

FILED
MAY 17 2017

**IN THE CHANCERY COURT OF HINDS COUNTY
FIRST JUDICIAL DISTRICT**

EDDIE JEAN CARR, CHANCERY CLERK
BY _____ D.C.

**REP. BRYANT W. CLARK AND
SEN. JOHN HORHN**

PLAINTIFFS

V.

CAUSE NO. G2017. 722
5/2

**GOVERNOR PHIL BRYANT,
STATE FISCAL OFFICER LAURA JACKSON,
THE MISSISSIPPI DEPARTMENT OF EDUCATION,
AND STATE TREASURER LYNN FITCH**

DEFENDANTS

**MOTION FOR TEMPORARY RESTRAINING ORDER
OR PRELIMINARY INJUNCTION**

The Plaintiffs, Representative Bryant W. Clark and Senator John Horhn, move for a temporary restraining order or preliminary injunction enjoining Governor Phil Bryant and State Fiscal Officer Laura Jackson from ordering unconstitutional midyear budget cuts and preventing such cuts from taking further effect.

Section 27-104-13 of the Mississippi Code provides for midyear budget cuts by Executive Branch officials. However, “[c]onstitutionally, budget-making is a legislative prerogative and responsibility in Mississippi.”¹ The Executive Branch’s midyear budget cuts intrude upon the budget-making power allocated solely to the Legislature. The Plaintiffs seek a temporary restraining order or a preliminary injunction to prevent the Defendants from continuing to usurp the Legislature’s power and to enjoin the enactment of these unconstitutional budget cuts.


Each factor in the four-part balancing test for preliminary injunctions weighs in favor of granting this motion. First, the Plaintiffs have a substantial likelihood of prevailing on the merits. Second, an injunction is necessary to prevent irreparable harm.

¹ *Alexander v. State ex rel. Allain*, 441 So. 2d 1329, 1339 (Miss. 1983).

Indeed, if the Court does not enter a temporary restraining order or a preliminary injunction before May 26, 2017, school districts across the state will lose millions of dollars due to the unconstitutional budget cuts. Third, the Plaintiffs' right to exercise their power of budget-making far outweighs any risk of harm faced by the Defendants. Finally, preventing a violation of the Constitution is always in the public interest.

For these reasons and those submitted in this motion's accompanying memorandum, the Plaintiffs urge the Court to enter an order (1) preliminarily enjoining Governor Bryant and State Fiscal Officer Jackson from acting under Section 27-104-13 of the Mississippi Code and (2) preliminarily enjoining the Mississippi Department of Education and State Treasurer Lynn Fitch from taking any actions to effectuate the midyear budget cuts announced earlier this fiscal year.

RESPECTFULLY SUBMITTED this 17th day of May 2017.



Will Bardwell
Attorney for the Plaintiffs

OF COUNSEL:

William B. Bardwell (Miss. Bar No. 102910)
Lydia Wright (Miss. Bar No. 105186)
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Jackson, Mississippi 39201
Phone: (601) 948-8882
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CERTIFICATE OF SERVICE

I, Will Bardwell, hereby certify that, on this day, true and correct copies of the foregoing Motion were served on the Defendants' counsel via hand delivery at the Office of the Attorney General, 550 High Street, Jackson, Mississippi 39201.

SO CERTIFIED this 17th day of May 2017.



Will Bardwell

EXHIBIT 1

Affidavit of Rep. Bryant W. Clark

IN THE CHANCERY COURT OF HINDS COUNTY
FIRST JUDICIAL DISTRICT

REP. BRYANT W. CLARK AND
SEN. JOHN HORHN

PLAINTIFFS

V.

