

House Amendments to Senate Bill No. 3040

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, 2024, and ending June 30, 2025.....\$ 5,189,615.00.

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\$ 20,895,255.00.

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: 108

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 personal
33 services appropriation, which the State Personnel Board shall
34 publish. In accordance with applicable laws, if an agency
35 determines that its personal services amount is insufficient, the
36 agency must contact the State Personnel Board. Any adjustment to
37 the personal services amount must be approved by the State
38 Personnel Director and the State Fiscal Officer after consultation
39 with the Legislative Budget Office. Any adjustment shall be
40 reported to the Legislative Budget Office and the House and Senate
41 Appropriations Chairmen. The agency's personal services
42 appropriation may consist of restricted funds for approved
43 vacancies for Fiscal Year 2025 that may not be utilized for active
44 Fiscal Year 2024 headcount. It shall be the agency's
45 responsibility to ensure that the funds provided for vacancies are
46 used to increase headcount and not for promotions, title changes,
47 in-range salary adjustments, or any other mechanism for increasing
48 salaries for current employees. If the State Personnel Board
49 determines that an agency has used provided vacancy funds for any

50 of the mechanisms previously listed, the State Personnel Board
51 shall not process any additional salary actions for the agency in
52 the current fiscal year, except for new hires determined by the
53 State Personnel Board to be essential for the agency. It is the
54 Legislature's intention that no employee salary falls below the
55 minimum salary established by the Mississippi State Personnel
56 Board.

57 Additionally, the State Personnel Board shall determine and
58 publish the projected annualized payroll costs based on current
59 employees. It shall be the responsibility of the agency head to
60 ensure that actual personnel expenditures for Fiscal Year 2025 do
61 not exceed the data provided by the Legislative Budget Office. If
62 the agency's projected cost for Fiscal Year 2025 exceeds the
63 annualized costs, no salary actions shall be processed by the
64 State Personnel Board except for new hires determined to be
65 essential for the agency.

66 Any transfers or escalations shall be made in accordance with
67 the terms, conditions, and procedures established by law or
68 allowable under the terms set forth within this act. The State
69 Personnel Board shall not escalate positions without written
70 approval from the Department of Finance and Administration. The
71 Department of Finance and Administration shall not provide written
72 approval to escalate any funds for salaries and/or positions
73 without proof of availability of new or additional funds above the
74 appropriated level.

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

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

83 **SECTION 4.** In addition to all other sums herein
84 appropriated, the following sum, or so much thereof as may be
85 necessary, is hereby appropriated out of any money in the State
86 General Fund not otherwise appropriated, to the Mississippi
87 Emergency Management Agency for the purpose of defraying certain
88 administrative expenses and the state share of the cost of
89 disaster assistance programs, including, but not being limited to,
90 public assistance programs, individual and family grant programs,
91 and mitigation programs, for the fiscal year beginning
92 July 1, 2024, and ending June 30, 2025.....\$ 585,056.00.

93 **SECTION 5.** In addition to all other sums herein
94 appropriated, the following sum, or so much thereof as may be
95 necessary, is hereby appropriated out of any money in the State
96 Treasury to the credit of the Mississippi Emergency Management
97 Agency Fund Nos. 33703, 3725, 3728, 372U, 3729, 37AH, 53730,
98 6820174300, and 58202 for the purpose of defraying certain
99 administrative expenses and the state and federal share of the
100 cost of disaster assistance programs, including, but not being

101 limited to, public assistance programs, individual and family
102 grant programs, and mitigation programs, for the fiscal year
103 beginning July 1, 2024, and ending
104 June 30, 2025.....\$ 456,588,556.00.

105 **SECTION 6.** The funds appropriated under the provisions of
106 Sections 4 and 5 of this act are provided to defray certain
107 administrative expenses and the state and federal share of the
108 cost of disaster assistance programs, including public assistance
109 programs, individual and family grant programs, and mitigation
110 programs resulting from, but not being limited to, the following:

- 111 1604 Hurricane Katrina
- 112 4175 Severe Storms, Tornadoes, Flooding - Cities
113 of Louisville & Tupelo
- 114 - Hazard Mitigation
- 115 - Other Needs Assistance
- 116 - Mississippi Temporary Housing Program
- 117 - Pre-Disaster Response
- 118 - Emergency Preparedness Programs
- 119 4429 Feb 22-March 29, 2019 Flooding
- 120 4450 Severe Weather April 13, 2019
- 121 4470 Severe Weather October 26, 2019
- 122 4478 Severe Weather January 10-11, 2020
- 123 4528 Coronavirus Pandemic
- 124 4536 Severe Weather April 12, 2020 Easter Tornadoes
- 125 4538 Flooding Feb 10-18, 2020 (Pearl River Flood)
- 126 4248 Severe Storms, Tornadoes, Flooding - North

