

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

House Bill NO. 1602

By Senator(s) Committee

**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 \$ 4,402,604.00.

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 \$ 748,474.00.

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.. \$ 3,936,478.00

32 Travel and Subsistence..... 235,000.00

33 Contractual Services..... 715,000.00

34 Commodities..... 260,000.00

35 Capital Outlay:

36 Other Than Equipment..... 0.00

37 Equipment..... 4,600.00

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

39 Total..... \$ 5,151,078.00

40 FUNDING:

41 General Funds..... \$ 4,402,604.00

42 Special Funds..... 748,474.00

43 Total..... \$ 5,151,078.00

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 \$ 15,261,825.00.

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.. | \$ | 14,462,325.00 |
| 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..... | \$ | 15,261,825.00 |

71 FUNDING:

| | | | |
|----|--------------------|----|---------------|
| 72 | General Funds..... | \$ | 15,261,825.00 |
| 73 | Special Funds..... | | <u>0.00</u> |
| 74 | Total..... | \$ | 15,261,825.00 |

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..... 420,974.00

117 Total..... \$ 10,611,845.00

118 FUNDING:

119 General Funds..... \$ 1,235,330.00

120 Special Funds..... 9,376,515.00

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..... \$ 101,229.00.

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..... | 8,000.00 |
| 160 | Contractual Services..... | 24,499.00 |
| 161 | Commodities..... | 3,000.00 |
| 162 | Capital Outlay: | |
| 163 | Other Than Equipment..... | 0.00 |
| 164 | Equipment..... | 500.00 |
| 165 | Subsidies, Loans and Grants..... | <u>15,000.00</u> |
| 166 | Total..... \$ | 101,229.00 |

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..... | 55 |
| 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..... \$ 196,809.00.

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..... | 3,000.00 |
| 222 | Contractual Services..... | 91,706.00 |
| 223 | Commodities..... | 6,455.00 |
| 224 | Capital Outlay: | |
| 225 | Other Than Equipment..... | 0.00 |
| 226 | Equipment..... | 650.00 |
| 227 | Subsidies, Loans and Grants..... | <u>0.00</u> |
| 228 | Total..... \$ | 196,809.00 |

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.