

By: Senator(s) Gordon, Thames, Cuevas, Lee,
Dawkins, Kirby, Scoper, Simmons

To: Appropriations

SENATE BILL NO. 3160
(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 2003.

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, 2002, and ending June 30, 2003..... \$ 760,176.00.

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, 2002, and ending June 30, 2003.....
21 \$ 4,877,675.00.

22 **SECTION 3.** Of the funds appropriated under the provisions of
23 Sections 1 and 2, not more than the amounts set forth below shall
24 be expended for the respective major objects or purposes of
25 expenditure:

26 MAJOR OBJECTS OF EXPENDITURE:

27 Personal Services:

28 Salaries, Wages and Fringe Benefits.. \$ 2,481,778.00



29	Travel and Subsistence.....	48,500.00
30	Contractual Services.....	444,777.00
31	Commodities.....	118,929.00
32	Capital Outlay:	
33	Other Than Equipment.....	0.00
34	Equipment.....	70,000.00
35	Subsidies, Loans and Grants.....	<u>2,473,867.00</u>
36	Total.....	\$ 5,637,851.00

37 FUNDING:

38	General Funds.....	\$ 760,176.00
39	Special Funds.....	<u>4,877,675.00</u>
40	Total.....	\$ 5,637,851.00

41 AUTHORIZED POSITIONS:

42	Permanent: Full Time.....	48
43	Part Time.....	0
44	Time-Limited: Full Time.....	12
45	Part Time.....	0

46 Funds are provided herein to adjust the Variable Compensation
47 Plan to ensure that all full-time employees receive a pay increase
48 equal to fifty percent (50%) of the realignment component of the
49 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
50 whichever is greater, beginning on January 1, 2003.

51 With the funds herein appropriated, it is the intention of
52 the Legislature that it shall be the agency's responsibility to
53 make certain that funds required to be appropriated for "Personal
54 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
55 funds appropriated for that purpose, unless programs, positions or
56 pay increases are added to the agency's budget by the Mississippi
57 Legislature. Based on data provided by the Legislative Budget
58 Office, the State Personnel Board shall, on July 1, 2002, publish
59 separate annual projection reports, based on July 1, 2002 data,
60 for the period of July 1, 2002, through December 31, 2002, and
61 January 1, 2003, through June 30, 2003, that project the annual



62 cost to fully fund all appropriated positions in compliance with
63 the provisions of this act. It shall be the responsibility of the
64 agency head to ensure that no single personnel action increases
65 this projected cost and/or the Fiscal Year 2003 appropriation for
66 "Personal Services," as annualized on a semiannual basis in
67 accordance with the provisions of this act. If, at the end of any
68 calendar month, the State Personnel Board determines that the
69 agency has taken action(s) which would cause the agency to exceed
70 this projected annual cost or the Fiscal Year 2003 "Personal
71 Services" appropriated level, when annualized in compliance with
72 the provisions of this act, then only those actions which reduce
73 the projected annual cost and/or the appropriation requirement
74 will be processed by the State Personnel Board until such time as
75 the requirements of this provision are met.

76 Any transfers or escalations shall be made in accordance with
77 the terms, conditions and procedures established by law.

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

82 **SECTION 4.** Of the funds appropriated under the provisions of
83 Section 2, One Million Three Hundred Thousand Dollars
84 (\$1,300,000.00) shall be derived from the Budget Contingency Fund
85 created in Section 27-103-301, Mississippi Code of 1972.

86 **SECTION 5.** It is the intention of the Legislature that the
87 Director of the Mississippi Emergency Management Agency may, upon
88 the request of a local public emergency management organization in
89 an area which has suffered a natural disaster, supply equipment to
90 rural water associations to enable their continued operation when
91 the local emergency management organization determines that such
92 private entities provide services essential to the welfare of the
93 community.



94 **SECTION 6.** It is the intention of the Legislature that the
95 Director of the Mississippi Emergency Management Agency shall
96 provide enhanced training to local governments, supervisors,
97 mayors, civil defense groups and municipal associations in
98 disaster management.

