

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. 1812: Appropriation; Office of Capital Defense Counsel.

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:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the purpose of
8 defraying the expenses of the Office of Capital Defense Counsel of
9 the State of Mississippi for the fiscal year beginning
10 July 1, 2002, and ending June 30, 2003..... \$ 610,279.00.

11 **SECTION 2.** With the funds appropriated under the provisions
12 of Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14 Permanent:	Full Time	9
15	Part Time	0
16 Time-Limited:	Full Time	0
17	Part Time	0

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

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23 act and which are withdrawn and no longer available.

24 **SECTION 3.** It is the intention of the Legislature that the
25 Director of the Office of Capital Defense Counsel is hereby
26 authorized to transfer any funds authorized to defray the expenses

27 of the office, not to exceed Two Hundred Thousand Dollars
28 (\$200,000.00), to the Capital Defense Counsel Special Fund, and to
29 escalate, budget and expend funds, not to exceed Five Hundred
30 Thousand Dollars (\$500,000.00), in accordance with the rules and
31 regulations of the Department of Finance and Administration, for
32 the purpose of paying fees and expenses to private counsel,
33 including investigative and expert witness expenses from the
34 Capital Defense Counsel Special Fund, in accordance with Section
35 99-18-17, Mississippi Code of 1972.

36 **SECTION 4.** The money herein appropriated shall be paid by
37 the State Treasurer out of any money in the State Treasury to the
38 credit of the proper fund or funds as set forth in this act, upon
39 warrants issued by the State Fiscal Officer; and the State Fiscal
40 Officer shall issue his warrants upon requisitions signed by the
41 proper person, officer or officers, in the manner provided by law.

42 **SECTION 5.** This act shall take effect and be in force from
43 and after July 1, 2002.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X _____

Charlie Capps, Jr.

X _____

Jack Gordon

X _____

Percy W. Watson

X _____

Bennie L. Turner

X _____

Warner F. McBride

X _____

Johnnie E. Walls, Jr.