CAUSE NO. _____

GOVERNOR PHIL BRYANT,
STATE FISCAL OFFICER LAURA JACKSON,
THE MISSISSIPPI DEPARTMENT OF EDUCATION,
AND STATE TREASURER LYNN FITCH

DEFENDANTS

AFFIDAVIT OF
REPRESENTATIVE BRYANT W. CLARK

STATE OF MISSISSIPPI
COUNTY OF HOLMES

The undersigned Bryant W. Clark, being duly sworn, hereby testifies as follows:

1. I am Bryant W. Clark, an adult resident citizen of Holmes County, Mississippi. I am of sound mind, and I am not under the effects of any drug, mental illness, or duress.
2. I am a taxpayer. I pay federal income taxes, state income taxes, state sales taxes, and local *ad valorem* taxes. I am not delinquent on my tax obligations.
3. I am the duly elected Representative of Mississippi House of Representatives District 47, which covers Attala, Holmes, and Yazoo Counties. I have represented District 47 since 2004.
4. One of my most important responsibilities as the Representative of District 47 is to pass a state budget every year. The budget-making process takes eight to nine months, involves a complex process so that all viewpoints are considered, and results in a budget that has been discussed, debated, and voted on by the Legislature.

5. The budget process begins with state agencies. By August 1 of each year, every state agency sends a budget request to the Legislative Budget Office (LBO). The LBO assists the Joint Legislative Budget Committee (JLBC) in the development of the Legislative Budget Recommendation (LBR) and in general, throughout the annual state budget cycle. The JLBC is composed of 14 legislators, half from the Senate and half from the House of Representatives.

6. In September, the JLBC conducts public hearings to discuss each agency budget request. These hearings allow committee members to ask specific questions of agency directors.

7. In October, the Revenue Estimating Committee examines economic trends and develops a consensus revenue forecast for the upcoming year. The committee, which includes the State Economist, the State Fiscal Officer, the State Treasurer, the Chairman of the State Tax Commission, and the Director of the LBO, submits its revenue estimate to the Governor and the JLBC.

8. Based on the revenue estimate, the Governor must submit a balanced budget recommendation to the Legislature by November 15. This budget amount must not exceed 98 percent of the jointly adopted general fund revenue estimate, plus any unencumbered balance that will remain from the current year's budget.

9. The JLBC must respond with its own balanced budget recommendation by December 15. The JLBC also creates draft appropriations bills based on their budget recommendations.

10. The legislative session convenes during the first week of January. The draft appropriations bills are divided up between the House and the Senate Appropriations Committees and further divided by subcommittee, usually by agency function. The

House of Representatives and the Senate spend the next few months debating, amending and voting on these budget bills.

11. The chamber which receives the draft bill must finalize that bill and vote on it, so it can go to the other chamber. Action in the originating chamber must occur by the last week in February. By mid-March, legislators must vote on bills that originated in the other house. Then, they must either concur with any amendments made or invite conference so these changes can be discussed.

12. The legislative session ends around early April. By an established deadline, both chambers must adopt the conference reports on all appropriations bills. If approved, the bills are sent to the Governor for his signature.

13. I believe that the most important component of the state budget is the funding for public schools, known as the Mississippi Adequate Education Program (MAEP). For the 2017 fiscal year, the budget allocated \$2,036,556,667 to MAEP. This funding is critical because school districts need financial resources in order to educate our children adequately.

14. As the Representative of District 47, my constituents frequently speak to me about their concerns related to the state budget. In particular, many of my constituents urge me to do everything in my power to ensure that public schools receive all the financial support that is possible. My discussions with other House members, comments on the floor of the House, and votes in the House of Representatives reflect my best efforts to convey my constituents' concerns.

15. In February 2017, Governor Bryant cut MAEP by more than \$11.2 million. In March 2017, he cut MAEP by more than \$8.6 million. These midyear budget cuts occurred without any input, oversight, or voting by the Legislature.

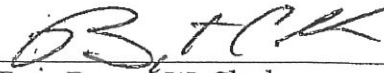
16. I don't know what, if any, process the Governor went through to make decisions related to these midyear budget cuts.

17. By imposing midyear budget cuts on the state budget that the Legislature spent months developing and ultimately passed, Governor Bryant and State Fiscal Officer Laura Jackson prevent me from representing my constituents' wishes in one of the most important responsibilities that I have as a legislator.

