

Senate Amendments to House Bill No. 1612

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:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the State General
7 Fund not otherwise appropriated, to the Department of
8 Rehabilitation Services for the fiscal year beginning
9 July 1, 2022, and ending June 30, 2023.....\$ 26,581,929.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is appropriated out of any money in any special fund in
12 the State Treasury to the credit of the Department of
13 Rehabilitation Services which is comprised of special source funds
14 collected by or otherwise available to the department for the
15 support of the various offices of the department, for the purpose
16 of defraying the expenses of the department for the fiscal year
17 beginning July 1, 2022, and ending June 30, 2023.....
18\$ 212,487,630.00.

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

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

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

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

33 AUTHORIZED POSITIONS:

34	Permanent:	Full Time.....	960
35		Part Time.....	8
36	Time-Limited:	Full Time.....	206
37		Part Time.....	1

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

43 With the funds herein appropriated, it shall be the agency's
44 responsibility to make certain that funds required for Personal
45 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds
46 appropriated for that purpose unless programs or positions are
47 added to the agency's Fiscal Year 2023 budget by the Mississippi

48 Legislature. The Legislature shall determine the agency's
49 personal services appropriation, which shall be published by the
50 State Personnel Board. Additionally, the State Personnel Board
51 shall determine and publish the projected annualized payroll costs
52 based on current employees. It shall be the responsibility of the
53 agency head to ensure that actual personnel expenditures for
54 Fiscal Year 2023 do not exceed the data provided by the
55 Legislative Budget Office. If the agency's Fiscal Year 2023
56 projected cost exceeds the annualized costs, no salary actions
57 shall be processed by the State Personnel Board with the exception
58 of new hires that are determined to be essential for the agency.

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

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

72 None of the funds herein appropriated shall be used in
73 violation of Internal Revenue Service's Publication 15-A relating

74 to the reporting of income paid to contract employees, as
75 interpreted by the Office of the State Auditor.

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

82 **SECTION 5.** It is the intention of the Legislature that the
83 Department of Rehabilitation Services shall maintain complete
84 accounting and personnel records related to the expenditure of all
85 funds appropriated under this act and that such records shall be
86 in the same format and level of detail as maintained for Fiscal
87 Year 2022. It is further the intention of the Legislature that
88 the agency's budget request for Fiscal Year 2024 shall be
89 submitted to the Joint Legislative Budget Committee in a format
90 and level of detail comparable to the format and level of detail
91 provided during the Fiscal Year 2023 budget request process.

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

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

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

114		FY2023
115	<u>Performance Measures</u>	<u>Target</u>
116	Disability Determination Services	
117	Number of Dispositions	90,000
118	Processing Time (Days)	115
119	Voc Rehabilitation For The Blind	
120	Blind & Visually Impaired Served (Persons)	2,000
121	Number of Persons Rehabilitated	275
122	Independent Living (Number Served)	735
123	Percent Change in Persons Employed	
124	Compared to Total Persons Served	13.00

125	Vocational Rehabilitation	
126	Number of Clients Served	15,000
127	Number of Clients Rehabilitated	2,525
128	Percent Change of Persons Employed	
129	Compared to Total Persons Served	16.00
130	Persons Employed with Pay Rate Greater	
131	Than Federal or State Minimum Wage	2,415
132	Persons with Significant Disabilities	
133	Leaving VR with Competitive, Self, or	
134	BEP Employment, Wage = or > Than Minimum	1,125
135	Spinal Cord & Head Injury Program	
136	Number of Clients Served	1,000
137	Percent Change in Number of Spinal Cord	
138	& Brain Injuries per Year	3.00
139	Special Disability Programs	
140	Number of Clients Served	3,000
141	Percent Change in Persons Receiving HCBW	
142	Services Compared to Waiting List	56.00
143	Ratio of Cost to HCBW Services per	
144	Person Compared to an Institutional	
145	Setting	38.00
146	Support Services	
147	Percent of Total Budget	1.96
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 2024.

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, 2022, and shall stand repealed June 29, 2022.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR
3 FISCAL YEAR 2023.

SS15\HB1612A.J

Eugene S. Clarke
Secretary of the Senate