

**\*\*\*Adopted\*\*\*  
AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 1617**

**By Senator(s) Committee**

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

13  
14           SECTION 1. The following sum, or so much thereof as may be  
15 necessary, is hereby appropriated out of any money in the State  
16 General Fund not otherwise appropriated, for the purpose of  
17 defraying the expenses of the Mississippi State Supreme Court for  
18 the fiscal year beginning July 1, 2000, and ending June 30, 2001..  
19 .....\$                                 5,064,812.00.

20           SECTION 2. The following sum, or so much thereof as may be  
21 necessary, is hereby appropriated out of any money in any special  
22 fund in the State Treasury to the credit of the Mississippi State  
23 Supreme Court which is comprised of special source funds collected  
24 by or otherwise available to the Mississippi State Supreme Court,  
25 for the purpose of defraying the expenses of the Mississippi State  
26 Supreme Court for the fiscal year beginning July 1, 2000, and  
27 ending June 30, 2001 .....\$                                 400,325.00.

28           SECTION 3. Of the funds appropriated under the provisions of  
29 Section 1 and Section 2, not more than the amounts set forth below  
30 shall be expended for the respective major objects or purposes of  
31 expenditure:

32           MAJOR OBJECTS OF EXPENDITURE:  
33                 Personal Services:

34	Salaries, Wages and Fringe Benefits...	\$	3,791,869.00
35	Travel and Subsistence.....		280,000.00
36	Contractual Services.....		911,730.00
37	Commodities.....		309,598.00
38	Capital Outlay:		
39	Other Than Equipment.....		0.00
40	Equipment.....		171,940.00
41	Subsidies, Loans and Grants.....		<u>0.00</u>
42	Total.....	\$	5,465,137.00

43 FUNDING:

44	General Funds.....	\$	5,064,812.00
45	Special Funds.....		<u>400,325.00</u>
46	Total.....	\$	5,465,137.00

47 AUTHORIZED POSITIONS:

48	Permanent:	Full Time.....	70
49		Part Time.....	0
50	Time-Limited:	Full Time.....	0
51		Part Time.....	0

52 SECTION 4. The following sum, or so much thereof as may be  
53 necessary, is hereby appropriated out of any money in the State  
54 General Fund not otherwise appropriated to the Mississippi State  
55 Supreme Court for the purpose of defraying the expenses of special  
56 judges, chancellors and circuit judges for the fiscal year  
57 beginning July 1, 2000, and ending June 30, 2001.....  
58 .....\$ 15,436,638.00.

59 SECTION 5. Of the funds appropriated under the provisions of  
60 Section 4, not more than the amounts set forth below shall be  
61 expended for the respective major objects or purposes of  
62 expenditure:

63 MAJOR OBJECTS OF EXPENDITURE:

64	Personal Services:		
65	Salaries, Wages and Fringe Benefits...	\$	14,429,138.00
66	Travel and Subsistence.....		448,000.00
67	Contractual Services.....		75,500.00
68	Commodities.....		484,000.00

69 Capital Outlay:

70 Other Than Equipment..... 0.00

71 Equipment..... 0.00

72 Subsidies, Loans and Grants.....0.00

73 Total.....\$ 15,436,638.00

74 FUNDING:

75 General Funds.....\$ 15,436,638.00

76 Special Funds.....0.00

77 Total.....\$ 15,436,638.00

78 AUTHORIZED POSITIONS:

79 Permanent: Full Time..... 94

80 Part Time..... 0

81 Time-Limited: Full Time..... 0

82 Part Time..... 0

83 It is the intention of the Legislature that of the funds

84 allocated under the provisions of Section 5, the Mississippi

85 Supreme Court may authorize an increase in any major object of

86 expenditure, provided that there is a corresponding decrease in

87 the other major object of expenditure.

88 Of the funds appropriated in Section 4 and allocated in

89 Section 5, Three Million Seven Hundred Sixty Thousand Dollars

90 (\$3,760,000.00) is provided for the purpose of employing support

91 staff in an amount not to exceed Forty Thousand Dollars

92 (\$40,000.00) per fiscal year per judge.

93 SECTION 6. The following sum, or so much thereof as may be

94 necessary, is hereby appropriated out of any money in the State

95 General Fund, not otherwise appropriated, for the purpose of

96 funding the Administrative Office of Courts for the fiscal year

97 beginning July 1, 2000, and ending June 30, 2001

98 .....\$ 1,422,919.00.

