

By: Senator(s) Hopson, Polk, DeLano, Moran, To: Appropriations
Seymour, Witherspoon

SENATE BILL NO. 2917
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF
3 ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE
4 COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL
5 YEAR 2022.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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, 2021, and ending June 30, 2022..... \$ 3,960,661.00.

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, 2021, and ending June 30, 2022.....
21\$ 36,258,572.00.

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	123
26		Part Time	0
27	Time-Limited:	Full Time	71
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 2023 do not
32 exceed Fiscal Year 2022 funds appropriated for that purpose unless
33 programs or positions are added to the agency's Fiscal Year 2022
34 budget by the Mississippi Legislature. Based on data provided by
35 the Legislative Budget Office, the State Personnel Board shall
36 determine and publish the projected annual cost to fully fund all
37 appropriated positions in compliance with the provisions of this
38 act. Absent a special situation or circumstance approved by the
39 State Personnel Board, or unless otherwise authorized by this act,
40 no state agency shall take any action to promote or otherwise
41 award salary increases through reallocation or realignment. If
42 the State Personnel Board determines a special situation or
43 circumstance exists and approves an action, then the agency and



44 the State Personnel Board shall provide a monthly report of each
45 action approved by the State Personnel Board to the Chairmen of
46 the Accountability, Efficiency and Transparency Committees of the
47 Senate and House of Representatives and the Chairmen of the
48 Appropriations Committees of the Senate and House of
49 Representatives. It shall be the responsibility of the agency
50 head to ensure that no single personnel action increases this
51 projected annual cost and/or the Fiscal Year 2022 appropriations
52 for "Personal Services" when annualized, with the exception of
53 escalated funds and the award of benchmarks. If, at the time the
54 agency takes any action to change "Personal Services," the State
55 Personnel Board determines that the agency has taken an action
56 which would cause the agency to exceed this projected annual cost
57 or the Fiscal Year 2022 "Personal Services" appropriated level,
58 when annualized, then only those actions which reduce the
59 projected annual cost and/or the appropriation requirement will be
60 processed by the State Personnel Board until such time as the
61 requirements of this provision are met.

62 Any transfers or escalations shall be made in accordance with
63 the terms, conditions and procedures established by law or
64 allowable under the terms set forth within this act. The State
65 Personnel Board shall not escalate positions without written
66 approval from the Department of Finance and Administration. The
67 Department of Finance and Administration shall not provide written
68 approval to escalate any funds for salaries and/or positions



without proof of availability of new or additional funds above the appropriated level.

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

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

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a three percent (3%) annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

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



the local emergency management organization determines that such private entities provide services essential to the welfare of the community.

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

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of defraying certain administrative expenses and the state share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 585,056.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Emergency Management Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, 6820174300, and 58202 for the purpose of defraying certain administrative expenses and the state and federal share of the cost of disaster assistance



119 programs, including, but not being limited to, public assistance
120 programs, individual and family grant programs, and mitigation
121 programs, for the fiscal year beginning July 1, 2021, and ending
122 June 30, 2022 \$ 638,551,214.00.

123 **SECTION 8.** The funds appropriated under the provisions of
124 Sections 6 and 7 of this act are provided to defray certain
125 administrative expenses and the state and federal share of the
126 cost of disaster assistance programs, including public assistance
127 programs, individual and family grant programs, and mitigation
128 programs resulting from, but not being limited to, the following:

129	1604	Hurricane Katrina
130	4175	Severe Storms, Tornadoes, Flooding - Cities
131		of Louisville & Tupelo
132	4205	Severe Storms, Tornadoes, Marion County &
133		City of Columbia
134		Hazard Mitigation
135		Other Needs Assistance
136		Mississippi Temporary Housing Program
137		Pre-Disaster Response
138		Emergency Preparedness Programs
139	4429	Feb 22-March 29, 2019 Flooding
140	4450	Severe Weather April 13, 2019
141	4470	Severe Weather October 26, 2019
142	4478	Severe Weather January 10-11, 2020
143	4528	Coronavirus Pandemic



144 4536 Severe Weather April 12, 2020 Easter Tornadoes
145 4538 Flooding Feb 10-18, 2020 (Pearl River Flood)
146 4248 Severe Storms, Tornadoes, Flooding - North
147 Mississippi/Holly Springs
148 4268 Delta Flooding
149 4295 Pine Belt Tornado/Flooding
150 4314 Severe Storms, Flooding in Adams, Calhoun,
151 Carroll, Claiborne, Holmes, Jefferson, Montgomery,
152 Webster & Yazoo Counties
153 4350 Hurricane Nate
154 4415 Severe Storms, Flooding & Tornado in Clarke,
155 Covington, Forrest, Greene, Jasper, Jones,
156 Marion, Newton, Perry & Wayne Counties
157 4551 Severe Weather April 22-23, 2020
158 3539 Hurricane Marco/TS Laura
159 3544 Hurricane Sally
160 3548 Hurricane Delta
161 3550 Hurricane Zeta
162 4576 Hurricane Zeta

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

167 **SECTION 10.** It is the intention of the Legislature that the
168 agency's budget request for Fiscal Year 2023 shall be submitted to



the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

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

	FY2022
<u>Performance Measures</u>	<u>Target</u>
Emergency Mgmt Preparedness	
Percentage of the Affected Population	
Informed	100.00
Average Time to Deliver Goods and	
Services (Hours)	24.00
Recovery	
Number of Ongoing Projects	1,205
Number of Meetings Conducted	3,500
Average Cost Per Project	195,658.00
Percentage of Recovery Objectives Complete	100.00
Mitigation	
Number of Workshops Conducted	22
Number of Ongoing Projects	85



disasters that require general funds or state support special funds to the Legislative Budget Office.

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

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State Capital Expense Fund not otherwise appropriated, for the Mississippi Emergency Management Agency for the purpose of reauthorizing the expenditure of State Capital Expense, as authorized in Senate Bill No. 2938, 2020 Regular Session, to



243 provide matching grant funds for Next Generation (NG) 911, for the
244 fiscal year beginning July 1, 2021, and ending June 30, 2022
245\$ 240,000.00.

246 Notwithstanding the amount reappropriated under the
247 provisions of this section, in no event shall the amount expended
248 exceed the unexpended balance as of June 30, 2021.

249 **SECTION 17.** Of the funds in Section 2, the following sum, or
250 so much thereof as may be necessary, is appropriated out of any
251 money in the State Treasury to the credit of the Capital Expense
252 Fund, for the purpose of defraying the expenses for vehicles at
253 the Mississippi Emergency Management Agency for the fiscal year
254 beginning July 1, 2021, and ending June 30, 2022.....\$ 75,500.00.

255 **SECTION 18.** The expenditure of the funds appropriated by
256 this act shall be under the direction of the Governor and shall be
257 paid by the State Treasurer out of any money in the proper fund or
258 funds as set forth in this act, upon warrants issued by the State
259 Fiscal Officer; and the State Fiscal Officer shall issue his
260 warrants upon requisitions signed by the proper person, officer or
261 officers in the manner provided by law.

262 **SECTION 19.** This act shall take effect and be in force from
263 and after July 1, 2021.

