

By: Representatives Watson, McBride, Coleman

(29th), Eakes, Gadd, Green

To: Appropriations

HOUSE BILL NO. 1538

1AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING

2THE EXPENSES OF THE OFFICE OF CAPITAL DEFENSE COUNSEL OF THE STATE

3OF MISSISSIPPI FOR THE FISCAL YEAR 2004.

4BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5SECTION 1. The following sum, or so much thereof as may be

6necessary, is hereby appropriated out of any money in the State

7General Fund not otherwise appropriated, for the purpose of

8defraying the expenses of the Office of Capital Defense Counsel of

9the State of Mississippi for the fiscal year beginning

10July 1, 2003, and ending June 30, 2004..... \$ 606,261.00.

11SECTION 2. The following sum, or so much thereof as may be

12necessary, is hereby appropriated out of any money in the special

13fund in the State Treasury to the credit of the Office of Capital

14Defense Counsel of the State of Mississippi for the purpose of

15defraying the expenses of the office for the fiscal year beginning

16July 1, 2003, and ending June 30, 2004..... \$ 120,000.00.

17SECTION 3. With the funds appropriated under the provisions

18of Section 1, the following positions are authorized:

19AUTHORIZED POSITIONS:

20Permanent: Full Time..... 9

21Part Time..... 0

22Time-Limited: Full Time..... 0

23Part Time..... 0

24Any transfers or escalations shall be made in accordance with

25the terms, conditions, and procedures established by law.

26No general funds authorized to be expended herein shall be

27used to replace federal funds and/or other special funds which are

28 being used for salaries authorized under the provisions of this
29 act and which are withdrawn and no longer available.

30 **SECTION 4.** It is the intention of the Legislature that the
31 Director of the Office of Capital Defense Counsel shall have the
32 authority to accept, budget and expend any source funds, not to
33 exceed Two Hundred Thousand Dollars (\$200,000.00). Such funds are
34 to be escalated in accordance with the rules and regulations of
35 the Department of Finance and Administration in a manner
36 consistent with escalation of federal funds.

37 **SECTION 5.** It is the intention of the Legislature that none
38 of the funds appropriated by this act shall be expended for
39 increased charges for State and School Employees' Health Insurance
40 Plan premium rates assessed by the Department of Finance and
41 Administration in excess of the Fiscal Year 2003 premium rates for
42 the health insurance plan.

43 **SECTION 6.** The money herein appropriated shall be paid by
44 the State Treasurer out of any money in the State Treasury to the
45 credit of the proper fund or funds as set forth in this act, upon
46 warrants issued by the State Fiscal Officer; and the State Fiscal
47 Officer shall issue his warrants upon requisitions signed by the
48 proper person, officer or officers, in the manner provided by law.

49 **SECTION 7.** This act shall take effect and be in force from
50 and after July 1, 2003.