99 **SECTION 7.** The following sum, or so much thereof as may be
100 necessary, is hereby appropriated out of any money in the State
101 General Fund not otherwise appropriated, to the Emergency
102 Management Agency to be used to establish a special reserve fund
103 in the State Treasury for Disaster Relief, for the fiscal year
104 beginning July 1, 2002, and ending June 30, 2003.....
105 \$ 86,925.00.

106 **SECTION 8.** The following sum, or so much thereof as may be
107 necessary, is hereby appropriated out of any money in the State
108 Treasury to the credit of the Emergency Management Agency Fund
109 Nos. 3725, 3724 and 3728 for the purpose of defraying certain
110 administrative expenses and the state and federal share of the
111 cost of the Disaster Relief Program, and the Individual and Family
112 Grant Program, for the fiscal year beginning July 1, 2002, and
113 ending June 30, 2003..... \$ 8,000,000.00.

114 **SECTION 9.** The following sum, or so much thereof as may be
115 necessary, is hereby appropriated out of any money in the State
116 Treasury to the credit of the Emergency Management Agency Fund No.
117 372U for the purpose of defraying certain administrative expenses
118 and the federal share of the cost of the Hazard Mitigation
119 Program, for the fiscal year beginning July 1, 2002, and ending
120 June 30, 2003..... \$ 29,429,345.00.

121 **SECTION 10.** The following sum, or so much thereof as may be
122 necessary, is hereby appropriated out of any money in the State
123 General Fund not otherwise appropriated to the Emergency
124 Management Agency for the purpose of defraying certain
125 administrative expenses and the state share of the cost of the



126 Hazard Mitigation Program, for the fiscal year beginning
127 July 1, 2002, and ending June 30, 2003..... \$ 100,000.00.

128 **SECTION 11.** The following sum, or so much thereof as may be
129 necessary, is hereby appropriated out of any money in the State
130 Treasury to the credit of the Emergency Management Agency Fund No.
131 372G for the purpose of defraying certain administrative expenses
132 of the cost of the Nuclear Preparedness Program, for the fiscal
133 year beginning July 1, 2002, and ending June 30, 2003.....
134 \$ 540,000.00.

135 **SECTION 12.** The following sum, or so much thereof as may be
136 necessary, is hereby appropriated out of any money in the State
137 Treasury to the credit of the Emergency Management Agency Fund
138 Nos. 3725 and 3728 for the purpose of defraying certain
139 administrative expenses and the state and federal share of the
140 cost of the Public Assistance Program resulting from the 1994 Ice
141 Storm, for the fiscal year beginning July 1, 2002, and ending
142 June 30, 2003..... \$ 1,073,000.00.

143 **SECTION 13.** The following sum, or so much thereof as may be
144 necessary, is hereby appropriated out of any money in the State
145 Treasury to the credit of the Emergency Management Agency Fund No.
146 3728 for the purpose of defraying certain administrative expenses
147 and the federal share of the cost of the Public Assistance Program
148 resulting from the December 1998 Ice Storm, for the fiscal year
149 beginning July 1, 2002, and ending June 30, 2003.....
150 \$ 1,177,357.00.

151 **SECTION 14.** The following sum, or so much thereof as may be
152 necessary, is hereby appropriated out of any money in the State
153 General Fund not otherwise appropriated, to the Emergency
154 Management Agency for the purpose of defraying certain
155 administrative expenses and the state share of the cost of the
156 Public Assistance Program resulting from the December 1998 Ice
157 Storm, for the fiscal year beginning July 1, 2002, and ending
158 June 30, 2003..... \$ 216,143.00.



159 **SECTION 15.** The following sum, or so much thereof as may be
160 necessary, is hereby appropriated out of any money in the State
161 Treasury to the credit of the Emergency Management Agency Fund
162 Nos. 3725 and 3728 for the purpose of defraying certain
163 administrative expenses and federal share of the cost of the
164 Public Assistance Program and the Individual and Family Grant
165 Program resulting from Hurricane Georges, for the fiscal year
166 beginning July 1, 2002, and ending June 30, 2003.....
167 \$ 4,880,212.00.