99 SECTION 7. The following sum, or so much thereof as may be

100 necessary, is hereby appropriated out of any money in any special

101 fund in the State Treasury to the credit of the Administrative

102 Office of Courts for the purpose of defraying the expenses of the

103 Administrative Office of Courts and the Board of Certified Court

104 Reporters for the fiscal year beginning July 1, 2000, and ending  
105 June 30, 2001.....\$ 9,329,015.00.

106 SECTION 8. Of the funds appropriated under the provisions of  
107 Sections 6 and 7, not more than the amounts set forth below shall  
108 be expended for the respective major objects or purposes of  
109 expenditure:

110 MAJOR OBJECTS OF EXPENDITURE:

111 Personal Services:

112 Salaries, Wages and Fringe Benefits...\$ 9,686,489.00

113 Travel and Subsistence..... 71,000.00

114 Contractual Services..... 419,910.00

115 Commodities..... 36,160.00

116 Capital Outlay:

117 Other Than Equipment..... 0.00

118 Equipment..... 38,375.00

119 Subsidies, Loans and Grants.....500,000.00

120 Total.....\$ 10,751,934.00

121 FUNDING:

122 General Funds.....\$ 1,422,919.00

123 Special Funds.....9,329,015.00

124 Total.....\$ 10,751,934.00

125 AUTHORIZED POSITIONS:

126 Permanent: Full Time..... 15

127 Part Time..... 0

128 Time-Limited: Full Time..... 0

129 Part Time..... 0

130 Of the funds appropriated in this section, Two Hundred  
131 Thousand Dollars (\$200,000.00) shall be used for providing a Drug  
132 Treatment Court Program in Hinds County.

133 The Drug Treatment Court Program funded above is established  
134 in the Administrative Office of Courts to facilitate the creation  
135 of drug treatment court programs in Hinds County. Funds shall be  
136 spent based upon the general guidelines set forth by the Director  
137 of the Administrative Office of Courts based on a program as  
138 approved by the Hinds County Board of Supervisors.

139 SECTION 9. The following sum, or so much thereof as may be  
 140 necessary, is hereby appropriated out of any money in the  
 141 Continuing Legal Education Fund, a special fund hereby created in  
 142 the State Treasury, for the purpose of defraying the expenses of  
 143 providing continuing legal education programs to lawyers in  
 144 Mississippi, for the fiscal year beginning July 1, 2000, and  
 145 ending June 30, 2001.....\$ 116,694.00.

146 It is the intention of the Legislature that interest earned  
 147 from any investment or deposit to the Continuing Legal Education  
 148 Fund made pursuant to Section 27-105-33, Mississippi Code of 1972,  
 149 shall be credited by the State Treasurer to the Continuing Legal  
 150 Education Fund and shall not be paid into the General Fund of  
 151 Mississippi.

152 SECTION 10. Of the funds appropriated under the provisions  
 153 of Section 9, not more than the amounts set forth below shall be  
 154 expended for the respective major objects or purposes of  
 155 expenditure:

156 MAJOR OBJECTS OF EXPENDITURE:

157 Personal Services:

158	Salaries, Wages and Fringe Benefits...\$	49,894.00
159	Travel and Subsistence.....	12,000.00
160	Contractual Services.....	31,350.00
161	Commodities.....	4,750.00
162	Capital Outlay:	
163	Other Than Equipment.....	0.00
164	Equipment.....	3,700.00
165	Subsidies, Loans and Grants.....	<u>15,000.00</u>
166	Total.....\$	116,694.00

167 AUTHORIZED POSITIONS:

168	Permanent:	Full Time.....	1
169		Part Time.....	0
170	Time-Limited:	Full Time.....	0
171		Part Time.....	0

172 SECTION 11. The following sum, or so much thereof as may be  
 173 necessary, is hereby appropriated out of any money in the State

174 General Fund not otherwise appropriated to the Mississippi State  
175 Supreme Court for the purpose of defraying the expenses of the  
176 Court of Appeals for the fiscal year beginning July 1, 2000, and  
177 ending June 30, 2001.....\$4,104,744.00.

178 SECTION 12. Of the funds appropriated under the provisions  
179 of Section 11, not more than the amounts set forth below shall be  
180 expended for the respective major objects or purposes of  
181 expenditure:

182 MAJOR OBJECTS OF EXPENDITURE:

183 Personal Services:

184	Salaries, Wages and Fringe Benefits...\$	3,141,023.00
185	Travel and Subsistence.....	304,000.00
186	Contractual Services.....	556,471.00
187	Commodities.....	45,000.00

188 Capital Outlay:

189	Other Than Equipment.....	0.00
190	Equipment.....	58,250.00
191	Subsidies, Loans and Grants.....	<u>0.00</u>
192	Total.....\$	4,104,744.00

193 FUNDING:

194	General Funds.....\$	4,104,744.00
195	Special Funds.....	<u>0.00</u>
196	Total.....\$	4,104,744.00

197 AUTHORIZED POSITIONS:

198	Permanent: Full Time.....	57
199	Part Time.....	0
200	Time-Limited: Full Time.....	0
201	Part Time.....	0

202 SECTION 13. The following sum, or so much thereof as may be  
203 necessary, is hereby appropriated out of any money in the special  
204 fund in the State Treasury to the credit of the Board of Bar  
205 Admissions, for the purpose of defraying the expenses of the board  
206 for the fiscal year beginning July 1, 2000, and ending June 30,  
207 2001.....\$ 226,478.00.