18. The foregoing statements are true, correct, and complete, to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT.

DATED this 14th day of May 2017.


Rep. Bryant W. Clark

SWORN TO and subscribed before me, this 14 day of May 2017.


NOTARY PUBLIC

My Commission Expires:



EXHIBIT 2

Affidavit of Sen. John Horhn

IN THE CHANCERY COURT OF HINDS COUNTY
FIRST JUDICIAL DISTRICT

REP. BRYANT W. CLARK AND
SEN. JOHN HORHN

PLAINTIFFS

V.

CAUSE NO. _____

GOVERNOR PHIL BRYANT,
STATE FISCAL OFFICER LAURA JACKSON,
THE MISSISSIPPI DEPARTMENT OF EDUCATION,
AND STATE TREASURER LYNN FITCH

DEFENDANTS

AFFIDAVIT OF
SENATOR JOHN HORHN

STATE OF MISSISSIPPI
COUNTY OF HINDS

The undersigned John Horhn, being duly sworn, hereby testifies as follows:

1. I am John Horhn, a resident citizen of Hinds County, Mississippi. I am of sound mind, and I am not under the effects of any drug, mental illness, or duress.
2. I pay federal income taxes, state income taxes, state sales taxes, and local *ad valorem* taxes. I am not delinquent on my tax obligations.
3. I am an elected Senator in the Mississippi Senate. In this capacity, I have represented District 26, which includes parts of Hinds County and Madison County, since 1993.
4. As a state Senator, I am responsible for passing a state budget each year. The budget-making process is complex and lengthy. First, state agencies submit budget requests to the Legislative Budget Office (LBO). The LBO assists the Joint Legislative Budget Committee (JLBC) in the development of the Legislative Budget

Recommendation (LBR). Next, the JLBC holds public hearings to review and discuss each agency budget request.

5. In October, the Revenue Estimating Committee examines economic trends and develops a consensus revenue forecast. The committee submits its revenue estimate to the Governor and the JLBC.

6. Based on the revenue estimate, the Governor must submit a balanced budget recommendation to the Legislature. This budget amount may not exceed 98 percent of the jointly adopted general fund revenue estimate, in addition to any unencumbered balance that will remain from the current year's budget.

7. The JLBC must respond with its own balanced budget recommendation by December 15. The JLBC also drafts appropriations legislation based on these recommendations.

8. The Legislative session convenes during the first week of January. The draft appropriations bills are divided between the House and the Senate Appropriations Committees. The House of Representatives and the Senate then spend several months debating, amending and voting on these budget bills.

9. After either chamber finalizes and passes a bill, the legislation is transmitted to the other chamber. By mid-March, legislators in both chambers must vote on bills that originated in the other chamber. Then, they must either concur with any amendments made or invite conference to discuss proposed changes.

10. Before the session ends in early April, both chambers must adopt the conference reports on all appropriations bills. If approved, the bills are sent to the Governor for his signature.

11. I believe that the Mississippi Adequate Education Program (MAEP) is the most important component of the state budget. For the 2017 fiscal year, the budget allocated just over \$2 billion to MAEP. Schools need this money. Without sufficient resources, school districts are unable to educate our children.

12. As the Senator from District 26, I frequently hear from constituents who are concerned that public schools in Jackson are underfunded. I have attempted to convey these concerns on the Senate floor.

13. In February 2017, Governor Bryant cut MAEP by more than \$11.2 million. In March 2017, he cut MAEP by more than \$8.6 million. These midyear budget cuts occurred without any input, oversight, or voting by the Legislature.

14. I don't know why Governor Bryant decided to cut MAEP by nearly \$20 million. I also don't know what analysis was conducted that allowed the Governor to conclude that schools did not need this \$20 million.

15. By imposing midyear budget cuts on the state budget, Governor Bryant and State Fiscal Officer Laura Jackson have prevented me from representing my constituents' interests in ensuring that their children's schools have enough funding.

