

May 13, 2024

TO THE MISSISSIPPI HOUSE OF REPRESENTATIVES

GOVERNORS PARTIAL VETO MESSAGE FOR HOUSE BILL 1707

I am returning House Bill 1707: AN ACT TO AMEND SECTION 28 OF CHAPTER 549, LAWS OF 2023, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 4 OF CHAPTER 549, LAWS OF 2023, TO REVISE THE PURPOSE OF A CERTAIN PROJECT FUNDED WITH MONIES DISBURSED FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 27-104-373, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACTS OR PURCHASES FOR PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND THAT INVOLVE EXPENDITURES ABOVE CERTAIN AMOUNTS MUST BE MADE AFTER OBTAINING COMPETITIVE WRITTEN BIDS; TO AMEND SECTION 65-1-185, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-187, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-189, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 GULFPORT COMMERCE CORRIDOR FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 297 AND SENATE BILL NO. 2486, 2024 REGULAR SESSION, TO MAKE SEVERAL TECHNICAL CHANGES APPLICABLE TO CERTAIN AMERICAN RECOVERY AND REINVESTMENT ACT PROJECTS UNDER THE PUBLIC PURCHASING LAW; AND FOR RELATED PURPOSES partly approved and partly not approved pursuant to Article 4, Section 73 of the Mississippi Constitution as an exercise of the authority endowed the office of the Governor by the people of Mississippi in our Constitution. *Governor Reeves v. Representative Gunn and Representative White*, 307 So.3d 436, 439-442 (Miss. 2020).

On April 21, 2023, I returned House Bill 603, 2023 Regular Session, an appropriations bill, partly approved and partly not approved pursuant to Article 4, Section 73 of the Mississippi Constitution of 1890. Specifically, I exercised my line-item veto authority to disapprove six of the more than four hundred separate, distinct and complete appropriations contained in Section 28 of that bill. The House did not attempt to override these line-item vetoes or otherwise call into question the legality of the use of my authority pursuant to Article 4, Section 73 to veto parts of that appropriation bill.

The short title for House Bill 1707 states that Section 1 is adopted to clarify and correct names and purposes of certain projects funded with monies disbursed from the 2023 Local Improvements Project Fund, the very same appropriations that were contained in Section 28 of House Bill 603, 2023 Regular Session. Despite the fact that six of those appropriations were previously vetoed, all six are contained in Section 1 of House Bill 1707. While I believe this clarifying and correcting of names for certain projects does not reauthorize those appropriations that no longer exist, to avoid any legal ambiguity, I am again vetoing the following appropriations:

- Section 1(m) (Lines 75-77) providing a \$1,000,000 appropriation to the City of Jackson, Mississippi to pay costs associated with renovations and upgrades for the Jackson Planetarium.
- Section 1(bz) (Lines 302-305) providing a \$500,000 appropriation to the City of Greenville, Mississippi to pay costs associated with repairs and renovations to Frisby Park, Greenville Municipal, Maude Bryan Park and Rounds Park.
- Section 1(gv) (Lines 764-768) providing a \$500,000 appropriation to the Mississippi Development Authority for the purpose of providing funding to WISPR Systems in Batesville, Mississippi, for research and development to expand its current small Unmanned Aircraft Systems (sUAS) manufacturing capabilities in Mississippi.
- Section 1(hv) (Lines 860-863) providing a \$300,000 appropriation to the Mississippi Department of Finance and Administration to pay costs associated with the program established under Section 3 of House Bill No. 419, 2023 Regular Session.
- Section 1(jl) (Lines 994-996) providing a \$600,000 appropriation to Greene County to assist in paying costs associated with the rehabilitation and repair of the Greene County Rural Events Center.

- Section 1(kp) (Lines 1085-1087) providing a \$1,000,000 appropriation to the City of Jackson, Mississippi to assist in paying costs associated with repairs, renovations and upgrades to the Jackson Planetarium.

Article 4, Section 73 of the Mississippi Constitution states: The Governor may veto parts of any appropriation bill, and approve parts of the same, and the portions approved shall be law. The removal of these separate, distinct and complete appropriations does not affect any other appropriations in House Bill 1707. See *Reeves*, 307 So.3d at 442.

Respectfully submitted,

TATE REEVES
GOVERNOR