

By: Representatives Watson, McBride, Coleman
(29th), Eakes, Gadd, Green

To: Appropriations

HOUSE BILL NO. 1602
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS
3 COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT
4 CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL
5 JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF
6 DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND
7 CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF
8 APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2002;
9 AND FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 SECTION 1. The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the State
13 General Fund not otherwise appropriated, for the purpose of
14 defraying the expenses of the Mississippi State Supreme Court for
15 the fiscal year beginning July 1, 2001, and ending June 30, 2002.
16 \$ 4,402,603.00.

17 SECTION 2. The following sum, or so much thereof as may be
18 necessary, is hereby appropriated out of any money in any special
19 fund in the State Treasury to the credit of the Mississippi State
20 Supreme Court which is comprised of special source funds collected
21 by or otherwise available to the Mississippi State Supreme Court,
22 for the purpose of defraying the expenses of the Mississippi State
23 Supreme Court for the fiscal year beginning July 1, 2001, and
24 ending June 30, 2002 \$ 1,100,549.00.

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

29 MAJOR OBJECTS OF EXPENDITURE:

30 Personal Services:

31 Salaries, Wages and Fringe Benefits.. \$ 4,128,318.00

32 Travel and Subsistence..... 263,000.00

33 Contractual Services..... 690,734.00

34 Commodities..... 317,600.00

35 Capital Outlay:

36 Other Than Equipment..... 0.00

37 Equipment..... 103,500.00

38 Subsidies, Loans and Grants..... 0.00

39 Total..... \$ 5,503,152.00

40 FUNDING:

41 General Funds..... \$ 4,402,603.00

42 Special Funds..... 1,100,549.00

43 Total..... \$ 5,503,152.00

44 AUTHORIZED POSITIONS:

45 Permanent: Full Time..... 72

46 Part Time..... 2

47 Time-Limited: Full Time..... 0

48 Part Time..... 0

49 SECTION 4. The following sum, or so much thereof as may be

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

51 General Fund not otherwise appropriated to the Mississippi State

52 Supreme Court for the purpose of defraying the expenses of special

53 judges, chancellors and circuit judges for the fiscal year

54 beginning July 1, 2001, and ending June 30, 2002.....

55 \$ 15,261,824.00.

56 SECTION 5. Of the funds appropriated under the provisions of

57 Section 4, not more than the amounts set forth below shall be

58 expended for the respective major objects or purposes of

59 expenditure:

60 MAJOR OBJECTS OF EXPENDITURE:

61 Personal Services:

62 Salaries, Wages and Fringe Benefits.. \$ 14,462,324.00

63	Travel and Subsistence.....	240,000.00
64	Contractual Services.....	75,500.00
65	Commodities.....	484,000.00
66	Capital Outlay:	
67	Other Than Equipment.....	0.00
68	Equipment.....	0.00
69	Subsidies, Loans and Grants.....	<u>0.00</u>
70	Total.....	\$ 15,261,824.00

71 FUNDING:

72	General Funds.....	\$ 15,261,824.00
73	Special Funds.....	<u>0.00</u>
74	Total.....	\$ 15,261,824.00

75 AUTHORIZED POSITIONS:

76	Permanent: Full Time.....	94
77	Part Time.....	0
78	Time-Limited: Full Time.....	0
79	Part Time.....	0

80 It is the intention of the Legislature that of the funds
81 allocated under the provisions of Section 5, the Mississippi
82 Supreme Court may authorize an increase in any major object of
83 expenditure, provided that there is a corresponding decrease in
84 the other major object of expenditure.

85 Of the funds appropriated in Section 4 and allocated in
86 Section 5, Three Million Seven Hundred Sixty Thousand Dollars
87 (\$3,760,000.00) is provided for the purpose of employing support
88 staff in an amount not to exceed Forty Thousand Dollars
89 (\$40,000.00) per fiscal year per judge.

90 SECTION 6. The following sum, or so much thereof as may be
91 necessary, is hereby appropriated out of any money in the State
92 General Fund, not otherwise appropriated, for the purpose of
93 funding the Administrative Office of Courts for the fiscal year
94 beginning July 1, 2001, and ending June 30, 2002.....
95 \$ 1,235,330.00.