16. The foregoing statements are true, correct, and complete, to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT.

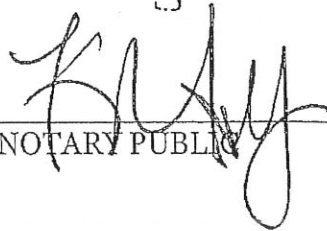
DATED this 17 day of May 2017.



Sen. John Horhn

SWORN TO and subscribed before me, this 17 day of May 2017.





NOTARY PUBLIC

My Commission Expires:

March 27, 2021

EXHIBIT 3

Department of Finance and Administration
Spreadsheet of February 2017 Cuts

FY2017 Budget Cuts - February

February 21, 2017

Agencies / Budgets	Total February Budget Cuts
General Fund Agencies	
Judiciary & Justice	
Attorney General's Office	(409,081)
Judicial Performance Commission	(5,779)
State Public Defender, Office of	(46,902)
Total Judiciary & Justice	(461,762)
Executive & Administrative	
Ethics Commission	(8,564)
Governor's Office - Support & Mansion	(33,071)
Secretary of State	(196,112)
Total Executive & Administrative	(237,747)
Fiscal Affairs	
Audit, Department of	(135,459)
Finance & Administration, Dept. of (DFA) - Support	(206,946)
DFA - Mississippi Home Corp.	(24,624)
DFA - Status of Women, Commission on the	(540)
DFA - Tort Claims	(71,747)
DFA - Subtotal	(303,857)
Information Technology Services - Support	(579,334)
ITS - Wireless Communications Commission	(45,365)
ITS - Subtotal	(624,699)
Personnel Board	(72,187)
Revenue, Dept. of - Support	(350,000)
Revenue, Dept. of - Subtotal	(350,000)
Board of Tax Appeals	(6,885)
Total Fiscal Affairs	(1,493,087)
Public Education	
General Education	(127,584)
Adequate Education Program (MAEP)	(11,207,191)
Vocational & Technical Education	(2,494,291)
MDE - Subtotal	(13,829,066)
Library Commission	(159,794)
Total Public Education	(13,988,860)

FY2017 Budget Cuts - February

February 21, 2017

Agencies / Budgets	Total February Budget Cuts
Higher Education	
IHL General Support	(5,895,189)
IHL Subsidiary Programs	(508,690)
IHL University Medical Center - Consolidated	(2,626,915)
IHL - Subtotal	(9,030,794)
Community Colleges Board - Admin	(99,603)
Community Colleges Board - Support	(3,746,302)
CCB - Subtotal	(3,845,905)
Total Higher Education	(12,876,699)
Public Health	
Dept. of Health - Support	(917,851)
Dept. of Health - Health Information Network	(9,294)
Dept. of Health - Local Gov't Rural Water Systems	(17,727)
Total Public Health	(944,872)
Agriculture & Commerce	
Agriculture & Commerce, Dept. of	(112,063)
Animal Health , Board of	(17,443)
Fair Commission - Livestock Shows	(3,593)
Total Agriculture	(133,099)
IHL Agricultural Units	
Alcorn Agricultural Programs	(97,112)
MSU- Agriculture & Forestry Experiment Station (MAFES)	(355,226)
MSU - Cooperative Extension Service	(458,713)
MSU- Forest & Wildlife Research Center	(94,254)
MSU - College of Veterinary Medicine	(272,849)
Total IHL Agriculture	(1,278,154)
Economic Development	
Mississippi Development Authority (MDA)	(302,836)
Total Economic Development	(302,836)

