services" for Fiscal Year 2022 do not
32 exceed Fiscal Year 2021 funds appropriated for that purpose,
33 unless programs or positions are added to the agency's Fiscal Year
34 2021 budget by the Mississippi Legislature. Based on data
35 provided by the Legislative Budget Office, the State Personnel
36 Board shall determine and publish the projected annual cost to
37 fully fund all appropriated positions in compliance with the
38 provisions of this act. It shall be the responsibility of the
39 agency head to ensure that no single personnel action increases
40 this projected annual cost and/or the Fiscal Year 2021
41 appropriations for "Personal Services" when annualized, with the
42 exception of escalated funds and the award of benchmarks. If, at
43 the time the agency takes any action to change "Personal
44 Services," the State Personnel Board determines that the agency
45 has taken an action which would cause the agency to exceed this
46 projected annual cost or the Fiscal Year 2021 "Personal Services"
47 appropriated level, when annualized, then only those actions which
48 reduce the projected annual cost and/or the appropriation

49 requirement will be processed by the State Personnel Board until
50 such time as the requirements of this provision are met.

51 Any transfers or escalations shall be made in accordance with
52 the terms, conditions and procedures established by law or
53 allowable under the terms set forth within this act. The State
54 Personnel Board shall not escalate positions without written
55 approval from the Department of Finance and Administration. The
56 Department of Finance and Administration shall not provide written
57 approval to escalate any funds for salaries and/or positions
58 without proof of availability of new or additional funds above the
59 appropriated level.

60 No general funds authorized to be expended herein shall be
61 used to replace federal funds and/or other special funds which are
62 being used for salaries authorized under the provisions of this
63 act and which are withdrawn and no longer available.

64 None of the funds herein appropriated shall be used in
65 violation of Internal Revenue Service's Publication 15-A relating
66 to the reporting of income paid to contract employees, as
67 interpreted by the Office of the State Auditor.

68 **SECTION 4.** It is the intention of the Legislature that the
69 Director of the Mississippi Emergency Management Agency may, upon
70 the request of a local public emergency management organization in
71 an area which has suffered a natural disaster, supply equipment to
72 rural water associations to enable their continued operation when
73 the local emergency management organization determines that such

74 private entities provide services essential to the welfare of the
75 community.

76 **SECTION 5.** It is the intention of the Legislature that the
77 Director of the Mississippi Emergency Management Agency shall
78 provide enhanced training to local governments, supervisors,
79 mayors, civil defense groups and municipal associations in
80 disaster management.

81 **SECTION 6.** The following sum, or so much thereof as may be
82 necessary, is hereby appropriated out of any money in the State
83 General Fund not otherwise appropriated, to the Mississippi
84 Emergency Management Agency for the purpose of defraying certain
85 administrative expenses and the state share of the cost of
86 disaster assistance programs, including, but not being limited to,
87 public assistance programs, individual and family grant programs,
88 and mitigation programs, for the fiscal year beginning
89 July 1, 2020, and ending June 30, 2021.....\$ 585,056.00.

90 **SECTION 7.** The following sum, or so much thereof as may be
91 necessary, is hereby appropriated out of any money in the State
92 Treasury to the credit of the Mississippi Emergency Management
93 Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, and 58202 for the
94 purpose of defraying certain administrative expenses and the state
95 and federal share of the cost of disaster assistance programs,
96 including, but not being limited to, public assistance programs,
97 individual and family grant programs, and mitigation programs, for
98 the fiscal year beginning July 1, 2020, and ending
99 June 30, 2021.....\$ 469,411,616.00.

100 **SECTION 8.** The funds appropriated under the provisions of
101 Sections 6 and 7 of this act are provided to defray certain
102 administrative expenses and the state and federal share of the
103 cost of disaster assistance programs, including public assistance
104 programs, individual and family grant programs, and mitigation
105 programs resulting from, but not being limited to, the following:

106	1604	Hurricane Katrina
107	4081	Hurricane Isaac
108	4175	Severe Storms, Tornadoes, Flooding - Cities of
109		Louisville & Tupelo
110	4205	Severe Storms, Tornadoes, Marion County & City of
111		Columbia
112		Hazard Mitigation
113		Other Needs Assistance
114		Mississippi Temporary Housing Program
115		Pre-Disaster Response
116		Emergency Preparedness Programs
117	4429	Feb 22-March 29, 2019 Flooding
118	4450	Severe Weather April 13, 2019
119	4470	Severe Weather October 26, 2019
120	4478	Severe Weather January 10-11, 2020
121	4528	Coronavirus Pandemic
122	4536	Severe Weather April 12, 2020 Easter Tornadoes
123	4538	Flooding Feb 10-18, 2020 (Pearl River Flood)
124	4248	Severe Storms, Tornadoes, Flooding - North
125		Mississippi/Holly Springs