96 SECTION 7. The following sum, or so much thereof as may be
 97 necessary, is hereby appropriated out of any money in any special
 98 fund in the State Treasury to the credit of the Administrative
 99 Office of Courts for the purpose of defraying the expenses of the
 100 Administrative Office of Courts and the Board of Certified Court
 101 Reporters for the fiscal year beginning July 1, 2001, and ending
 102 June 30, 2002..... \$ 9,376,515.00.

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

107 MAJOR OBJECTS OF EXPENDITURE:

108 Personal Services:

109	Salaries, Wages and Fringe Benefits..	\$	9,712,516.00
110	Travel and Subsistence.....		20,000.00
111	Contractual Services.....		427,045.00
112	Commodities.....		30,310.00
113	Capital Outlay:		
114	Other Than Equipment.....		0.00
115	Equipment.....		1,000.00
116	Subsidies, Loans and Grants.....		<u>420,974.00</u>
117	Total.....	\$	10,611,845.00

118 FUNDING:

119	General Funds.....	\$	1,235,330.00
120	Special Funds.....		<u>9,376,515.00</u>
121	Total.....	\$	10,611,845.00

122 AUTHORIZED POSITIONS:

123	Permanent:	Full Time.....	15
124		Part Time.....	0
125	Time-Limited:	Full Time.....	0
126		Part Time.....	0

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

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

136 Of the funds appropriated in this section, Twenty-six
137 Thousand Five Hundred Dollars (\$26,500.00) is provided for the
138 Task Force on Gender Fairness in the Courts.

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, 2001, and
145 ending June 30, 2002..... \$ 117,130.00.

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..	\$	50,230.00
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.....	3,800.00
165	Subsidies, Loans and Grants.....	<u>15,000.00</u>
166	Total..... \$	117,130.00

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, 2001, and
177 ending June 30, 2002..... \$3,755,578.00.

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.. \$	3,055,340.00
185	Travel and Subsistence.....	257,267.00
186	Contractual Services.....	414,971.00
187	Commodities.....	26,000.00
188	Capital Outlay:	
189	Other Than Equipment.....	0.00
190	Equipment.....	2,000.00
191	Subsidies, Loans and Grants.....	<u>0.00</u>
192	Total..... \$	3,755,578.00

193	FUNDING:		
194	General Funds.....	\$	3,755,578.00
195	Special Funds.....		<u>0.00</u>
196	Total.....	\$	3,755,578.00

197 AUTHORIZED POSITIONS:

198	Permanent: Full Time.....	60
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, 2001, and ending
207 June 30, 2002..... \$ 232,736.00.

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..	\$	94,998.00
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
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226	Equipment.....	6,900.00
227	Subsidies, Loans and Grants.....	<u>0.00</u>
228	Total..... \$	232,736.00

229 AUTHORIZED POSITIONS:

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

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

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

240 SECTION 15. No part of the funds herein appropriated shall
 241 be used in the payment of attorney's fees, nor shall any of such
 242 funds be used, either directly or indirectly, for the purpose of
 243 paying any clerk, stenographer, assistant, deputy or other person
 244 who may be related by blood or marriage within the third degree,
 245 computed by the rules of civil law, to the official employing or
 246 having the right of employment or selection thereof; and in the
 247 event of any such payment, then the official or person approving
 248 and making or receiving such payment shall be jointly and
 249 severally liable to return to the State of Mississippi and to pay
 250 into the State Treasury three (3) times any such amount so paid or
 251 received, to be recovered at suit of the Attorney General;
 252 however, when the relationship is by affinity and the person
 253 through whom the relationship was established is dead, this
 254 provision shall not apply.

255 SECTION 16. It is the intent of the Legislature that the
 256 Mississippi State Supreme Court shall charge the maximum amount
 257 allowable by law for services rendered where charges for such
 258 services are provided for by statute, and for any other services

259 rendered, shall charge an amount consistent with the cost of
260 providing such services. The funds derived from these charges
261 shall be deposited into a special fund account in the State
262 Treasury to the credit of the Office of the Mississippi State
263 Supreme Court.

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

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

273 SECTION 19. This act shall take effect and be in force from
274 and after July 1, 2001.