208 It is the intention of the Legislature that interest earned

209 from any investment or deposit to the Board of Bar Admissions Fund  
 210 made pursuant to Section 27-105-33, Mississippi Code of 1972,  
 211 shall be credited by the State Treasurer to the Board of Bar  
 212 Admissions Fund and shall not be paid into the General Fund of  
 213 Mississippi.

214 SECTION 14. Of the funds appropriated under the provisions  
 215 of Section 13, not more than the amounts set forth below shall be  
 216 expended for the respective major objects or purposes of  
 217 expenditure:

218 MAJOR OBJECTS OF EXPENDITURE:

219 Personal Services:

220	Salaries, Wages and Fringe Benefits...\$	93,990.00
221	Travel and Subsistence.....	9,000.00
222	Contractual Services.....	111,838.00
223	Commodities.....	10,000.00
224	Capital Outlay:	
225	Other Than Equipment.....	0.00
226	Equipment.....	1,650.00
227	Subsidies, Loans and Grants.....	<u>0.00</u>
228	Total.....\$	226,478.00

229 AUTHORIZED POSITIONS:

230	Permanent: Full Time.....	3
231	Part Time.....	0
232	Time-Limited: Full Time.....	0
233	Part Time.....	0

234 With the funds herein appropriated, it is the intention of  
 235 the Legislature that it shall be the agency's responsibility to  
 236 make certain that funds required to be appropriated for "Personal  
 237 Services" for Fiscal Year 2002 do not exceed Fiscal Year 2001  
 238 funds appropriated for that purpose, unless programs or positions  
 239 are added to the agency's Fiscal Year 2002 budget by the  
 240 Mississippi Legislature. Based on data provided by the  
 241 Legislative Budget Office, the State Personnel Board shall  
 242 determine and publish the projected annual cost to fully fund all  
 243 appropriated positions in compliance with the provisions of this

244 act. It shall be the responsibility of the agency head to insure  
245 that no single personnel action increases this projected annual  
246 cost and/or the Fiscal Year 2001 appropriation for "Personal  
247 Services" when annualized. If, at the end of any calendar month,  
248 the State Personnel Board determines that the agency has taken  
249 action(s) which would cause the agency to exceed this projected  
250 annual cost or the Fiscal Year 2001 "Personal Services"  
251 appropriated level, when annualized, then only those actions which  
252 reduce the projected annual cost and/or the appropriation  
253 requirement will be processed by the State Personnel Board until  
254 such time as the requirements of this provision are met.

255 Any transfers or escalations shall be made in accordance with  
256 the terms, conditions and procedures established by law.

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

261 SECTION 15. No part of the funds herein appropriated shall  
262 be used in the payment of attorney's fees, nor shall any of such  
263 funds be used, either directly or indirectly, for the purpose of  
264 paying any clerk, stenographer, assistant, deputy or other person  
265 who may be related by blood or marriage within the third degree,  
266 computed by the rules of civil law, to the official employing or  
267 having the right of employment or selection thereof; and in the  
268 event of any such payment, then the official or person approving  
269 and making or receiving such payment shall be jointly and  
270 severally liable to return to the State of Mississippi and to pay  
271 into the State Treasury three (3) times any such amount so paid or  
272 received, to be recovered at suit of the Attorney General;  
273 however, when the relationship is by affinity and the person  
274 through whom the relationship was established is dead, this  
275 provision shall not apply.

276 SECTION 16. It is the intent of the Legislature that the  
277 Mississippi State Supreme Court shall charge the maximum amount  
278 allowable by law for services rendered where charges for such



279 services are provided for by statute, and for any other services  
280 rendered, shall charge an amount consistent with the cost of  
281 providing such services. The funds derived from these charges  
282 shall be deposited into a special fund account in the State  
283 Treasury to the credit of the office of the Mississippi State  
284 Supreme Court.

285 SECTION 17. It is the intent of the Legislature that no part  
286 of the funds herein appropriated shall be required to be used for  
287 the payment of rent for the public space in the Law Library.

288 SECTION 18. The money herein appropriated shall be paid by  
289 the State Treasurer out of any money in the State Treasury to the  
290 credit of the proper fund or funds as set forth in this act, upon  
291 warrants issued by the State Fiscal Officer; and the State Fiscal  
292 Officer shall issue his warrants upon requisitions signed by the  
293 proper person, officer or officers, in the manner provided by law.

294 SECTION 19. This act shall take effect and be in force from  
295 and after July 1, 2000.