

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

House Bill NO. 1812

By Senator(s) Committee

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..... \$ 617,671.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of
12 Section 1, not more than the amounts set forth below shall be
13 expended for the respective major objects or purposes of
14 expenditure:

15 MAJOR OBJECTS OF EXPENDITURE:

16 Personal Services:

17 Salaries, Wages and Fringe Benefits.. \$	454,411.00
18 Travel and Subsistence.....	35,000.00
19 Contractual Services.....	83,260.00
20 Commodities.....	30,000.00
21 Capital Outlay:	
22 Other Than Equipment.....	0.00
23 Equipment.....	15,000.00
24 Subsidies, Loans and Grants.....	<u>0.00</u>

25 Total..... \$ 617,671.00

26 AUTHORIZED POSITIONS:

27	Permanent:	Full Time.....	9
28		Part Time.....	0
29	Time-Limited:	Full Time.....	0
30		Part Time.....	0

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

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36 act and which are withdrawn and no longer available.

37 **SECTION 3.** It is the intention of the Legislature that the
38 Director of the Office of Capital Defense Counsel is hereby
39 authorized to transfer any funds authorized to defray the expenses
40 of the office, not to exceed Two Hundred Thousand Dollars
41 (\$200,000.00), to the Capital Defense Counsel Special Fund, and to
42 escalate, budget and expend funds, not to exceed Two Hundred
43 Thousand Dollars (\$200,000.00), in accordance with the rules and
44 regulations of the Department of Finance and Administration, for
45 the purpose of paying fees and expenses to private counsel,
46 including investigative and expert witness expenses from the
47 Capital Defense Counsel Special Fund, in accordance with Section
48 99-18-17, Mississippi Code of 1972.

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

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