

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. 1811: 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, 2002, and ending June 30, 2003.
 16 \$ 4,182,464.00.

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, 2002, and
 24 ending June 30, 2003 \$ 1,163,298.00.

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:

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

31 Salaries, Wages and Fringe Benefits.. \$ 4,104,821.00
 32 Travel and Subsistence..... 265,000.00

33	Contractual Services.....	648,941.00
34	Commodities.....	327,000.00
35	Capital Outlay:	
36	Other Than Equipment.....	0.00
37	Equipment.....	0.00
38	Subsidies, Loans and Grants.....	<u>0.00</u>
39	Total.....	\$ 5,345,762.00

40 FUNDING:

41	General Funds.....	\$ 4,182,464.00
42	Special Funds.....	<u>1,163,298.00</u>
43	Total.....	\$ 5,345,762.00

44 AUTHORIZED POSITIONS:

45	Permanent:	Full Time	72
46		Part Time	2
47	Time-Limited:	Full Time	0
48		Part Time	0

49 Of the funds appropriated under the provisions of Section 2
50 and allocated herein, Two Hundred Three Thousand Two Hundred
51 Ninety-eight Dollars (\$203,298.00) shall be derived from the
52 Budget Contingency Fund created in Section 27-103-301, Mississippi
53 Code of 1972.

54 **SECTION 4.** The following sum, or so much thereof as may be
55 necessary, is hereby appropriated out of any money in the State
56 General Fund not otherwise appropriated to the Mississippi State
57 Supreme Court for the purpose of defraying the expenses of special
58 judges, chancellors and circuit judges for the fiscal year
59 beginning July 1, 2002, and ending June 30, 2003.....
60 \$ 15,241,194.00.

61 **SECTION 5.** The following sum, or so much thereof as may be
62 necessary, is hereby appropriated out of any money in the Budget
63 Contingency Fund, created in Section 27-103-301, Mississippi Code
64 of 1972, for the purpose of defraying the expenses of special
65 judges, chancellors and circuit judges for the fiscal year
66 beginning July 1, 2002, and ending June 30, 2003.....
67 \$ 186,422.00.

68 **SECTION 6.** Of the funds appropriated under the provisions of

69 Sections 4 and 5, not more than the amounts set forth below shall
70 be expended for the respective major objects or purposes of
71 expenditure:

72 MAJOR OBJECTS OF EXPENDITURE:

73 Personal Services:

74	Salaries, Wages and Fringe Benefits..	\$	14,461,316.00
75	Travel and Subsistence.....		390,000.00
76	Contractual Services.....		92,300.00
77	Commodities.....		484,000.00
78	Capital Outlay:		
79	Other Than Equipment.....		0.00
80	Equipment.....		0.00
81	Subsidies, Loans and Grants.....		<u>0.00</u>
82	Total.....	\$	15,427,616.00

83 FUNDING:

84	General Funds.....	\$	15,241,194.00
85	Special Funds.....		<u>186,422.00</u>
86	Total.....	\$	15,427,616.00

87 AUTHORIZED POSITIONS:

88	Permanent:	Full Time	94
89		Part Time	0
90	Time-Limited:	Full Time	0
91		Part Time	0

92 It is the intention of the Legislature that of the funds
93 allocated under the provisions of Section 5, the Mississippi
94 Supreme Court may authorize an increase in any major object of
95 expenditure, provided that there is a corresponding decrease in
96 the other major object of expenditure.

97 Of the funds appropriated in Section 4 and allocated in
98 Section 5, Three Million Seven Hundred Sixty Thousand Dollars
99 (\$3,760,000.00) is provided for the purpose of employing support
100 staff in an amount not to exceed Forty Thousand Dollars
101 (\$40,000.00) per fiscal year per judge.

102 **SECTION 7.** The following sum, or so much thereof as may be
103 necessary, is hereby appropriated out of any money in the State
104 General Fund, not otherwise appropriated, for the purpose of

105 funding the Administrative Office of Courts for the fiscal year
 106 beginning July 1, 2002, and ending June 30, 2003.....
 107 \$ 1,075,939.00.

108 **SECTION 8.** The following sum, or so much thereof as may be
 109 necessary, is hereby appropriated out of any money in any special
 110 fund in the State Treasury to the credit of the Administrative
 111 Office of Courts for the purpose of defraying the expenses of the
 112 Administrative Office of Courts and the Board of Certified Court
 113 Reporters for the fiscal year beginning July 1, 2002, and ending
 114 June 30, 2003..... \$ 9,467,457.00.

