

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MADAM PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1602: Appropriation; Supreme Court Services.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

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

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
21 collected by or otherwise available to the Mississippi State
22 Supreme Court, for the purpose of defraying the expenses of the
23 Mississippi State Supreme Court for the fiscal year beginning
24 July 1, 2001, and ending June 30, 2002 \$ 1,100,549.00.

25 SECTION 3. Of the funds appropriated under the provisions
26 of Section 1 and Section 2, not more than the amounts set forth
27 below shall be expended for the respective major objects or
28 purposes of 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.....	<u>0.00</u>
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
 53 special judges, chancellors and circuit judges for the fiscal
 54 year beginning July 1, 2001, and ending June 30, 2002.....
 55 \$ 15,261,824.00.

56 SECTION 5. Of the funds appropriated under the provisions
 57 of 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
104 of Sections 6 and 7, not more than the amounts set forth below
105 shall 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
149 1972, shall be credited by the State Treasurer to the Continuing
150 Legal Education Fund and shall not be paid into the General Fund
151 of 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
206 board 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
210 Fund made pursuant to Section 27-105-33, Mississippi Code of
211 1972, shall be credited by the State Treasurer to the Board of
212 Bar Admissions Fund and shall not be paid into the General Fund
213 of 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
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			

11

Part Time 0

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

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

18 SECTION 15. No part of the funds herein appropriated shall be used
19 in the payment of attorney's fees, nor shall any of such funds be used, either
20 directly or indirectly, for the purpose of paying any clerk, stenographer,
21 assistant, deputy or other person who may be related by blood or marriage
22 within the third degree, computed by the rules of civil law, to the official
23 employing or having the right of employment or selection thereof; and in the
24 event of any such payment, then the official or person approving and
25 making or receiving such payment shall be jointly and severally liable to
26 return to the State of Mississippi and to pay into the State Treasury three (3)
27 times any such amount so paid or received, to be recovered at suit of the
28 Attorney General; however, when the relationship is by affinity and the
29 person through whom the relationship was established is dead, this
30 provision shall not apply.

31 SECTION 16. It is the intent of the Legislature that the Mississippi
32 State Supreme Court shall charge the maximum amount allowable by law
33 for services rendered where charges for such services are provided for by
34 statute, and for any other services rendered, shall charge an amount
35 consistent with the cost of providing such services. The funds derived from
36 these charges shall be deposited into a special fund account in the State

37 Treasury to the credit of the Office of the Mississippi State Supreme Court.

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

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

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

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X _____

X _____

—

Charlie Capps, Jr.

Jack Gordon

X _____

X _____

—

Percy W. Watson

Bennie L. Turner

X _____

X _____

—

Warner F. McBride

Travis L. Little

—