

4/20/15

9:39 A.M.

Chapter No. 82  
15/SS26/A721SG  
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***SENATE BILL NO. 2856***

Originated in Senate *Lizwele* Secretary

SENATE BILL NO. 2856

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 2016.

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, 2015, and ending June 30, 2016..... \$ 3,873,377.00.

**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, 2015, and ending June 30, 2016.....  
 ..... \$ 27,426,716.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	109
	Part Time .....	0
Time-Limited:	Full Time .....	46
	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 2017 do not exceed Fiscal Year 2016 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2016 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. 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 2016 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 2016 "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, 2015, and ending June 30, 2016..... \$ 663,780.00.

**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, 37BC and 372K 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, 2015, and ending June 30, 2016 ..... \$ 452,094,439.00.

**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:

- 1550        Hurricane Ivan
- 1604        Hurricane Katrina
- 1764        Severe Storms, Tornadoes - Hinds County & City of Jackson
- 3291        Hurricane Gustav (Emergency Declaration)
- 1794        Hurricane Gustav
- 1837        Severe Storms, Tornadoes, Flooding - Simpson County & City of Magee
- 1906        Severe Storms, Tornadoes - Yazoo County & Yazoo City
- 1916        Severe Storms, Tornadoes, Flooding - Alcorn County & City of Corinth

1972 Severe Storms, Tornadoes, Flooding - City of  
Clinton & Town of Smithville

3320 Flooding - MS and Yazoo River (Emergency  
Declaration)

1983 Flooding - MS and Yazoo River

4081 Hurricane Isaac

4101 Severe Storms, Tornadoes, Flooding - City of  
Hattiesburg & Pinebelt Area

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

**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 Sections 43-41-1 et seq. and 43-41-301 et seq., Mississippi Code of 1972.

**SECTION 10.** It is the intention of the Legislature that the agency's budget request for Fiscal Year 2017 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 2016 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:

	FY2016
<u>Performance Measures</u>	<u>Target</u>
Emergency Management	
Incidents Reported to MEMA	3,500
Reduction in Loss of Property (%)	1
Reduction in Loss of Life (%)	1
Localities MEMA Certified as	
Emergency Ready	62
Average Response Time To	
Natural and Man Made Disasters (Hours)	2
Number of National Flood Insurance Program	
Technical Assistance Visits	1,000
Incidents in which Personnel, Supplies,	
and Equipment are Deployed Within	
2 Hours (%)	100
Compliance with Emergency Management	

Performance Grant Program (%)	100
Coastal Retrofit Ms	
Residences Retrofitted & Closed Out	0
Average Cost per Retrofitted Residence (\$)	0
Emerg Mgmt Preparedness	
Number of Preparedness Educational Opportunities Provided	125
Recovery	
Percentage of Eligible Recovery Funds Received and Retained	99
Number of Recovery Meetings with State and Local Entities, Citizens and the Private Sector	1,500
Reduction In the Average Cost of Liaison Service Action (%)	
Mitigation	
Reduction in Average Cost Per Mitigation and Planning Service Action (%)	3
Non-Disaster Hazard Mitigation (\$)	1,000,000
All Other Hazard Mitigation (\$)	78,032,323

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 2017.

**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.

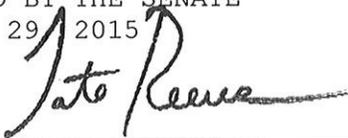
**SECTION 14.** It is the intention of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds which are being used for Coastal Retrofit Mississippi.

**SECTION 15.** 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 16.** 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 17.** This act shall take effect and be in force from and after July 1, 2015.

PASSED BY THE SENATE  
March 29, 2015



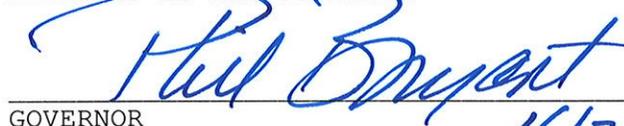
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 29, 2015



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

4/20/15  
9:39 AM