

Senate Amendments to House Bill No. 1714

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is appropriated out of any money in the State General
6 Fund not otherwise appropriated, to the Department of
7 Rehabilitation Services for the fiscal year beginning
8 July 1, 2020, and ending June 30, 2021.....\$ 23,906,288.00.

9 **SECTION 2.** The following sum, or so much thereof as may be
10 necessary, is appropriated out of any money in any special fund in
11 the State Treasury to the credit of the Department of
12 Rehabilitation Services which is comprised of special source funds
13 collected by or otherwise available to the department for the
14 support of the various offices of the department, for the purpose
15 of defraying the expenses of the department for the fiscal year
16 beginning July 1, 2020, and ending June 30, 2021.....
17\$ 211,309,657.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Section 2, Three Million Six Hundred Eighty-one Thousand Eight
20 Hundred Two Dollars (\$3,681,802.00) shall be derived from the

21 Health Care Expendable Fund created in Section 43-13-407,
22 Mississippi Code of 1972. The above funds shall be allocated as
23 follows:

24 Fully match all available federal
25 funds.....\$ 2,782,590.00.
26 Independent Living Program which
27 includes the State Attendant
28 Care Program.....\$ 854,903.00.
29 Deaf and hard of hearing.....\$ 44,309.00.

30 **SECTION 4.** Of the funds appropriated under the provisions of
31 Sections 1, 2 and 3, the following positions are authorized:

32 AUTHORIZED POSITIONS:

33	Permanent:	Full Time.....	950
34		Part Time.....	8
35	Time-Limited:	Full Time.....	205
36		Part Time.....	1

37 The Office of Vocational Rehabilitation for the Blind shall
38 remain accredited by using not more than Five Hundred Dollars
39 (\$500.00) of the funds appropriated along with matching funds for
40 payment of fees to an accreditation agency recommended by the
41 Rehabilitation Services Administration.

42 With the funds herein appropriated, it shall be the agency's
43 responsibility to make certain that funds required to be
44 appropriated for "Personal Services" for Fiscal Year 2022 do not
45 exceed Fiscal Year 2021 funds appropriated for that purpose,
46 unless programs or positions are added to the agency's Fiscal Year

47 2021 budget by the Mississippi Legislature. Based on data
48 provided by the Legislative Budget Office, the State Personnel
49 Board shall determine and publish the projected annual cost to
50 fully fund all appropriated positions in compliance with the
51 provisions of this act. It shall be the responsibility of the
52 agency head to ensure that no single personnel action increases
53 this projected annual cost and/or the Fiscal Year 2021
54 appropriations for "Personal Services" when annualized, with the
55 exception of escalated funds and the award of benchmarks. If, at
56 the time the agency takes any action to change "Personal
57 Services," the State Personnel Board determines that the agency
58 has taken an action which would cause the agency to exceed this
59 projected annual cost or the Fiscal Year 2021 "Personal Services"
60 appropriated level, when annualized, then only those actions which
61 reduce the projected annual cost and/or the appropriation
62 requirement will be processed by the State Personnel Board until
63 such time as the requirements of this provision are met.

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

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

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

81 **SECTION 5.** It is the intention of the Legislature that the
82 Department of Rehabilitation Services shall maintain complete
83 accounting and personnel records related to the expenditure of all
84 funds appropriated under this act and that such records shall be
85 in the same format and level of detail as maintained for Fiscal
86 Year 2020. It is further the intention of the Legislature that
87 the agency's budget request for Fiscal Year 2022 shall be
88 submitted to the Joint Legislative Budget Committee in a format
89 and level of detail comparable to the format and level of detail
90 provided during the Fiscal Year 2021 budget request process.

91 **SECTION 6.** Of the funds appropriated herein, the Mississippi
92 Department of Rehabilitation Services through the Office of
93 Vocational Rehabilitation for the Blind is authorized to expend an
94 amount not to exceed One Hundred Thousand Dollars (\$100,000.00)
95 for the National Federation for the Blind (NFB) News line service
96 to allow blind and visually impaired persons to access newspapers
97 through toll-free telephone calls.

