

By: Senator(s) Hopson, Polk, DeLano,
Barnett, McCaughn, McLendon

To: Appropriations

SENATE BILL NO. 3040
(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 2025.

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, 2024, and ending June 30, 2025.....\$ 5,623,870.00.

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, 2024, and ending June 30, 2025.....
21\$ 21,698,472.00.

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: 114
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 2026 do not exceed Fiscal Year 2025 funds
30 appropriated for that purpose unless programs or positions are
31 added to the agency's Fiscal Year 2025 budget by the Mississippi
32 Legislature. The Legislature shall determine the agency's
33 personal services appropriation, which the State Personnel Board
34 shall publish. The agency's personal services appropriation may
35 consist of restricted funds for approved vacancies for Fiscal Year
36 2025 that may be utilized to fill vacant Fiscal Year 2024
37 headcount. It shall be the agency's responsibility to ensure that
38 the funds provided for vacancies are used to increase headcount
39 and not for promotions, title changes, in-range salary adjustments
40 or any other mechanism for increasing salaries for current
41 employees. It is the Legislature's intention that no employee
42 salary falls below the minimum salary established by the
43 Mississippi State Personnel Board.



44 Additionally, the State Personnel Board shall determine and
45 publish the projected annualized payroll costs based on current
46 employees. It shall be the responsibility of the agency head to
47 ensure that actual personnel expenditures for Fiscal Year 2025 do
48 not exceed the data provided by the Legislative Budget Office. If
49 the agency's Fiscal Year 2025 projected cost exceeds the
50 annualized costs, no salary actions shall be processed by the
51 State Personnel Board except for new hires determined to be
52 essential for the agency.

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

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

66 None of the funds herein appropriated shall be used in
67 violation of the Internal Revenue Service's Publication 15-A



68 relating to the reporting of income paid to contract employees, as
69 interpreted by the Office of the State Auditor.

70 **SECTION 4.** In addition to all other sums herein
71 appropriated, the following sum, or so much thereof as may be
72 necessary, is hereby appropriated out of any money in the State
73 General Fund not otherwise appropriated, to the Mississippi
74 Emergency Management Agency for the purpose of defraying certain
75 administrative expenses and the state share of the cost of
76 disaster assistance programs, including, but not being limited to,
77 public assistance programs, individual and family grant programs,
78 and mitigation programs, for the fiscal year beginning
79 July 1, 2024, and ending June 30, 2025.....\$ 585,056.00.

80 **SECTION 5.** In addition to all other sums herein
81 appropriated, the following sum, or so much thereof as may be
82 necessary, is hereby appropriated out of any money in the State
83 Treasury to the credit of the Mississippi Emergency Management
84 Agency Fund Nos. 33703, 3725, 3728, 372U, 3729, 37AH, 53730,
85 6820174300, and 58202 for the purpose of defraying certain
86 administrative expenses and the state and federal share of the
87 cost of disaster assistance programs, including, but not being
88 limited to, public assistance programs, individual and family
89 grant programs, and mitigation programs, for the fiscal year
90 beginning July 1, 2024, and ending
91 June 30, 2025.....\$ 459,375,172.00.



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

- 98 1604 Hurricane Katrina
- 99 4175 Severe Storms, Tornadoes, Flooding - Cities
- 100 of Louisville & Tupelo
- 101 - Hazard Mitigation
- 102 - Other Needs Assistance
- 103 - Mississippi Temporary Housing Program
- 104 - Pre-Disaster Response
- 105 - Emergency Preparedness Programs
- 106 4429 Feb 22-March 29, 2019 Flooding
- 107 4450 Severe Weather April 13, 2019
- 108 4470 Severe Weather October 26, 2019
- 109 4478 Severe Weather January 10-11, 2020
- 110 4528 Coronavirus Pandemic
- 111 4536 Severe Weather April 12, 2020 Easter Tornadoes
- 112 4538 Flooding Feb 10-18, 2020 (Pearl River Flood)
- 113 4248 Severe Storms, Tornadoes, Flooding - North
- 114 Mississippi/Holly Springs
- 115 4268 Delta Flooding
- 116 4295 Pine Belt Tornado/Flooding



117 4314 Severe Storms, Flooding in Adams, Calhoun,
118 Carroll, Claiborne, Holmes, Jefferson, Montgomery,
119 Webster & Yazoo Counties
120 4350 Hurricane Nate
121 4415 Severe Storms, Flooding & Tornado in Clarke,
122 Covington, Forrest, Greene, Jasper, Jones,
123 Marion, Newton, Perry & Wayne Counties
124 4551 Severe Weather April 22-23, 2020
125 3544 Hurricane Sally
126 3548 Hurricane Delta
127 4576 Hurricane Zeta
128 4598 2021 Winter Storm
129 3582 Water Crisis EM Dec.
130 4697 Severe Weather March 24-25, 2023

131 **SECTION 7.** None of the funds appropriated in Section 4 of
132 this act shall be used to establish a special reserve fund in the
133 State Treasury for disaster relief except as provided for in
134 Section 33-15-307, Mississippi Code of 1972.

135 **SECTION 8.** It is the intention of the Legislature that the
136 Director of the Mississippi Emergency Management Agency may, upon
137 the request of a local public emergency management organization in
138 an area which has suffered a natural disaster, supply equipment to
139 rural water associations to enable their continued operation when
140 the local emergency management organization determines that such



141 private entities provide services essential to the welfare of the
142 community.

