

House Amendments to Senate Bill No. 3016

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, 2023, and ending June 30, 2024.....\$ 4,709,810.00.

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, 2023, and ending June 30, 2024.....
21\$ 27,813,178.00.

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

24 AUTHORIZED HEADCOUNT:

25 Permanent: 109

26 Time-Limited: 68

27 With the funds herein appropriated, it shall be the agency's
28 responsibility to make certain that funds required for Personal
29 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
30 appropriated for that purpose unless programs or positions are
31 added to the agency's Fiscal Year 2024 budget by the Mississippi
32 Legislature. The Legislature shall determine the agency's
33 personal services appropriation, which shall be published by the
34 State Personnel Board. Additionally, the State Personnel Board
35 shall determine and publish the projected annualized payroll costs
36 based on current employees. It shall be the responsibility of the
37 agency head to ensure that actual personnel expenditures for
38 Fiscal Year 2024 do not exceed the data provided by the
39 Legislative Budget Office. If the agency's Fiscal Year 2024
40 projected cost exceeds the annualized costs, no salary actions
41 shall be processed by the State Personnel Board with the exception
42 of new hires that are determined to be essential for the agency.

43 Any transfers or escalations shall be made in accordance with
44 the terms, conditions and procedures established by law or
45 allowable under the terms set forth within this act. The State
46 Personnel Board shall not escalate positions without written
47 approval from the Department of Finance and Administration. The
48 Department of Finance and Administration shall not provide written
49 approval to escalate any funds for salaries and/or positions

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

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55 act and which are withdrawn and no longer available.

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

60 Funds have been appropriated herein for the purpose of
61 funding Project SEC2 minimum salaries for all employees covered
62 under the Colonel Guy Groff/Neville Kenning Variable Compensation
63 Plan. It shall be the agency's responsibility to ensure that the
64 funds are used to increase all employees' salaries up to the
65 minimum level as determined by the State Personnel Board.

66 **SECTION 4.** In addition to all other sums herein
67 appropriated, the following sum, or so much thereof as may be
68 necessary, is hereby appropriated out of any money in the State
69 General Fund not otherwise appropriated, to the Mississippi
70 Emergency Management Agency for the purpose of defraying certain
71 administrative expenses and the state share of the cost of
72 disaster assistance programs, including, but not being limited to,
73 public assistance programs, individual and family grant programs,
74 and mitigation programs, for the fiscal year beginning
75 July 1, 2023, and ending June 30, 2024.....\$ 585,056.00.

76 **SECTION 5.** In addition to all other sums herein
77 appropriated, the following sum, or so much thereof as may be
78 necessary, is hereby appropriated out of any money in the State
79 Treasury to the credit of the Mississippi Emergency Management
80 Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, 6820174300, and
81 58202 for the purpose of defraying certain administrative expenses
82 and the state and federal share of the cost of disaster assistance
83 programs, including, but not being limited to, public assistance
84 programs, individual and family grant programs, and mitigation
85 programs, for the fiscal year beginning July 1, 2023, and ending
86 June 30, 2024.....\$ 353,776,571.00.

87 **SECTION 6.** The funds appropriated under the provisions of
88 Sections 4 and 5 of this act are provided to defray certain
89 administrative expenses and the state and federal share of the
90 cost of disaster assistance programs, including public assistance
91 programs, individual and family grant programs, and mitigation
92 programs resulting from, but not being limited to, the following:

- 93 1604 Hurricane Katrina
- 94 4175 Severe Storms, Tornadoes, Flooding - Cities
- 95 of Louisville & Tupelo
- 96 - Hazard Mitigation
- 97 - Other Needs Assistance
- 98 - Mississippi Temporary Housing Program
- 99 - Pre-Disaster Response
- 100 - Emergency Preparedness Programs
- 101 4429 Feb 22-March 29, 2019 Flooding

102 4450 Severe Weather April 13, 2019
103 4470 Severe Weather October 26, 2019
104 4478 Severe Weather January 10-11, 2020
105 4528 Coronavirus Pandemic
106 4536 Severe Weather April 12, 2020 Easter Tornadoes
107 4538 Flooding Feb 10-18, 2020 (Pearl River Flood)
108 4248 Severe Storms, Tornadoes, Flooding - North
109 Mississippi/Holly Springs
110 4268 Delta Flooding
111 4295 Pine Belt Tornado/Flooding
112 4314 Severe Storms, Flooding in Adams, Calhoun,
113 Carroll, Claiborne, Holmes, Jefferson, Montgomery,
114 Webster & Yazoo Counties
115 4350 Hurricane Nate
116 4415 Severe Storms, Flooding & Tornado in Clarke,
117 Covington, Forrest, Greene, Jasper, Jones,
118 Marion, Newton, Perry & Wayne Counties
119 4551 Severe Weather April 22-23, 2020
120 3544 Hurricane Sally
121 3548 Hurricane Delta
122 4576 Hurricane Zeta
123 4598 2021 Winter Storm
124 3582 Water Crisis EM Dec.

