

By: Senator(s) Hopson, Polk, DeLano, Butler
(38th), Moran, Seymour

To: Appropriations

SENATE BILL NO. 3018

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 2023.

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, 2022, and ending June 30, 2023.....\$ 3,996,691.00.

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, 2022, and ending June 30, 2023.....
21\$ 26,711,221.00.

22 **SECTION 3.** Of the funds appropriated in Sections 1 and 2,
23 the following positions are authorized:

24 AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	113
26		Part Time.....	0
27	Time-Limited:	Full Time.....	69
28		Part Time.....	0

29 With the funds herein appropriated, it shall be the agency's
30 responsibility to make certain that funds required for "Personal
31 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
32 funds appropriated for that purpose unless programs or positions
33 are added to the agency's Fiscal Year 2023 budget by the
34 Mississippi Legislature. The Legislature shall determine the
35 agency's personal services appropriation, which shall be published
36 by the State Personnel Board. Additionally, the State Personnel
37 Board shall determine and publish the projected annualized payroll
38 costs based on current employees. It shall be the responsibility
39 of the agency head to ensure that actual personnel expenditures
40 for Fiscal Year 2023 do not exceed the data provided by the
41 Legislative Budget Office. If the agency's Fiscal Year 2023
42 projected cost exceeds the annualized costs, no salary actions



43 shall be processed by the State Personnel Board with the exception
44 of new hires that are determined to be essential for the agency.

45 Any transfers or escalations shall be made in accordance with
46 the terms, conditions and procedures established by law or
47 allowable under the terms set forth within this act. The State
48 Personnel Board shall not escalate positions without written
49 approval from the Department of Finance and Administration. The
50 Department of Finance and Administration shall not provide written
51 approval to escalate any funds for salaries and/or positions
52 without proof of availability of new or additional funds above the
53 appropriated level.

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57 act and which are withdrawn and no longer available.

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

62 Funds have been appropriated herein for the purpose of
63 funding Project SEC2 minimum salaries for all employees covered
64 under the Colonel Guy Groff/Neville Kenning Variable Compensation
65 Plan. It shall be the agency's responsibility to ensure that the
66 funds are used to increase all employees' salaries up to the
67 minimum level as determined by the State Personnel Board.



68 **SECTION 4.** In addition to all other sums herein
69 appropriated, the following sum, or so much thereof as may be
70 necessary, is hereby appropriated out of any money in the State
71 General Fund not otherwise appropriated, to the Mississippi
72 Emergency Management Agency for the purpose of defraying certain
73 administrative expenses and the state share of the cost of
74 disaster assistance programs, including, but not being limited to,
75 public assistance programs, individual and family grant programs,
76 and mitigation programs, for the fiscal year beginning
77 July 1, 2022, and ending June 30, 2023.....\$ 585,056.00.

78 **SECTION 5.** In addition to all other sums herein
79 appropriated, the following sum, or so much thereof as may be
80 necessary, is hereby appropriated out of any money in the State
81 Treasury to the credit of the Mississippi Emergency Management
82 Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, 6820174300, and
83 58202 for the purpose of defraying certain administrative expenses
84 and the state and federal share of the cost of disaster assistance
85 programs, including, but not being limited to, public assistance
86 programs, individual and family grant programs, and mitigation
87 programs, for the fiscal year beginning July 1, 2022, and ending
88 June 30, 2023.....\$ 356,788,307.00.

89 **SECTION 6.** The funds appropriated under the provisions of
90 Sections 4 and 5 of this act are provided to defray certain
91 administrative expenses and the state and federal share of the
92 cost of disaster assistance programs, including public assistance



93 programs, individual and family grant programs, and mitigation
94 programs resulting from, but not being limited to, the following:

95	1604	Hurricane Katrina
96	4175	Severe Storms, Tornadoes, Flooding - Cities
97		of Louisville & Tupelo
98	-	Hazard Mitigation
99	-	Other Needs Assistance
100	-	Mississippi Temporary Housing Program
101	-	Pre-Disaster Response
102	-	Emergency Preparedness Programs
103	4429	Feb 22-March 29, 2019 Flooding
104	4450	Severe Weather April 13, 2019
105	4470	Severe Weather October 26, 2019
106	4478	Severe Weather January 10-11, 2020
107	4528	Coronavirus Pandemic
108	4536	Severe Weather April 12, 2020 Easter Tornadoes
109	4538	Flooding Feb 10-18, 2020 (Pearl River Flood)
110	4248	Severe Storms, Tornadoes, Flooding - North
111		Mississippi/Holly Springs
112	4268	Delta Flooding
113	4295	Pine Belt Tornado/Flooding
114	4314	Severe Storms, Flooding in Adams, Calhoun,
115		Carroll, Claiborne, Holmes, Jefferson, Montgomery,
116		Webster & Yazoo Counties
117	4350	Hurricane Nate



118 4415 Severe Storms, Flooding & Tornado in Clarke,
119 Covington, Forrest, Greene, Jasper, Jones,
120 Marion, Newton, Perry & Wayne Counties
121 4551 Severe Weather April 22-23, 2020
122 3544 Hurricane Sally
123 3548 Hurricane Delta
124 4576 Hurricane Zeta
125 4598 2021 Winter Storm

126 **SECTION 7.** None of the funds appropriated in Section 4 shall
127 be used to establish a special reserve fund in the State Treasury
128 for disaster relief except as provided for in Section 33-15-307,
129 Mississippi Code of 1972.