FY2017 Budget Cuts - February

February 21, 2017

Agencies / Budgets	Total February Budget Cuts
Conservation	
Archives & History, Dept. of	(7,082)
Archives & History - Statewide Oral History	(668)
Environmental Quality, Dept. of	(191,376)
Forestry Commission	(236,786)
Grand Gulf Military Monument	(2,808)
Marine Resources, Dept. of	(58,872)
Oil & Gas Board	(33,566)
Pearl River Basin Development District	(2,671)
Soil & Water Conservation	(10,927)
Tennessee-Tombigbee Waterway	(2,673)
Wildlife, Fisheries & Parks (WFP)	(6,379)
Total Conservation	(553,808)
Insurance & Banking	
Insurance Dept. - Support	(189,292)
State Fire Academy	(78,560)
Total Insurance & Banking	(267,852)
Corrections	
Corrections, Dept. of - Consolidated	(4,738,325)
Total Corrections	(4,738,325)
Social Welfare	
Human Services, Dept. of - Consolidated (excl. F&CS)	(875,809)
Rehabilitation Services - Consolidated	(395,439)
Total Social Welfare	(1,271,248)

FY2017 Budget Cuts - February

February 21, 2017

**Total
February
Budget
Cuts**

Agencies / Budgets	
Military, Police & Veterans' Affairs	
Military Department - Consolidated	(39,913)
DPS - Highway Safety Patrol	(302,357)
DPS - Aging, Council on	(6,480)
DPS - Crime Lab	(35,796)
DPS - Crime Lab - State Medical Examiner	(10,124)
DPS - Homeland Security	(1,317)
DPS - Juvenile Facility Monitoring Unit	(861)
DPS - Law Enforcement Officers Training Academy	(4,395)
DPS - Narcotics, Bureau of	(66,502)
DPS - Public Safety Planning, Office of	(5,002)
DPS - Support Services	(64,365)
DPS - Subtotal	(497,199)
Veterans Affairs Board	(25,298)
Total Military, Police & Veterans' Affairs	(562,410)
Local Assistance	
Homestead Exemption	(1,227,225)
Total Local Assistance	(1,227,225)
Miscellaneous	
Arts Commission	(25,745)
Gaming Commission	(7,416)
Public Service Comm. - Support	(4,203)
Public Service Comm. - No Call Solicitation	(1,190)
Public Service Comm. - Public Utilities Staff	(30,644)
Workers' Compensation Comm.	(87,828)
Total Miscellaneous	(157,026)

Special Fund Agencies (Non-State Support)	FY2017 Total February Other Special Fund Cuts
Corrections - Farming	(40,436)
Employment Security	(3,949)
Treasurer Office, State	(72,508)
Transportation, Dept. of	(859,990)
Transportation, Dept. of - State Aid Road (OSF)	(1,528,107)

EXHIBIT 4

Department of Finance and Administration
Spreadsheet of March 2017 Cuts

FY2017 Budget Reductions - March

March 24, 2017

Agencies / Budgets	March Budget Cuts
General Fund Agencies	
Judiciary & Justice	
Attorney General's Office	(128,511)
District Attorneys & Staff	(106,615)
Judicial Performance Commission	(1,815)
State Public Defender, Office of	(14,734)
Total Judiciary & Justice	(251,675)
Executive & Administrative	
Ethics Commission	(2,690)
Governor's Office - Support & Mansion	(10,389)
Secretary of State	(61,608)
Total Executive & Administrative	(74,687)
Fiscal Affairs	
Audit, Department of	(42,554)
Finance & Administration, Dept. of (DFA) - Support	(188,938)
DFA - Mississippi Home Corp.	(7,735)
DFA - Status of Women, Commission on the	(170)
DFA - Tort Claims	(22,539)
DFA - Subtotal	(219,382)
Information Technology Services - Support	(181,995)
ITS - Wireless Communications Commission	(41,417)
ITS - Subtotal	(223,412)
Personnel Board	(22,677)
Board of Tax Appeals	(2,163)
Total Fiscal Affairs	(510,188)
Public Education	
General Education	(738,904)
Adequate Education Program (MAEP)	(8,601,764)
MDE - Subtotal	(9,340,668)
Library Commission	(50,199)
Total Public Education	(9,390,867)

