

By: Senator(s) Gordon, Little, Huggins,  
Cuevas, Hyde-Smith, Simmons, Wilemon

To: Appropriations

SENATE BILL NO. 3037

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 2007.

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, 2006, and ending June 30, 2007..... \$ 1,881,784.00.

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, 2006, and ending June 30, 2007.....  
21 ..... \$ 4,078,599.00.

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.. \$ 3,044,536.00

29	Travel and Subsistence.....		45,000.00
30	Contractual Services.....		1,107,387.00
31	Commodities.....		111,310.00
32	Capital Outlay:		
33	Other Than Equipment.....		0.00
34	Equipment.....		185,400.00
35	Subsidies, Loans and Grants.....		<u>1,466,750.00</u>
36	Total.....	\$	5,960,383.00
37	FUNDING:		
38	General Funds.....	\$	1,881,784.00
39	Special Funds.....		<u>4,078,599.00</u>
40	Total.....	\$	5,960,383.00

41 AUTHORIZED POSITIONS:

42	Permanent: Full Time.....	48
43	Part Time.....	0
44	Time-Limited: Full Time.....	20
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 the realignment component of the Variable Compensation  
49 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,  
50 beginning on July 1, 2006.

51 Pursuant to policies established by the State Personnel  
52 Board, agency heads may, on a case by case basis and within funds  
53 available, recommend equity salary adjustments to Fiscal Year 2006  
54 agency appropriation acts where application of limitations result  
55 in awarding one employee a salary increase greater than another  
56 employee within the same agency, with the same job classification  
57 series and greater longevity.

58 With the funds herein appropriated, it is the intention of  
59 the Legislature that it shall be the agency's responsibility to  
60 make certain that funds required to be appropriated for "Personal  
61 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007

62 funds appropriated for that purpose, unless programs or positions  
63 are added to the agency's Fiscal Year 2008 budget by the  
64 Mississippi Legislature. Based on data provided by the  
65 Legislative Budget Office, the State Personnel Board shall  
66 determine and publish the projected annual cost to fully fund all  
67 appropriated positions in compliance with the provisions of this  
68 act. It shall be the responsibility of the agency head to insure  
69 that no single personnel action increases this projected annual  
70 cost and/or the Fiscal Year 2007 appropriation for "Personal  
71 Services" when annualized, with the exception of escalated funds.  
72 If, at the time the agency takes any action to change "Personal  
73 Services," the State Personnel Board determines that the agency  
74 has taken an action which would cause the agency to exceed this  
75 projected annual cost or the Fiscal Year 2007 "Personal Services"  
76 appropriated level, when annualized, then only those actions which  
77 reduce the projected annual cost and/or the appropriation  
78 requirement will be processed by the State Personnel Board until  
79 such time as the requirements of this provision are met.

80 Any transfers or escalations shall be made in accordance with  
81 the terms, conditions and procedures established by law or  
82 allowable under the terms set forth within this act. The State  
83 Personnel Board shall not escalate positions without written  
84 approval from the Department of Finance and Administration. The  
85 Department of Finance and Administration shall not provide written  
86 approval to escalate any funds for salaries and/or positions  
87 without proof of availability of new or additional funds above the  
88 appropriated level.

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

93 **SECTION 4.** It is the intention of the Legislature that the  
94 Director of the Mississippi Emergency Management Agency may, upon

95 the request of a local public emergency management organization in  
96 an area which has suffered a natural disaster, supply equipment to  
97 rural water associations to enable their continued operation when  
98 the local emergency management organization determines that such  
99 private entities provide services essential to the welfare of the  
100 community.

101 **SECTION 5.** It is the intention of the Legislature that the  
102 Director of the Mississippi Emergency Management Agency shall  
103 provide enhanced training to local governments, supervisors,  
104 mayors, civil defense groups and municipal associations in  
105 disaster management.