143 **SECTION 9.** It is the intention of the Legislature that the
144 Director of the Mississippi Emergency Management Agency shall
145 provide enhanced training to local governments, supervisors,
146 mayors, civil defense groups and municipal associations in
147 disaster management.

148 **SECTION 10.** It is the intention of the Legislature that the
149 Mississippi Emergency Management Agency shall maintain complete
150 accounting and personnel records related to the expenditure of all
151 funds appropriated under this act and that such records shall be
152 in the same format and level of detail as maintained for Fiscal
153 Year 2024. It is further the intention of the Legislature that
154 the agency's budget request for Fiscal Year 2026 shall be
155 submitted to the Joint Legislative Budget Committee in a format
156 and level of detail comparable to the format and level of detail
157 provided during the Fiscal Year 2025 budget request process.

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

165 FY2025



166	<u>Performance Measures</u>	<u>Target</u>
167	Emergency Mgmt Preparedness	
168	Percent of the Affected Population Informed	100.00
169	Average Time to Deliver Goods & Services	48
170	Recovery	
171	Number of Ongoing Projects	22
172	Number of Meetings Conducted	6,000
173	Average Cost per Project	20,000,000.00
174	Percent of Recovery Objectives Complete	100.00
175	Mitigation	
176	Number of Workshops Conducted	14
177	Number of Ongoing Projects	15
178	Average Cost per Project	100,000.00
179	Percent Reduction in Damage Due to	
180	Natural and Man-Made Incidents	5.00
181	A reporting of the degree to which the performance targets	
182	set above have been or are being achieved shall be provided in the	
183	agency's budget request submitted to the Joint Legislative Budget	
184	Committee for Fiscal Year 2026.	
185	SECTION 12. It is the intention of the Legislature that the	
186	Executive Director of the Mississippi Emergency Management Agency	
187	shall have authority to transfer not more than Five Hundred	
188	Thousand Dollars (\$500,000.00) from any general or special fund	
189	treasury fund and major object budget category to another special	
190	or general fund treasury fund and major object budget category	



191 accordingly under the control of the Mississippi Emergency
192 Management Agency. The purpose of this authority is to more
193 efficiently use available cash reserves. It is further the
194 intention of the Legislature that the Executive Director of the
195 Mississippi Emergency Management Agency shall submit written
196 justification for the transfer to the Legislative Budget Office
197 and the Department of Finance and Administration on or before the
198 fifteenth of the month prior to the effective date of the
199 transfer.

200 **SECTION 13.** It is the intention of the Legislature that the
201 Mississippi Emergency Management Agency shall submit a
202 notification and summary of all state support funding on all
203 disasters that require general funds or state support special
204 funds to the Legislative Budget Office.

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

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



216 stated in such received bids are equal with respect to price,
217 quality and service, the Mississippi Industries for the Blind
218 shall be given preference. A similar preference shall be given to
219 the Mississippi Industries for the Blind whenever purchases are
220 made without competitive bids.

221 **SECTION 16.** With funds appropriated herein, the Mississippi
222 Emergency Management Agency is authorized to make reimbursement
223 payments directly to individual Mississippi citizens who have been
224 or will be approved to participate in the Federal Emergency
225 Management Agency's Safe Room Grant Program. All funds paid by
226 the Mississippi Emergency Management Agency under this program
227 will be reimbursed to the Agency by the Federal Emergency
228 Management Agency.

229 **SECTION 17.** The following sum, or so much thereof as may be
230 necessary, is reappropriated out of any money in the Capital
231 Expense Fund not otherwise appropriated, to the Mississippi
232 Emergency Management Agency for the purpose of reauthorizing the
233 expenditure of Capital Expense Funds for the purpose of defraying
234 the expenses for vehicle purchases, as authorized in Senate Bill
235 No. 3016, 2023 Regular Session, for the fiscal year beginning
236 July 1, 2024, and ending June 30, 2025.....\$ 78,238.00.

237 Notwithstanding the amount reappropriated under this section,
238 the amount that may be expended under the authority of this
239 section shall not exceed the unexpended balance of the funds
240 remaining as of June 30, 2024, from the amount authorized for the



241 previous fiscal year. In addition, this reappropriation shall not
242 change the purpose for which the funds were originally authorized.

243 **SECTION 18.** With the funds appropriated herein, the
244 Mississippi Emergency Management Agency is authorized to make
245 payment for expenses incurred during Fiscal Year 2021 to
246 Innovative Emergency Management, Inc., in an amount not to exceed
247 Fifty-seven Thousand Six Hundred Ninety-nine Dollars and Thirteen
248 Cents (\$57,699.13).

249 **SECTION 19.** Of the funds appropriated in Section 2 of this
250 act, Seventy-five Thousand Dollars (\$75,000.00), or so much
251 thereof, shall be derived out of any money in the State Treasury
252 to the credit of the Capital Expense Fund, as created in Section
253 27-103-303, Mississippi Code of 1972, and allocated in a manner as
254 determined by the Treasurer's Office. These funds are provided
255 for the purchase of vehicles.

256 **SECTION 20.** The expenditure of the funds appropriated by
257 this act shall be under the direction of the Governor and shall be
258 paid by the State Treasurer out of any money in the proper fund or
259 funds as set forth in this act, upon warrants issued by the State
260 Fiscal Officer; and the State Fiscal Officer shall issue his
261 warrants upon requisitions signed by the proper person, officer or
262 officers in the manner provided by law.

263 **SECTION 21.** This act shall take effect and be in force from
264 and after July 1, 2024.