130 **SECTION 8.** It is the intention of the Legislature that the
131 Director of the Mississippi Emergency Management Agency may, upon
132 the request of a local public emergency management organization in
133 an area which has suffered a natural disaster, supply equipment to
134 rural water associations to enable their continued operation when
135 the local emergency management organization determines that such
136 private entities provide services essential to the welfare of the
137 community.

138 **SECTION 9.** It is the intention of the Legislature that the
139 Director of the Mississippi Emergency Management Agency shall
140 provide enhanced training to local governments, supervisors,
141 mayors, civil defense groups and municipal associations in
142 disaster management.



143 **SECTION 10.** It is the intention of the Legislature that the
 144 agency's budget request for Fiscal Year 2024 shall be submitted to
 145 the Joint Legislative Budget Committee in a format and level of
 146 detail comparable to the format and level of detail provided
 147 during the Fiscal Year 2023 budget request process.

148 **SECTION 11.** In compliance with the "Mississippi Performance
 149 Budget and Strategic Planning Act of 1994," it is the intent of
 150 the Legislature that the funds provided herein shall be utilized
 151 in the most efficient and effective manner possible to achieve the
 152 intended mission of this agency. Based on the funding authorized,
 153 this agency shall make every effort to attain the targeted
 154 performance measures provided below:

155		FY2023
156	<u>Performance Measures</u>	<u>Target</u>
157	Emergency Mgmt Preparedness	
158	Percent of the Affected Population Informed	100.00
159	Average Time to Deliver Goods & Services	
160	(Hrs)	24
161	Recovery	
162	Number of Ongoing Projects	1,200
163	Number of Meetings Conducted	3,500
164	Average Cost per Project	20,000,000.00
165	Percent of Recovery Objectives Complete	100.00
166	Mitigation	
167	Number of Workshops Conducted	14



168	Number of Ongoing Projects	140
169	Average Cost per Project	50,000.00
170	Percent Reduction in Damage Due to	
171	Natural & Man-Made Incidents	5.00

172 A reporting of the degree to which the performance targets
173 set above have been or are being achieved shall be provided in the
174 agency's budget request submitted to the Joint Legislative Budget
175 Committee for Fiscal Year 2024.

176 **SECTION 12.** It is the intention of the Legislature that the
177 Executive Director of the Mississippi Emergency Management Agency
178 shall have authority to transfer not more than Five Hundred
179 Thousand Dollars (\$500,000.00) from any general or special fund
180 treasury fund and major object budget category to another special
181 or general fund treasury fund and major object budget category
182 accordingly under the control of the Mississippi Emergency
183 Management Agency. The purpose of this authority is to more
184 efficiently use available cash reserves. It is further the
185 intention of the Legislature that the Executive Director of the
186 Mississippi Emergency Management Agency shall submit written
187 justification for the transfer to the Legislative Budget Office
188 and the Department of Finance and Administration on or before the
189 fifteenth of the month prior to the effective date of the
190 transfer.

191 **SECTION 13.** It is the intention of the Legislature that the
192 Mississippi Emergency Management Agency shall submit a



193 notification and summary of all state support funding on all
194 disasters that require general funds or state support special
195 funds to the Legislative Budget Office.

196 **SECTION 14.** It is the intention of the Legislature that from
197 any funds appropriated in this act, the agency shall maintain a
198 minimum of nine (9) Area Coordinators to provide daily assistance
199 to local jurisdictions with emergency management activities as
200 well as to provide quicker response to incidents and/or disasters.
201 In addition, it is the intent of the Legislature that these Area
202 Coordinators shall reside in or within fifty (50) miles of their
203 assigned districts.

204 **SECTION 15.** It is the intention of the Legislature that
205 whenever two (2) or more bids are received by this agency for the
206 purchase of commodities or equipment, and whenever all things
207 stated in such received bids are equal with respect to price,
208 quality and service, the Mississippi Industries for the Blind
209 shall be given preference. A similar preference shall be given to
210 the Mississippi Industries for the Blind whenever purchases are
211 made without competitive bids.

212 **SECTION 16.** The following sum, or so much thereof as may be
213 necessary, is reappropriated out of any money in the Capital
214 Expense Fund not otherwise appropriated, for the Mississippi
215 Emergency Management Agency for the purpose of reauthorizing the
216 expenditure of Capital Expense Funds for the purpose of defraying
217 the expenses for vehicle purchases, as authorized in Senate Bill



218 No. 2917, 2021 Regular Session, for the fiscal year beginning July
219 1, 2022, and ending June 30, 2023.....\$ 75,500.00.

220 Notwithstanding the amount reappropriated under the
221 provisions of this section, in no event shall the amount expended
222 exceed the unexpended balance as of June 30, 2022.

223 **SECTION 17.** It is the intention of the Legislature that the
224 Mississippi Emergency Management Agency is hereby authorized to
225 pay invoices submitted by eTech Channel for reimbursement for
226 prior fiscal year commodities in an amount not to exceed One
227 Hundred Fifteen Thousand Dollars (\$115,000.00).

228 **SECTION 18.** The expenditure of the funds appropriated by
229 this act shall be under the direction of the Governor and shall be
230 paid by the State Treasurer out of any money in the proper fund or
231 funds as set forth in this act, upon warrants issued by the State
232 Fiscal Officer; and the State Fiscal Officer shall issue his
233 warrants upon requisitions signed by the proper person, officer or
234 officers in the manner provided by law.

235 **SECTION 19.** This act shall take effect and be in force from
236 and after July 1, 2022, and shall stand repealed from and after
237 June 30, 2022.

