

**REPORT OF CONFERENCE COMMITTEE**

**# 2**

**MADAM PRESIDENT AND MR. SPEAKER:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3077: Appropriation; Emergency Management Agency.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

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, 2005, and ending June 30, 2006..... \$           773,189.00.

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, 2005, and ending June 30, 2006 .....

21 ..... \$           3,704,443.00.

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 .. \$           2,591,830.00

29	Travel and Subsistence.....	43,576.00
30	Contractual Services .....	275,287.00
31	Commodities.....	91,310.00
32	Capital Outlay:	
33	Other Than Equipment .....	0.00
34	Equipment .....	11,879.00
35	Subsidies, Loans and Grants.....	<u>1,463,750.00</u>
36	Total.....	\$ 4,477,632.00
37	FUNDING:	
38	General Funds .....	\$ 773,189.00
39	Special Funds .....	<u>3,704,443.00</u>
40	Total.....	\$ 4,477,632.00

41 AUTHORIZED POSITIONS:

42	Permanent: Full Time .....	47
43	Part Time .....	0
44	Time-Limited: Full Time .....	20
45	Part Time .....	0

46 With the funds herein appropriated, it is the intention of  
47 the Legislature that it shall be the agency's responsibility to  
48 make certain that funds required to be appropriated for "Personal  
49 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006  
50 funds appropriated for that purpose, unless programs or positions  
51 are added to the agency's Fiscal Year 2007 budget by the  
52 Mississippi Legislature. Based on data provided by the  
53 Legislative Budget Office, the State Personnel Board shall  
54 determine and publish the projected annual cost to fully fund all  
55 appropriated positions in compliance with the provisions of this  
56 act. It shall be the responsibility of the agency head to insure  
57 that no single personnel action increases this projected annual  
58 cost and/or the Fiscal Year 2006 appropriation for "Personal  
59 Services" when annualized, with the exception of escalated funds.  
60 If, at the time the agency takes any action to change "Personal

61 Services," the State Personnel Board determines that the agency  
62 has taken an action which would cause the agency to exceed this  
63 projected annual cost or the Fiscal Year 2006 "Personal Services"  
64 appropriated level, when annualized, then only those actions which  
65 reduce the projected annual cost and/or the appropriation  
66 requirement will be processed by the State Personnel Board until  
67 such time as the requirements of this provision are met.

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

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

81 The agency shall not take any action to promote or otherwise  
82 award salary increases through reallocation, reclassification,  
83 realignment, education benchmark, career ladder, or any other  
84 means to increase salaries of employees or positions, except for  
85 the award of teacher pay increases.

86 **SECTION 4.** 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 5.** 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 6.** 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 Mississippi  
102 Emergency Management Agency for the purpose of defraying certain  
103 administrative expenses and the state share of the cost of  
104 disaster assistance programs, including, but not being limited to,  
105 public assistance programs, individual and family grant programs,  
106 and mitigation programs, for the fiscal year beginning  
107 July 1, 2005, and ending June 30, 2006.....\$     1,604,720.00.

108       **SECTION 7.** The following sum, or so much thereof as may be  
109 necessary, is hereby appropriated out of any money in the State  
110 Treasury to the credit of the Mississippi Emergency Management  
111 Agency Fund Nos. 3724, 3725, 3728, 372U and 372C for the  
112 purpose of defraying certain administrative expenses and the state  
113 and federal share of the cost of disaster assistance programs,  
114 including, but not being limited to, public assistance programs,  
115 individual and family grant programs, and mitigation programs, for  
116 the fiscal year beginning July 1, 2005, and ending  
117 June 30, 2006.....\$     86,439,289.00.