FY2017 Budget Reductions - March

March 24, 2017

Agencies / Budgets	March Budget Cuts
Higher Education	
IHL General Support	(1,851,944)
IHL Subsidiary Programs	(159,802)
IHL University Medical Center - Consolidated	(825,232)
IHL - Subtotal	(2,836,978)
Community Colleges Board - Admin	(31,290)
Community Colleges Board - Support	(1,176,882)
CCB - Subtotal	(1,208,172)
Total Higher Education	(4,045,150)
Public Health	
Dept. of Health - Support	(288,338)
Dept. of Health - Health Information Network	(2,920)
Dept. of Health - Local Gov't Rural Water Systems	(5,569)
Total Public Health	(296,827)
Hospitals & Hospital Schools	
Mental Health Department - excl. Central Office	(1,088,171)
Mental Health Department - Central Office	(12,412)
Total Hospital & Hospital Schools	(1,100,583)
Agriculture & Commerce	
Agriculture & Commerce, Dept. of	(35,204)
Animal Health , Board of	(5,480)
Fair Commission - Livestock Shows	(1,129)
Total Agriculture	(41,813)
IHL Agricultural Units	
Alcorn Agricultural Programs	(30,507)
MSU- Agriculture & Forestry Experiment Station (MAFES)	(111,593)
MSU - Cooperative Extension Service	(144,103)
MSU- Forest & Wildlife Research Center	(29,609)
MSU - College of Veterinary Medicine	(85,714)
Total IHL Agriculture	(401,526)

FY2017 Budget Reductions - March

March 24, 2017

Agencies / Budgets	March Budget Cuts
Economic Development	
Mississippi Development Authority (MDA)	(95,135)
Total Economic Development	(95,135)
Conservation	
Archives & History, Dept. of	(41,020)
Archives & History - Statewide Oral History	(210)
Environmental Quality, Dept. of	(60,120)
Forestry Commission	(74,385)
Grand Gulf Military Monument	(882)
Marine Resources, Dept. of	(18,495)
Oil & Gas Board	(10,545)
Pearl River Basin Development District	(839)
Soil & Water Conservation	(3,433)
Tennessee-Tombigbee Waterway	(840)
Wildlife, Fisheries & Parks (WFP)	(36,944)
Total Conservation	(247,713)
Insurance & Banking	
Insurance Dept. - Support	(59,465)
State Fire Academy	(24,679)
Total Insurance & Banking	(84,144)
Corrections	
Corrections, Dept. of - Consolidated	(1,488,521)
Total Corrections	(1,488,521)
Social Welfare	
Human Services, Dept. of - Consolidated (excl. F&CS)	(275,131)
Child Protection Services, Dept. of	(512,618)
Rehabilitation Services - Consolidated	(124,225)
Total Social Welfare	(911,974)

FY2017 Budget Reductions - March

March 24, 2017

Agencies / Budgets	March Budget Cuts
Military, Police & Veterans' Affairs	
Emergency Management Agency (MEMA)	(14,686)
MEMA Disaster Relief	(2,756)
Military Department - Consolidated	(36,440)
DPS - Aging, Council on	(961)
DPS - Crime Lab	(32,681)
DPS - Crime Lab - State Medical Examiner	(3,180)
DPS - Homeland Security	(414)
DPS - Juvenile Facility Monitoring Unit	(271)
DPS - Law Enforcement Officers Training Academy	(1,381)
DPS - Narcotics, Bureau of	(60,715)
DPS - Public Safety Planning, Office of	(1,571)
DPS - Support Services	(20,220)
DPS - Subtotal	(121,394)
Veterans Affairs Board	(23,097)
Total Military, Police & Veterans' Affairs	(198,373)
Local Assistance	
Homestead Exemption	(385,527)
Total Local Assistance	(385,527)
Miscellaneous	
Arts Commission	(8,088)
Gaming Commission	(42,946)
Public Service Comm. - Support	(24,342)
Public Service Comm. - No Call Solicitation	(374)
Public Service Comm. - Public Utilities Staff	(9,627)
Workers' Compensation Comm.	(27,591)
Total Miscellaneous	(112,968)

