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MISSISSIPPI LEGISLATURE

2020 Regular Session

To: Appropriations

By: Senator(s) Hopson, Wiggins, Johnson, DeLano, Jackson (15th), Witherspoon

Senate Bill 2938

(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2021.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Emergency Management Agency in accordance with the provisions of Section 33-15-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2020, and ending June 30, 2021 $ 3,794,801.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Emergency Management Agency which is comprised of special source funds collected by or otherwise available to the agency, for the support and maintenance of the agency for the fiscal year beginning July 1, 2020, and ending June 30, 2021.....$ 36,442,415.00.

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

AUTHORIZED POSITIONS:

Permanent: Full Time	123
Part Time	0
Time-Limited: Full Time	65
Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2022 do not exceed Fiscal Year 2021 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2021 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation, reclassification, or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the Chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2021 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken

an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2021 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

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

SECTION 4. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency may, upon the request of a local public emergency management organization in an area which has suffered a natural disaster, supply equipment to rural water associations to enable their continued operation when the local emergency management organization determines that such private entities provide services essential to the welfare of the community.

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

SECTION 6. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of defraying certain administrative expenses and the state share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2020, and ending June 30, 2021.....$ 585,056.00.

SECTION 7. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Emergency Management Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, and 58202 for the purpose of defraying certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2020, and ending June 30, 2021.....$ 628,551,214.00.

SECTION 8. The funds appropriated under the provisions of Sections 6 and 7 of this act are provided to defray certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including public assistance programs, individual and family grant programs, and mitigation programs resulting from, but not being limited to, the following:

1604 Hurricane Katrina
4081 Hurricane Isaac
4175 Severe Storms, Tornadoes, Flooding - Cities of Louisville & Tupelo
4205 Severe Storms, Tornadoes, Marion County & City of Columbia
Hazard Mitigation
Other Needs Assistance
Mississippi Temporary Housing Program
Pre-Disaster Response
Emergency Preparedness Programs
4429 Feb 22-March 29, 2019 Flooding
4450 Severe Weather April 13, 2019
4470 Severe Weather October 26, 2019
4478 Severe Weather January 10-11, 2020
4528 Coronavirus Pandemic
4536 Severe Weather April 12, 2020 Easter Tornadoes
4538 Flooding Feb 10-18, 2020 (Pearl River Flood)
4248 Severe Storms, Tornadoes, Flooding - North Mississippi/Holly Springs
4268 Delta Flooding
4295 Pine Belt Tornado/Flooding
4314 Severe Storms, Flooding in Adams, Calhoun, Carroll, Claiborne, Holmes, Jefferson, Montgomery, Webster & Yazoo Counties
4350 Hurricane Nate
4415 Severe Storms, Flooding & Tornado in Clarke, Covington, Forrest, Greene, Jasper, Jones, Marion, Newton, Perry & Wayne Counties

SECTION 9. None of the funds appropriated in Section 6 shall be used to establish a special reserve fund in the State Treasury for disaster relief except as provided for in Section 33-15-307, Mississippi Code of 1972.

SECTION 10. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2022 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2021 budget request process.

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

Performance Measures	FY2021 Target
Emergency Mgmt Preparedness	
Percentage of the Affected Population Informed	100.00
Average Time to Deliver Goods and Services (Hrs)	24.00
Recovery	
Number of Ongoing Projects	330
Number of Meetings Conducted	875
Average Cost Per Project	265,000.00
Percentage of Recovery Objectives Complete	100.00
Mitigation	
Number of Workshops Conducted	18
Number of Ongoing Projects	80
Average Cost Per Project	1,400,000.00
Reduction in Damage Due to Natural and Man-Made Incidents (%)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2022.

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

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

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Mississippi Emergency Management Agency for the purpose of reauthorizing the expenditure of Two Hundred Forty Thousand Dollars ($240,000.00) in Capital Expense Funds, as authorized in SB 3017, 2019 Regular Session, to provide matching grant funds for Next Generation (NG) 911, for the fiscal year beginning July 1, 2020, and ending June 30, 2021.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2020.

SECTION 15. It is the intention of the Legislature that from any funds appropriated in this act, the agency shall maintain a minimum of nine (9) Area Coordinators to provide daily assistance to local jurisdictions with emergency management activities as well as to provide quicker response to incidents and/or disasters. In addition, it is the intent of the Legislature that these Area Coordinators shall reside in or within fifty (50) miles of their assigned districts.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The expenditure of the funds appropriated by this act shall be under the direction of the Governor and shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2020.

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