118       **SECTION 8.** Of the funds appropriated under the provisions of  
119 Sections 6 and 7, not more than the amounts set forth below shall  
120 be expended for the respective major objects or purposes of  
121 expenditure:

122       MAJOR OBJECTS OF EXPENDITURE:

123       Personal Services:

124	Salaries, Wages and Fringe Benefits .. \$	0.00
125	Travel and Subsistence.....	36,436.00
126	Contractual Services .....	348,784.00
127	Commodities.....	117,300.00
128	Capital Outlay:	
129	Other Than Equipment .....	0.00
130	Equipment .....	155,633.00
131	Subsidies, Loans and Grants.....	<u>87,385,856.00</u>
132	Total..... \$	88,044,009.00

133 FUNDING:

134	General Funds .....	\$ 1,604,720.00
135	Special Funds .....	<u>86,439,289.00</u>
136	Total..... \$	88,044,009.00

137 **SECTION 9.** The funds appropriated under the provisions of  
138 Sections 6 and 7 are provided to defray certain administrative  
139 expenses and the state and federal share of the cost of disaster  
140 assistance programs, including public assistance programs,  
141 individual and family grant programs, and mitigation programs  
142 resulting from, but not being limited to, the following:

- 143 September 1998 Hurricane Georges #1251
- 144 December 1998 Ice Storm #1265
- 145 February and March 2001 Tornado Disasters #1360
- 146 April 2001 Floods #1365
- 147 June 2001 Tropical Storm Allison #1382
- 148 November 2001 Tornado/Flood #1398
- 149 October 2002 Tropical Storm Isidore #1436
- 150 November 2002 Tornado (Columbus/MUW) #1443
- 151 April 2003 Severe Storms #1459
- 152 May 2003 Severe Storms #1470
- 153 Hazard Mitigation Programs
- 154 Emergency Preparedness Programs

155           **SECTION 10.** None of the funds appropriated in Section 6  
156 shall be used to establish a special reserve fund in the State  
157 Treasury for disaster relief except as provided for in Sections  
158 43-41-1 et seq. and 43-41-301 et seq., Mississippi Code of 1972.

159           **SECTION 11.** It is the intention of the Legislature that the  
160 agency's budget request for Fiscal Year 2007 shall be submitted to  
161 the Joint Legislative Budget Committee in a format and level of  
162 detail comparable to the format and level of detail provided  
163 during the Fiscal Year 2006 budget request process.

164           **SECTION 12.** It is the intention of the Legislature that the  
165 Executive Director of the Mississippi Emergency Management Agency  
166 may authorize increases in any major objects of expenditures in  
167 total amounts not to exceed twenty-five percent (25%) of the  
168 appropriated amount of each major object of expenditure, provided  
169 that other major objects of expenditure are decreased by a  
170 corresponding dollar amount. However, no transfers shall be  
171 authorized which increase the major object of expenditure  
172 "Salaries, Wages and Fringe Benefits."

173           **SECTION 13.** It is the intention of the Legislature that the  
174 Executive Director of the Mississippi Emergency Management Agency  
175 shall have authority to transfer not more than Five Hundred  
176 Thousand Dollars (\$500,000.00) from any general or special fund  
177 treasury fund and major object budget category to another special  
178 or general fund treasury fund and major object budget category  
179 accordingly under the control of the Mississippi Emergency  
180 Management Agency. The purpose of this authority is to more  
181 efficiently use available cash reserves. It is further the  
182 intention of the Legislature that the Executive Director of the  
183 Mississippi Emergency Management Agency shall submit written  
184 justification for the transfer to the Legislative Budget Office  
185 and the Department of Finance and Administration on or before the

186 fifteenth (15th) of the month prior to the effective date of the  
187 transfer.

188         **SECTION 14.** The expenditure of the funds appropriated by  
189 this act shall be under the direction of the Governor and shall be  
190 paid by the State Treasurer out of any money in the proper fund or  
191 funds as set forth in this act, upon warrants issued by the State  
192 Fiscal Officer; and the State Fiscal Officer shall issue his  
193 warrants upon requisitions signed by the proper person, officer or  
194 officers in the manner provided by law.

195         **SECTION 15.** This act shall take effect and be in force from  
196 and after July 1, 2005.

CONFEREES FOR THE SENATE

X (SIGNED)  
Gordon

X (SIGNED)  
Huggins

X (SIGNED)  
Cuevas

CONFEREES FOR THE HOUSE

X (SIGNED)  
Stringer

X (SIGNED)  
Capps

X (SIGNED)  
Weathersby