98 **SECTION 7.** It is the intention of the Legislature that
 99 whenever two (2) or more bids are received by this agency for the
 100 purchase of commodities or equipment, and whenever all things
 101 stated in such received bids are equal with respect to price,
 102 quality and service, the Mississippi Industries for the Blind
 103 shall be given preference. A similar preference shall be given to
 104 the Mississippi Industries for the Blind whenever purchases are
 105 made without competitive bids.

106 **SECTION 8.** In compliance with the "Mississippi Performance
 107 Budget and Strategic Planning Act of 1994," it is the intent of
 108 the Legislature that the funds provided herein shall be utilized
 109 in the most efficient and effective manner possible to achieve the
 110 intended mission of this agency. Based on the funding authorized,
 111 this agency shall make every effort to attain the targeted
 112 performance measures provided below:

113		FY2021
114	<u>Performance Measures</u>	<u>Target</u>
115	Disability Determination Services	
116	Dispositions (Number of)	90,000
117	Processing Time (Days)	113
118	Special Disability Programs	
119	Clients Served (Number of)	3,200
120	Percentage Change in Persons Receiving	
121	HCBW Services Compared to Waiting List	
122	(%)	56.00
123	Ratio of Cost to HCBW Services per	

124	Person Compared to an Institutional	
125	Setting	38.00
126	Support Services	
127	Percentage of Total Budget (%)	2.00
128	Spinal Cord & Head Injury Program	
129	Clients Served (Number of)	1,047
130	Percentage Change in Number of Spinal	
131	Cord & Brain Injuries per Year (%)	3.00
132	Vocational Rehabilitation	
133	Clients Served (Number of)	10,683
134	Clients Rehabilitated (Number of)	3,050
135	Percentage Change of Persons Employed	
136	Compared to Total Persons Served (%)	55.80
137	Persons Employed with Pay Rate Greater	
138	Than Federal or State Minimum Wage	3,048
139	Persons with Significant Disabilities	
140	Leaving VR with Competitive, Self, or	
141	Bep Employment, Wage = or > Than Minimum	1,525
142	Voc Rehabilitation For The Blind	
143	Blind & Visually Impaired Served (Persons)	1,617
144	Persons Rehabilitated (Number of)	352
145	Independent Living (Number Served)	855
146	Percentage Change in Persons Employed	
147	Compared to Total Persons Served (%)	15.00
148	A reporting of the degree to which the performance targets	
149	set above have been or are being achieved shall be provided in the	

150 agency's budget request submitted to the Joint Legislative Budget
151 Committee for Fiscal Year 2022.

152 **SECTION 9.** Of the funds appropriated in Section 1, it is the
153 intention of the Legislature that One Million Five Hundred
154 Sixty-three Thousand Thirty-nine Dollars (\$1,563,039.00) shall be
155 allocated to the Spinal Cord & Head Injury Trust supported from
156 General Fund court assessments.

157 **SECTION 10.** Of the funds appropriated in Section 1, One
158 Million Dollars (\$1,000,000.00) is provided for the support of the
159 Independent Living Home and Community Based Waiver programs along
160 with any additional funds that may be appropriated to these
161 programs.

162 **SECTION 11.** It is the intention of the Legislature that the
163 funds herein appropriated shall be expended in compliance with
164 Section 27-104-25, Mississippi Code of 1972, that no state agency
165 shall incur obligations or indebtedness in excess of their
166 appropriation and that the responsible officers, either personally
167 or upon their official bonds, shall be held responsible for
168 actions contrary to this provision.

169 **SECTION 12.** The money herein appropriated shall be paid by
170 the State Treasurer out of any money in the State Treasury to the
171 credit of the proper fund or funds as set forth in this act, upon
172 warrants issued by the State Fiscal Officer; and the State Fiscal
173 Officer shall issue his warrants upon requisitions signed by the
174 proper person, officer or officers, in the manner provided by law.

175 **SECTION 13.** This act shall take effect and be in force from
176 and after July 1, 2020, and shall stand repealed June 30, 2020.

SS05\HB1714A.J

Eugene S. Clarke
Secretary of the Senate