115 **SECTION 9.** Of the funds appropriated under the provisions of
 116 Sections 6 and 7, not more than the amounts set forth below shall
 117 be expended for the respective major objects or purposes of
 118 expenditure:

119 MAJOR OBJECTS OF EXPENDITURE:

120 Personal Services:

121	Salaries, Wages and Fringe Benefits..	\$ 9,799,829.00
122	Travel and Subsistence.....	12,000.00
123	Contractual Services.....	353,067.00
124	Commodities.....	27,500.00
125	Capital Outlay:	
126	Other Than Equipment.....	0.00
127	Equipment.....	1,000.00
128	Subsidies, Loans and Grants.....	<u>350,000.00</u>
129	Total.....	\$ 10,543,396.00

130 FUNDING:

131	General Funds.....	\$ 1,075,939.00
132	Special Funds.....	<u>9,467,457.00</u>
133	Total.....	\$ 10,543,396.00

134 AUTHORIZED POSITIONS:

135	Permanent:	Full Time	15
136		Part Time	0
137	Time-Limited:	Full Time	0
138		Part Time	0

139 Of the funds appropriated under the provisions of Section 8
 140 and allocated herein, Ninety Thousand Nine Hundred Forty-two

141 Dollars (\$90,942.00) shall be derived from the Budget Contingency
142 Fund created in Section 27-103-301, Mississippi Code of 1972.

143 Of the funds appropriated in this section, One Hundred Fifty
144 Thousand Dollars (\$150,000.00) shall be used for providing a Drug
145 Treatment Court Program in Hinds County.

146 The Drug Treatment Court Program funded above is established
147 in the Administrative Office of Courts to facilitate the creation
148 of drug treatment court programs in Hinds County. Funds shall be
149 spent based upon the general guidelines set forth by the Director
150 of the Administrative Office of Courts based on a program as
151 approved by the Hinds County Board of Supervisors.

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

155 **SECTION 10.** The following sum, or so much thereof as may be
156 necessary, is hereby appropriated out of any money in the
157 Continuing Legal Education Fund, a special fund hereby created in
158 the State Treasury, for the purpose of defraying the expenses of
159 providing continuing legal education programs to lawyers in
160 Mississippi, for the fiscal year beginning July 1, 2002, and
161 ending June 30, 2003..... \$ 118,779.00.

162 It is the intention of the Legislature that interest earned
163 from any investment or deposit to the Continuing Legal Education
164 Fund made pursuant to Section 27-105-33, Mississippi Code of 1972,
165 shall be credited by the State Treasurer to the Continuing Legal
166 Education Fund and shall not be paid into the General Fund of
167 Mississippi.

168 **SECTION 11.** Of the funds appropriated under the provisions
169 of Section 10, not more than the amounts set forth below shall be
170 expended for the respective major objects or purposes of
171 expenditure:

172 MAJOR OBJECTS OF EXPENDITURE:

173 Personal Services:

174	Salaries, Wages and Fringe Benefits.. \$	51,779.00
175	Travel and Subsistence.....	12,000.00
176	Contractual Services.....	31,350.00

177	Commodities.....	4,750.00
178	Capital Outlay:	
179	Other Than Equipment.....	0.00
180	Equipment.....	3,900.00
181	Subsidies, Loans and Grants.....	<u>15,000.00</u>
182	Total..... \$	118,779.00

183 AUTHORIZED POSITIONS:

184	Permanent:	Full Time	1
185		Part Time	0
186	Time-Limited:	Full Time	0
187		Part Time	0

188 **SECTION 12.** The following sum, or so much thereof as may be
189 necessary, is hereby appropriated out of any money in the State
190 General Fund not otherwise appropriated to the Mississippi State
191 Supreme Court for the purpose of defraying the expenses of the
192 Court of Appeals for the fiscal year beginning July 1, 2002, and
193 ending June 30, 2003..... \$3,834,569.00.

194 **SECTION 13.** The following sum, or so much thereof as may be
195 necessary, is hereby appropriated out of any money in the Budget
196 Contingency Fund, created in Section 27-103-301, Mississippi Code
197 of 1972, for the purpose of defraying the expenses of the Court of
198 Appeals for the fiscal year beginning July 1, 2002, and ending
199 June 30, 2003.....
200 \$ 118,522.00.