125 **SECTION 7.** None of the funds appropriated in Section 4 of
126 this act shall be used to establish a special reserve fund in the

127 State Treasury for disaster relief except as provided for in
128 Section 33-15-307, Mississippi Code of 1972.

129 **SECTION 8.** It is the intention of the Legislature that the
130 Director of the Mississippi Emergency Management Agency may, upon
131 the request of a local public emergency management organization in
132 an area which has suffered a natural disaster, supply equipment to
133 rural water associations to enable their continued operation when
134 the local emergency management organization determines that such
135 private entities provide services essential to the welfare of the
136 community.

137 **SECTION 9.** It is the intention of the Legislature that the
138 Director of the Mississippi Emergency Management Agency shall
139 provide enhanced training to local governments, supervisors,
140 mayors, civil defense groups and municipal associations in
141 disaster management.

142 **SECTION 10.** It is the intention of the Legislature that the
143 agency's budget request for Fiscal Year 2025 shall be submitted to
144 the Joint Legislative Budget Committee in a format and level of
145 detail comparable to the format and level of detail provided
146 during the Fiscal Year 2024 budget request process.

147 **SECTION 11.** In compliance with the "Mississippi Performance
148 Budget and Strategic Planning Act of 1994," it is the intent of
149 the Legislature that the funds provided herein shall be utilized
150 in the most efficient and effective manner possible to achieve the
151 intended mission of this agency. Based on the funding authorized,

152 this agency shall make every effort to attain the targeted
153 performance measures provided below:

154		FY2024
155	<u>Performance Measures</u>	<u>Target</u>
156	Emergency Mgmt Preparedness	
157	Percent of the Affected Population Informed	100.00
158	Average Time to Deliver Goods & Services	48
159	Recovery	
160	Number of Ongoing Projects	20
161	Number of Meetings Conducted	3,700
162	Average Cost per Project	20,000,000.00
163	Percent of Recovery Objectives Complete	100.00
164	Mitigation	
165	Number of Workshops Conducted	20
166	Number of Ongoing Projects	16
167	Average Cost per Project	50,000.00
168	Percent Reduction in Damage Due to	
169	Natural and Man-Made Incidents	5.00

170 A reporting of the degree to which the performance targets
171 set above have been or are being achieved shall be provided in the
172 agency's budget request submitted to the Joint Legislative Budget
173 Committee for Fiscal Year 2025.

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

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

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

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

202 **SECTION 15.** It is the intention of the Legislature that
203 whenever two (2) or more bids are received by this agency for the

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

210 **SECTION 16.** The following sum, or so much thereof as may be
211 necessary, is reappropriated out of any money in the Capital
212 Expense Fund not otherwise appropriated, to the Mississippi
213 Emergency Management Agency for the purpose of reauthorizing the
214 expenditure of Capital Expense Funds for the purpose of defraying
215 the expenses for vehicle purchases, as authorized in Senate Bill
216 No. 3018, 2022 Regular Session, for the fiscal year beginning July
217 1, 2023, and ending June 30, 2024.....\$ 75,500.00.

218 Notwithstanding the amount reappropriated under this section,
219 the amount that may be expended under the authority of this
220 section shall not exceed the unexpended balance of the funds
221 remaining as of June 30, 2023, from the amount authorized for the
222 previous fiscal year. In addition, this reappropriation shall not
223 change the purpose for which the funds were originally authorized.

224 **SECTION 17.** The expenditure of the funds appropriated by
225 this act shall be under the direction of the Governor and shall be
226 paid by the State Treasurer out of any money in the proper fund or
227 funds as set forth in this act, upon warrants issued by the State
228 Fiscal Officer; and the State Fiscal Officer shall issue his

229 warrants upon requisitions signed by the proper person, officer or
230 officers in the manner provided by law.

231 **SECTION 18.** This act shall take effect and be in force from
232 and after July 1, 2023, and shall stand repealed from and after
233 June 29, 2023.

**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 2024.

HR13\SB3016A.J

Andrew Ketchings
Clerk of the House of Representatives