126 4268 Delta Flooding
127 4295 Pine Belt Tornado/Flooding
128 4314 Severe Storms, Flooding in Adams, Calhoun, Carroll,
129 Claiborne, Holmes, Jefferson, Montgomery, Webster &
130 Yazoo Counties
131 4350 Hurricane Nate
132 4415 Severe Storms, Flooding & Tornado in Clarke,
133 Covington, Forrest, Greene, Jasper, Jones, Marion,
134 Newton, Perry & Wayne Counties

135 **SECTION 9.** None of the funds appropriated in Section 6 shall
136 be used to establish a special reserve fund in the State Treasury
137 for disaster relief except as provided for in Section 33-15-307,
138 Mississippi Code of 1972.

139 **SECTION 10.** It is the intention of the Legislature that the
140 agency's budget request for Fiscal Year 2022 shall be submitted to
141 the Joint Legislative Budget Committee in a format and level of
142 detail comparable to the format and level of detail provided
143 during the Fiscal Year 2021 budget request process.

144 **SECTION 11.** In compliance with the "Mississippi Performance
145 Budget and Strategic Planning Act of 1994," it is the intent of
146 the Legislature that the funds provided herein shall be utilized
147 in the most efficient and effective manner possible to achieve the
148 intended mission of this agency. Based on the funding authorized,
149 this agency shall make every effort to attain the targeted
150 performance measures provided below:

151

FY2021

152	<u>Performance Measures</u>	<u>Target</u>
153	Emergency Mgmt Preparedness	
154	Percentage of the Affected Population	
155	Informed	100.00
156	Average Time to Deliver Goods and	
157	Services (Hrs)	24.00
158	Recovery	
159	Number of Ongoing Projects	330
160	Number of Meetings Conducted	875
161	Average Cost Per Project	265,000.00
162	Percentage of Recovery Objectives Complete	100.00
163	Mitigation	
164	Number of Workshops Conducted	18
165	Number of Ongoing Projects	80
166	Average Cost Per Project	1,400,000.00
167	Reduction in Damage Due to Natural and	
168	Man-Made Incidents (%)	10.00

169 A reporting of the degree to which the performance targets
170 set above have been or are being achieved shall be provided in the
171 agency's budget request submitted to the Joint Legislative Budget
172 Committee for Fiscal Year 2022.

173 **SECTION 12.** It is the intention of the Legislature that the
174 Executive Director of the Mississippi Emergency Management Agency
175 shall have authority to transfer not more than Five Hundred
176 Thousand Dollars (\$500,000.00) from any general or special fund
177 treasury fund and major object budget category to another special

178 or general fund treasury fund and major object budget category
179 accordingly under the control of the Mississippi Emergency
180 Management Agency. The purpose of this authority is to more
181 efficiently use available cash reserves. It is further the
182 intention of the Legislature that the Executive Director of the
183 Mississippi Emergency Management Agency shall submit written
184 justification for the transfer to the Legislative Budget Office
185 and the Department of Finance and Administration on or before the
186 fifteenth of the month prior to the effective date of the
187 transfer.

188 **SECTION 13.** It is the intention of the Legislature that the
189 Mississippi Emergency Management Agency shall submit a
190 notification and summary of all state support funding on all
191 disasters that require general funds or state support special
192 funds to the Legislative Budget Office.

193 **SECTION 14.** It is the intention of the Legislature that from
194 any funds appropriated in this act, the agency shall maintain a
195 minimum of nine (9) Area Coordinators to provide daily assistance
196 to local jurisdictions with emergency management activities as
197 well as to provide quicker response to incidents and/or disasters.
198 In addition, it is the intent of the Legislature that these Area
199 Coordinators shall reside in or within fifty (50) miles of their
200 assigned districts.

201 **SECTION 15.** It is the intention of the Legislature that
202 whenever two (2) or more bids are received by this agency for the
203 purchase of commodities or equipment, and whenever all things

204 stated in such received bids are equal with respect to price,
205 quality and service, the Mississippi Industries for the Blind
206 shall be given preference. A similar preference shall be given to
207 the Mississippi Industries for the Blind whenever purchases are
208 made without competitive bids.

209 **SECTION 16.** The expenditure of the funds appropriated by
210 this act shall be under the direction of the Governor and shall be
211 paid by the State Treasurer out of any money in the proper fund or
212 funds as set forth in this act, upon warrants issued by the State
213 Fiscal Officer; and the State Fiscal Officer shall issue his
214 warrants upon requisitions signed by the proper person, officer or
215 officers in the manner provided by law.

216 **SECTION 17.** This act shall take effect and be in force from
217 and after July 1, 2020, and shall stand repealed from and after
218 June 30, 2020.

HR13\SB2938A.J

Andrew Ketchings
Clerk of the House of Representatives