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Chapter No. 46
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SENATE BILL NO. 2863

Originated in Senate *Zywell* Secretary

SENATE BILL NO. 2863

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 2014.

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, 2013, and ending June 30, 2014 \$ 3,869,477.00.

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, 2013, and ending June 30, 2014
 \$ 33,476,952.00.

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	65
	Part Time	0

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2015 do not exceed Fiscal Year 2014 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2014 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 2014 appropriations for "Personal Services" when annualized, with the exception of escalated funds. 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 2014 "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.

Unless otherwise authorized in this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation, reclassification, realignment, educational benchmark, career ladder, equity salary adjustment, or any other means to increase salaries of employees or positions unless specifically exempted by the following conditions: the award of teacher salary increments; the advancement of a trainee/cadet to the next level of a bona fide career ladder; the award of an educational benchmark for the attainment of a Certified Public Accountant License or higher level professional certification; the immediate replacement of a departing employee with an employee from within state service at a salary level of the departing employee or the FY2014 promotional formula, whichever is less; the emergency appointment of nurses, pharmacists or other health care and child protection professionals at a salary to be determined by the State Personnel Board or any other requested action of the agency that has been specifically authorized by the Legislature.

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.

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, 2013, and ending June 30, 2014..... \$ 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, 372B 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, 2013, and ending June 30, 2014\$ 452,094,439.00.

SECTION 8. The funds appropriated under the provisions of Sections 6 and 7 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:

#1251	Hurricane Georges
#1398	2002 Tornados
#1436	October 2002 Tropical Storm Isadore
#1443	November 2002 Tornado (Columbus/MUW)
#1459	April 2003 Severe Storms
#1550	Hurricane Ivan
#1594	Hurricane Dennis
#1604	Hurricane Katrina
#1382	Hurricane Allison
#1470	Severe Weather 2003
#1764	Jackson 2008 Tornado
#3291	Hurricane Gustav (Emergency Measures)
#1794	Hurricane Gustav
#1837	Simpson County 2009 Tornado
#1906	Yazoo County 2010 Tornado
#1916	Alcorn Flooding 2010
#1972	Tornados 2012
#3320	MS River Flooding 2011 (Emergency Measures)
#1983	MS River Flooding 2011
#4081	Hurricane Isaac
	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 2015 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 2014 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:

<u>Performance Measures</u>	<u>FY2014</u>
	<u>Target</u>
Emerg Mgmt Preparedness	
Incidents Reported to MEMA	3,750
Disaster Exercises - Local	140
EM Funding to Local Governments (\$)	2,700,000.00
EM Training - Number of Personnel	3,000

Statewide Disaster Exercises	3
Coastal Retrofit Ms	
Residences Retrofitted & Closed Out	996
Average Cost per Retrofitted Residence (\$)	16,085.00
Emerg Mgmt Preparedness	
Fuel Service Contract (Gallons)	35,000
Water (Bottles)	798,336
Meals Ready to Eat (MREs)/Count	316,000
Recovery	
Pub Asst FEMA 2002 Tornadoes (\$)	0.01
Pub Asst FEMA - Isadore (\$)	0.00
Pub Asst FEMA - Hurricane Ivan (\$)	637,649.00
Other Needs Assistance Disbursed (\$)	4,500,000.00
Mitigation	
FEMA Hurricane Katrina (\$)	25,000,000.00
Non-Disaster Hazard Mitigation (\$)	250,000.00
All Other Hazard Mitigation (\$)	5,000.00

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 2015.

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 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.

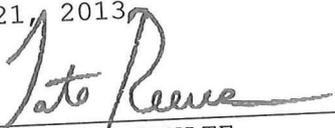
SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the 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, 2013.

PASSED BY THE SENATE
February 21, 2013



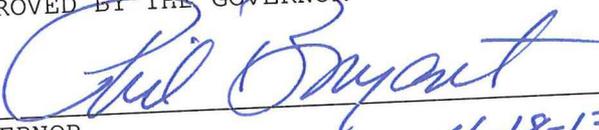
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 13, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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