Special Fund Agencies (Non-State Support)	March Budget Cuts
Corrections - Farming	(12,703)
Employment Security	(22,876)
Treasurer Office, State	(22,779)
Transportation, Dept. of	(270,161)
Transportation, Dept. of - State Aid Road (OSF)	(480,047)

EXHIBIT 5

February 2017 Letter from Governor Bryant
to State Fiscal Officer Jackson



PHIL BRYANT
GOVERNOR

February 21, 2017

Laura Jackson, State Fiscal Officer
Department of Finance and Administration
501 North West Street
Suite 1301, Woolfolk Building
Jackson, Mississippi 39201

Dear Laura:

Revenue collections for FY 2017 continue to fall below expectations, and cuts in state government are necessary to meet the requirement of state law to balance Mississippi's budget. Last week, the State Economist presented his annual Legislative Economic Briefing and stated that "the Mississippi economy is growing, but the growth is not translating into more revenue." Additionally, the State Economist does not foresee an uptick in revenue for the remainder of the fiscal year.

As Governor, I am required by state law to impose budget cuts when revenue collections do not meet our estimates—and they have not. I also have authority to transfer up to \$50.0 million from the Working Cash Stabilization Reserve Fund, commonly known as the Rainy Day Fund, to the State General Fund to stabilize the budget when we are experiencing revenue shortfalls.

In accordance with Section 27-103-203, Mississippi Code of 1972, Annotated, I am directing \$7 million be transferred from the Working Cash Stabilization Reserve Fund to the State General Fund; and in accordance with Section 27-104-13, Mississippi Code of 1972, Annotated, it is necessary to reduce Fiscal Year 2017 budgets to achieve a savings of \$43,000,000.

To accomplish the \$43 million in reductions to FY 2017 appropriations, I am mandating additional cuts to most agencies equivalent to 0.9% of their budget. Agencies that were exempted in last month's budget cuts will only be cut by one-half of one percent. No agencies that are statutorily exempt are included in the cuts. Additionally, I have exempted Student Financial Aid, School for the Blind & Deaf, the Department of Mental Health, the Department of Child Protection Services, and the Mississippi Emergency Management Agency.

STATE OF MISSISSIPPI • OFFICE OF THE GOVERNOR

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It is tempting to leave things alone and hope for revenue collections to improve and offset the shortfall we are experiencing; however, I feel it is imperative that we take action based on the best possible information available. If we postpone spending reductions until later, then state agencies must make relatively larger cuts and will have less flexibility/time to handle the necessary cuts.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Bryant". The signature is fluid and cursive, with a large initial "P" and a long horizontal stroke at the end.

Phil Bryant
Governor

EXHIBIT 6

March 2017 Letter from Governor Bryant
to State Fiscal Officer Jackson



PHIL BRYANT
GOVERNOR

March 24, 2017

Laura Jackson, State Fiscal Officer
Department of Finance and Administration
501 North West Street
Suite 1301, Woolfolk Building
Jackson, Mississippi 39201

Dear Laura:

After reviewing state tax collections for Fiscal Year 2017 and the forecast of the revenue estimating committee, it is clear that revenue will not be adequate to support budgeted expenditures for the current fiscal year. Unfortunately, a reduction in funds to state government agencies is needed to meet the requirement of state law to balance Mississippi's budget. In accordance with Section 27-104-13, Mississippi Code of 1972, annotated, it is necessary to reduce FY 2017 budgets to achieve a savings of \$20,446,237. To accomplish the \$20 million adjustment, I am mandating reductions to most agencies' budgets equivalent to 0.46%.

Additionally, I am authorizing you to transfer \$39 million from the Working Cash-Stabilization Reserve Fund as needed, and I have requested legislation allowing you to access additional funds from the Working Cash-Stabilization Reserve Fund to prevent additional reductions before the end of the fiscal year.

We will continue to closely monitor spending and to make fiscally conservative budget decisions.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Bryant", written over a large, stylized circular flourish.

Phil Bryant
GOVERNOR

STATE OF MISSISSIPPI • OFFICE OF THE GOVERNOR

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