201 **SECTION 14.** Of the funds appropriated under the provisions
202 of Sections 12 and 13, not more than the amounts set forth below
203 shall be expended for the respective major objects or purposes of
204 expenditure:

205 MAJOR OBJECTS OF EXPENDITURE:

206	Personal Services:	
207	Salaries, Wages and Fringe Benefits.. \$	3,268,111.00
208	Travel and Subsistence.....	245,000.00
209	Contractual Services.....	415,980.00
210	Commodities.....	24,000.00
211	Capital Outlay:	
212	Other Than Equipment.....	0.00

213	Equipment.....	0.00
214	Subsidies, Loans and Grants.....	<u>0.00</u>
215	Total.....	\$ 3,953,091.00

216 FUNDING:

217	General Funds.....	\$ 3,834,569.00
218	Special Funds.....	<u>118,522.00</u>
219	Total.....	\$ 3,953,091.00

220 AUTHORIZED POSITIONS:

221	Permanent:	Full Time	60
222		Part Time	0
223	Time-Limited:	Full Time	0
224		Part Time	0

225 **SECTION 15.** The following sum, or so much thereof as may be
226 necessary, is hereby appropriated out of any money in the special
227 fund in the State Treasury to the credit of the Board of Bar
228 Admissions, for the purpose of defraying the expenses of the board
229 for the fiscal year beginning July 1, 2002, and ending
230 June 30, 2003..... \$ 237,502.00.

231 It is the intention of the Legislature that interest earned
232 from any investment or deposit to the Board of Bar Admissions Fund
233 made pursuant to Section 27-105-33, Mississippi Code of 1972,
234 shall be credited by the State Treasurer to the Board of Bar
235 Admissions Fund and shall not be paid into the General Fund of
236 Mississippi.

237 **SECTION 16.** Of the funds appropriated under the provisions
238 of Section 13, not more than the amounts set forth below shall be
239 expended for the respective major objects or purposes of
240 expenditure:

241 MAJOR OBJECTS OF EXPENDITURE:

242 Personal Services:

243	Salaries, Wages and Fringe Benefits..	\$ 98,114.00
244	Travel and Subsistence.....	11,300.00
245	Contractual Services.....	112,088.00
246	Commodities.....	10,600.00

247 Capital Outlay:

248	Other Than Equipment.....	0.00
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249	Equipment.....	5,400.00
250	Subsidies, Loans and Grants.....	<u>0.00</u>
251	Total..... \$	237,502.00

252 AUTHORIZED POSITIONS:

253	Permanent: Full Time	3
254	Part Time	0
255	Time-Limited: Full Time	0
256	Part Time	0

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

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

263 **SECTION 17.** No part of the funds herein appropriated shall
264 be used in the payment of attorney's fees, nor shall any of such
265 funds be used, either directly or indirectly, for the purpose of
266 paying any clerk, stenographer, assistant, deputy or other person
267 who may be related by blood or marriage within the third degree,
268 computed by the rules of civil law, to the official employing or
269 having the right of employment or selection thereof; and in the
270 event of any such payment, then the official or person approving
271 and making or receiving such payment shall be jointly and
272 severally liable to return to the State of Mississippi and to pay
273 into the State Treasury three (3) times any such amount so paid or
274 received, to be recovered at suit of the Attorney General;
275 however, when the relationship is by affinity and the person
276 through whom the relationship was established is dead, this
277 provision shall not apply.

278 **SECTION 18.** It is the intent of the Legislature that the
279 Mississippi State Supreme Court shall charge the maximum amount
280 allowable by law for services rendered where charges for such
281 services are provided for by statute, and for any other services
282 rendered, shall charge an amount consistent with the cost of
283 providing such services. The funds derived from these charges
284 shall be deposited into a special fund account in the State

285 Treasury to the credit of the Office of the Mississippi State
286 Supreme Court.

287 **SECTION 19.** It is the intent of the Legislature that no part
288 of the funds herein appropriated shall be required to be used for
289 the payment of rent for the public space in the Law Library.

290 **SECTION 20.** The following sum, or so much thereof as may be
291 necessary, is hereby reappropriated out of any money from the
292 Criminal Justice Fund for the purpose of authorizing the
293 expenditure of these funds, originally authorized for specific
294 purposes in Senate Bill 3078, 2002 Regular Session, to be used for
295 Special Judge appointments and travel expenses.....
296 \$ 150,000.00.

297 **SECTION 21.** The money herein appropriated shall be paid by
298 the State Treasurer out of any money in the State Treasury to the
299 credit of the proper fund or funds as set forth in this act, upon
300 warrants issued by the State Fiscal Officer; and the State Fiscal
301 Officer shall issue his warrants upon requisitions signed by the
302 proper person, officer or officers, in the manner provided by law.

303 **SECTION 22.** This act shall take effect and be in force from
304 and after July 1, 2002.

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 _____

Jack Gadd

Johnnie E. Walls, Jr.