

House Amendments to Senate Bill No. 2917

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, 2021, and ending June 30, 2022.....\$ 3,699,931.00.

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\$ 35,877,156.00.

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.....	121
26		Part Time.....	0
27	Time-Limited:	Full Time.....	70
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
69 without proof of availability of new or additional funds above the
70 appropriated level.

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74 act and which are withdrawn and no longer available.

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

79 **SECTION 4.** It is the intention of the Legislature that the
80 Director of the Mississippi Emergency Management Agency may, upon
81 the request of a local public emergency management organization in
82 an area which has suffered a natural disaster, supply equipment to
83 rural water associations to enable their continued operation when
84 the local emergency management organization determines that such
85 private entities provide services essential to the welfare of the
86 community.

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

92 **SECTION 6.** In addition to all other sums herein
93 appropriated, the following sum, or so much thereof as may be
94 necessary, is hereby appropriated out of any money in the State
95 General Fund not otherwise appropriated, to the Mississippi
96 Emergency Management Agency for the purpose of defraying certain
97 administrative expenses and the state share of the cost of
98 disaster assistance programs, including, but not being limited to,
99 public assistance programs, individual and family grant programs,

100 and mitigation programs, for the fiscal year beginning
101 July 1, 2021, and ending June 30, 2022.....\$ 585,056.00.

102 **SECTION 7.** In addition to all other sums herein
103 appropriated, the following sum, or so much thereof as may be
104 necessary, is hereby appropriated out of any money in the State
105 Treasury to the credit of the Mississippi Emergency Management
106 Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, 6820174300, and
107 58202 for the purpose of defraying certain administrative expenses
108 and the state and federal share of the cost of disaster assistance
109 programs, including, but not being limited to, public assistance
110 programs, individual and family grant programs, and mitigation
111 programs, for the fiscal year beginning July 1, 2021, and ending
112 June 30, 2022.....\$ 628,551,214.00.

113 **SECTION 8.** The funds appropriated under the provisions of
114 Sections 6 and 7 of this act are provided to defray certain
115 administrative expenses and the state and federal share of the
116 cost of disaster assistance programs, including public assistance
117 programs, individual and family grant programs, and mitigation
118 programs resulting from, but not being limited to, the following:

- 119 1604 Hurricane Katrina
- 120 4175 Severe Storms, Tornadoes, Flooding - Cities
121 of Louisville & Tupelo
- 122 4205 Severe Storms, Tornadoes, Marion County &
123 City of Columbia
- 124 Hazard Mitigation
- 125 Other Needs Assistance

126 Mississippi Temporary Housing Program
 127 Pre-Disaster Response
 128 Emergency Preparedness Programs
 129 4429 Feb 22-March 29, 2019 Flooding
 130 4450 Severe Weather April 13, 2019
 131 4470 Severe Weather October 26, 2019
 132 4478 Severe Weather January 10-11, 2020
 133 4528 Coronavirus Pandemic
 134 4536 Severe Weather April 12, 2020 Easter Tornadoes
 135 4538 Flooding Feb 10-18, 2020 (Pearl River Flood)
 136 4248 Severe Storms, Tornadoes, Flooding - North
 137 Mississippi/Holly Springs
 138 4268 Delta Flooding
 139 4295 Pine Belt Tornado/Flooding
 140 4314 Severe Storms, Flooding in Adams, Calhoun,
 141 Carroll, Claiborne, Holmes, Jefferson, Montgomery,
 142 Webster & Yazoo Counties
 143 4350 Hurricane Nate
 144 4415 Severe Storms, Flooding & Tornado in Clarke,
 145 Covington, Forrest, Greene, Jasper, Jones,
 146 Marion, Newton, Perry & Wayne Counties
 147 4551 Severe Weather April 22-23, 2020
 148 3539 Hurricane Marco / Tropical Storm Laura
 149 3544 Hurricane Sally
 150 3548 Hurricane Delta
 151 3550/4576 Hurricane Zeta

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

156 **SECTION 10.** It is the intention of the Legislature that the
157 agency's budget request for Fiscal Year 2023 shall be submitted to
158 the Joint Legislative Budget Committee in a format and level of
159 detail comparable to the format and level of detail provided
160 during the Fiscal Year 2022 budget request process.

161 **SECTION 11.** In compliance with the "Mississippi Performance
162 Budget and Strategic Planning Act of 1994," it is the intent of
163 the Legislature that the funds provided herein shall be utilized
164 in the most efficient and effective manner possible to achieve the
165 intended mission of this agency. Based on the funding authorized,
166 this agency shall make every effort to attain the targeted
167 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 (Hrs)	24.00
Recovery	
Number of Ongoing Projects	1,205
Number of Meetings Conducted	3,500

178	Average Cost Per Project	195,658.00
179	Percentage of Recovery Objectives Complete	100.00
180	Mitigation	
181	Number of Workshops Conducted	22
182	Number of Ongoing Projects	85
183	Average Cost Per Project	500,000.00
184	Reduction in Damage Due to Natural and	
185	Man-Made Incidents (%)	7.00

186 A reporting of the degree to which the performance targets
187 set above have been or are being achieved shall be provided in the
188 agency's budget request submitted to the Joint Legislative Budget
189 Committee for Fiscal Year 2023.

190 **SECTION 12.** It is the intention of the Legislature that the
191 Executive Director of the Mississippi Emergency Management Agency
192 shall have authority to transfer not more than Five Hundred
193 Thousand Dollars (\$500,000.00) from any general or special fund
194 treasury fund and major object budget category to another special
195 or general fund treasury fund and major object budget category
196 accordingly under the control of the Mississippi Emergency
197 Management Agency. The purpose of this authority is to more
198 efficiently use available cash reserves. It is further the
199 intention of the Legislature that the Executive Director of the
200 Mississippi Emergency Management Agency shall submit written
201 justification for the transfer to the Legislative Budget Office
202 and the Department of Finance and Administration on or before the

203 fifteenth of the month prior to the effective date of the
204 transfer.

205 **SECTION 13.** It is the intention of the Legislature that the
206 Mississippi Emergency Management Agency shall submit a
207 notification and summary of all state support funding on all
208 disasters that require general funds or state support special
209 funds to the Legislative Budget Office.

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

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

226 **SECTION 16.** The expenditure of the funds appropriated by
227 this act shall be under the direction of the Governor and shall be
228 paid by the State Treasurer out of any money in the proper fund or

229 funds as set forth in this act, upon warrants issued by the State
230 Fiscal Officer; and the State Fiscal Officer shall issue his
231 warrants upon requisitions signed by the proper person, officer or
232 officers in the manner provided by law.

233 **SECTION 17.** This act shall take effect and be in force from
234 and after July 1, 2021, and shall stand repealed from and after
235 June 29, 2021.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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.

HR13\SB2917A.J

Andrew Ketchings
Clerk of the House of Representatives