106 **SECTION 6.** The following sum, or so much thereof as may be  
107 necessary, is hereby appropriated out of any money in the State  
108 General Fund not otherwise appropriated, to the Mississippi  
109 Emergency Management Agency for the purpose of defraying certain  
110 administrative expenses and the state share of the cost of  
111 disaster assistance programs, including, but not being limited to,  
112 public assistance programs, individual and family grant programs,  
113 and mitigation programs, for the fiscal year beginning  
114 July 1, 2006, and ending June 30, 2007.....\$ 1,773,510.00.

115 **SECTION 7.** The following sum, or so much thereof as may be  
116 necessary, is hereby appropriated out of any money in the State  
117 Treasury to the credit of the Mississippi Emergency Management  
118 Agency Fund Nos. 3724, 3725, 3728, 372U, 372C, 3729 and 372K for  
119 the purpose of defraying certain administrative expenses and the  
120 state and federal share of the cost of disaster assistance  
121 programs, including, but not being limited to, public assistance  
122 programs, individual and family grant programs, and mitigation  
123 programs, for the fiscal year beginning July 1, 2006, and ending  
124 June 30, 2007.....\$ 86,240,672.00.

125 **SECTION 8.** Of the funds appropriated under the provisions of  
126 Sections 6 and 7, not more than the amounts set forth below shall

127 be expended for the respective major objects or purposes of  
128 expenditure:

129 MAJOR OBJECTS OF EXPENDITURE:

130 Personal Services:

131	Salaries, Wages and Fringe Benefits.. \$	0.00
132	Travel and Subsistence.....	37,000.00
133	Contractual Services.....	503,075.00
134	Commodities.....	97,189.00
135	Capital Outlay:	
136	Other Than Equipment.....	0.00
137	Equipment.....	376,918.00
138	Subsidies, Loans and Grants.....	<u>87,000,000.00</u>
139	Total..... \$	88,014,182.00

140 FUNDING:

141	General Funds..... \$	1,773,510.00
142	Special Funds.....	<u>86,240,672.00</u>
143	Total..... \$	88,014,182.00

144 **SECTION 9.** The funds appropriated under the provisions of  
145 Sections 6 and 7 are provided to defray certain administrative  
146 expenses and the state and federal share of the cost of disaster  
147 assistance programs, including public assistance programs,  
148 individual and family grant programs, and mitigation programs  
149 resulting from, but not being limited to, the following:

- 150 September 1998 Hurricane Georges #1251
- 151 September 2004 Hurricane Ivan #1550
- 152 February and March 2001 Tornado Disasters #1360
- 153 April 2001 Floods #1365
- 154 June 2001 Tropical Storm Allison #1382
- 155 November 2001 Tornado/Flood #1398
- 156 October 2002 Tropical Storm Isidore #1436
- 157 November 2002 Tornado (Columbus/MUW) #1443
- 158 April 2003 Severe Storms #1459
- 159 May 2003 Severe Storms #1470

160 Hazard Mitigation Programs

161 Emergency Preparedness Programs

162 **SECTION 10.** None of the funds appropriated in Section 6  
163 shall be used to establish a special reserve fund in the State  
164 Treasury for disaster relief except as provided for in Sections  
165 43-41-1 et seq. and 43-41-301 et seq., Mississippi Code of 1972.

166 **SECTION 11.** It is the intention of the Legislature that the  
167 agency's budget request for Fiscal Year 2008 shall be submitted to  
168 the Joint Legislative Budget Committee in a format and level of  
169 detail comparable to the format and level of detail provided  
170 during the Fiscal Year 2007 budget request process.

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

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

193 fifteenth (15th) of the month prior to the effective date of the  
194 transfer.

195         **SECTION 14.** The expenditure of the funds appropriated by  
196 this act shall be under the direction of the Governor and shall be  
197 paid by the State Treasurer out of any money in the proper fund or  
198 funds as set forth in this act, upon warrants issued by the State  
199 Fiscal Officer; and the State Fiscal Officer shall issue his  
200 warrants upon requisitions signed by the proper person, officer or  
201 officers in the manner provided by law.

202         **SECTION 15.** This act shall take effect and be in force from  
203 and after July 1, 2006.