127 Mississippi/Holly Springs
128 4268 Delta Flooding
129 4295 Pine Belt Tornado/Flooding
130 4314 Severe Storms, Flooding in Adams, Calhoun,
131 Carroll, Claiborne, Holmes, Jefferson, Montgomery,
132 Webster & Yazoo Counties
133 4350 Hurricane Nate
134 4415 Severe Storms, Flooding & Tornado in Clarke,
135 Covington, Forrest, Greene, Jasper, Jones,
136 Marion, Newton, Perry & Wayne Counties
137 4551 Severe Weather April 22-23, 2020
138 3544 Hurricane Sally
139 3548 Hurricane Delta
140 4576 Hurricane Zeta
141 4598 2021 Winter Storm
142 3582 Water Crisis EM Dec.
143 4697 Severe Weather March 24-25, 2023

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

148 **SECTION 8.** It is the intention of the Legislature that the
149 Director of the Mississippi Emergency Management Agency may, upon
150 the request of a local public emergency management organization in
151 an area which has suffered a natural disaster, supply equipment to
152 rural water associations to enable their continued operation when

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

156 **SECTION 9.** It is the intention of the Legislature that the
157 Director of the Mississippi Emergency Management Agency shall
158 provide enhanced training to local governments, supervisors,
159 mayors, civil defense groups and municipal associations in
160 disaster management.

161 **SECTION 10.** It is the intention of the Legislature that the
162 Mississippi Emergency Management Agency shall maintain complete
163 accounting and personnel records related to the expenditure of all
164 funds appropriated under this act and that such records shall be
165 in the same format and level of detail as maintained for Fiscal
166 Year 2024. It is further the intention of the Legislature that
167 the agency's budget request for Fiscal Year 2026 shall be
168 submitted to the Joint Legislative Budget Committee in a format
169 and level of detail comparable to the format and level of detail
170 provided during the Fiscal Year 2025 budget request process.

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

178 FY2025

179	<u>Performance Measures</u>	<u>Target</u>
180	Emergency Mgmt Preparedness	
181	Percent of the Affected Population Informed	100.00
182	Average Time to Deliver Goods & Services	48
183	Recovery	
184	Number of Ongoing Projects	22
185	Number of Meetings Conducted	6,000
186	Average Cost per Project	20,000,000.00
187	Percent of Recovery Objectives Complete	100.00
188	Mitigation	
189	Number of Workshops Conducted	14
190	Number of Ongoing Projects	15
191	Average Cost per Project	100,000.00
192	Percent Reduction in Damage Due to	
193	Natural and Man-Made Incidents	5.00

194 A reporting of the degree to which the performance targets
195 set above have been or are being achieved shall be provided in the
196 agency's budget request submitted to the Joint Legislative Budget
197 Committee for Fiscal Year 2026.

198 **SECTION 12.** It is the intention of the Legislature that the
199 Executive Director of the Mississippi Emergency Management Agency
200 shall have authority to transfer not more than Five Hundred
201 Thousand Dollars (\$500,000.00) from any general or special fund
202 treasury fund and major object budget category to another special
203 or general fund treasury fund and major object budget category
204 accordingly under the control of the Mississippi Emergency

205 Management Agency. The purpose of this authority is to more
206 efficiently use available cash reserves. It is further the
207 intention of the Legislature that the Executive Director of the
208 Mississippi Emergency Management Agency shall submit written
209 justification for the transfer to the Legislative Budget Office
210 and the Department of Finance and Administration on or before the
211 fifteenth of the month prior to the effective date of the
212 transfer.

213 **SECTION 13.** It is the intention of the Legislature that the
214 Mississippi Emergency Management Agency shall submit a
215 notification and summary of all state support funding on all
216 disasters that require general funds or state support special
217 funds to the Legislative Budget Office.

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

226 **SECTION 15.** It is the intention of the Legislature that
227 whenever two (2) or more bids are received by this agency for the
228 purchase of commodities or equipment, and whenever all things
229 stated in such received bids are equal with respect to price,
230 quality and service, the Mississippi Industries for the Blind

231 shall be given preference. A similar preference shall be given to
232 the Mississippi Industries for the Blind whenever purchases are
233 made without competitive bids.

234 **SECTION 16.** With funds appropriated herein, the Mississippi
235 Emergency Management Agency is authorized to make reimbursement
236 payments directly to individual Mississippi citizens who have been
237 or will be approved to participate in the Federal Emergency
238 Management Agency's Safe Room Grant Program. All funds paid by
239 the Mississippi Emergency Management Agency under this program
240 will be reimbursed to the Agency by the Federal Emergency
241 Management Agency.

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

250 Notwithstanding the amount reappropriated under this section,
251 the amount that may be expended under the authority of this
252 section shall not exceed the unexpended balance of the funds
253 remaining as of June 30, 2024, from the amount authorized for the
254 previous fiscal year. In addition, this reappropriation shall not
255 change the purpose for which the funds were originally authorized.

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

262 **SECTION 19.** The expenditure of the funds appropriated by
263 this act shall be under the direction of the Governor and shall be
264 paid by the State Treasurer out of any money in the proper fund or
265 funds as set forth in this act, upon warrants issued by the State
266 Fiscal Officer; and the State Fiscal Officer shall issue his
267 warrants upon requisitions signed by the proper person, officer or
268 officers in the manner provided by law.

269 **SECTION 20.** This act shall take effect and be in force from
270 and after July 1, 2024, and shall stand repealed from and after
271 June 30, 2024.

HR13\SB3040A.J

Andrew Ketchings
Clerk of the House of Representatives