168 **SECTION 16.** The following sum, or so much thereof as may be
169 necessary, is hereby appropriated out of any money in the State
170 General Fund not otherwise appropriated, to the Emergency
171 Management Agency for the purpose of defraying certain
172 administrative expenses and the state share of the cost of the
173 Public Assistance Program and the Individual and Family Grant
174 Program resulting from Hurricane Georges, for the fiscal year
175 beginning July 1, 2002, and ending June 30, 2003.....
176 \$ 1,507,234.00.

177 **SECTION 17.** The following sum, or so much thereof as may be
178 necessary, is hereby appropriated out of any money in the Budget
179 Contingency Fund, created in Section 27-103-301, Mississippi Code
180 of 1972, to the Emergency Management Agency for the purpose of
181 defraying certain administrative expenses and the state share of
182 the cost of the Public Assistance Program and the Individual and
183 Family Grant Program resulting from Hurricane Georges, for the
184 fiscal year beginning July 1, 2002, and ending June 30, 2003.....
185 \$ 23,390.00.

186 **SECTION 18.** The following sum, or so much thereof as may be
187 necessary, is hereby appropriated out of any money in the State
188 Treasury to the credit of the Mississippi Emergency Management
189 Agency Fund Nos. 3725, 3724 and 3728 for the purpose of defraying
190 certain administrative expenses and the state and federal share of
191 the cost of the Public Assistance Program, the Individual and



192 Family Grant Program and the Hazard Mitigation Program resulting
193 from the tornado disasters in February and March 2001, for the
194 fiscal year beginning July 1, 2002, and ending June 30, 2003.....
195 \$ 26,731,398.00.

196 **SECTION 19.** The following sum, or so much thereof as may be
197 necessary, is hereby appropriated out of any money in the State
198 Treasury to the credit of the Emergency Management Agency Fund
199 Nos. 3725, 3724 and 3728 for the purpose of defraying certain
200 administrative expenses and the state and federal share of the
201 cost of the Public Assistance Program, the Individual and Family
202 Grant Program and the Hazard Mitigation Program resulting from the
203 March 2001 Flood, for the fiscal year beginning July 1, 2002, and
204 ending June 30, 2003..... \$ 10,054,924.00.

205 **SECTION 20.** The following sum, or so much thereof as may be
206 necessary, is hereby appropriated out of any money in the State
207 Treasury to the credit of the Mississippi Emergency Management
208 Agency Fund Nos. 3725, 3724 and 3728 for the purpose of defraying
209 certain administrative expenses and the state and federal share of
210 the cost of the Public Assistance Program, the Individual and
211 Family Grant Program and the Hazard Mitigation Program resulting
212 from Tropical Storm Allison, for the fiscal year beginning
213 July 1, 2002, and ending June 30, 2003..... \$ 1,973,445.00.

214 **SECTION 21.** The following sum, or so much thereof as may be
215 necessary, is hereby appropriated out of any money in the State
216 Treasury to the credit of the Mississippi Emergency Management
217 Agency Fund Nos. 3725, 3724 and 3728 for the purpose of defraying
218 certain administrative expenses and the state and federal share of
219 the cost of the Public Assistance Program, the Individual and
220 Family Grant Program and the Hazard Mitigation Program resulting
221 from the tornado disasters in November 2001, for the fiscal year
222 beginning July 1, 2002, and ending June 30, 2003.....
223 \$ 4,981,646.00.



224 **SECTION 22.** The funds appropriated in Section 6 shall be
225 expended only as provided in Sections 43-41-1 et seq. and
226 43-41-301 et seq., Mississippi Code of 1972, or for the purpose of
227 matching federal funds in the event a disaster occurs within the
228 state.

229 **SECTION 23.** The expenditure of the funds appropriated by
230 this act shall be under the direction of the Governor and shall be
231 paid by the State Treasurer out of any money in the State General
232 Fund not otherwise appropriated, or the proper special funds, upon
233 warrants issued by the State Fiscal Officer; and the State Fiscal
234 Officer shall issue his warrants upon requisitions signed by the
235 proper person, officer or officers, in the manner provided by law.

236 **SECTION 24.** This act shall take effect and be in force from
237 and after July 1, 2002.

