

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1645**

**BY: 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 Post-Conviction  
9 Counsel of the State of Mississippi for the fiscal year beginning  
10 July 1, 2005, and ending June 30, 2006..... \$           656,992.00.

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.. \$           412,249.00  
18               Travel and Subsistence.....                   22,000.00  
19               Contractual Services.....                       192,743.00  
20               Commodities.....                                   30,000.00

21       Capital Outlay:

22               Other Than Equipment.....                       0.00  
23               Equipment.....                                       0.00

24	Subsidies, Loans and Grants.....		0.00
25	Total.....	\$	656,992.00

26 AUTHORIZED POSITIONS:

27	Permanent:	Full Time.....	6
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 36 act and which are withdrawn and no longer available.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 Office of Capital Post-Conviction Counsel shall maintain complete  
 39 accounting and personnel records related to the expenditure of all  
 40 funds appropriated under this act and that such records shall be  
 41 in the same format and level of detail as maintained for Fiscal  
 42 Year 2005. It is further the intention of the Legislature that  
 43 the agency's budget request for Fiscal Year 2007 shall be  
 44 submitted to the Joint Legislative Budget Committee in a format  
 45 and level of detail comparable to the format and level of detail  
 46 provided during the Fiscal Year 2006 budget request process.

47 **SECTION 4.** It is the intention of the Legislature that the  
 48 Office of Capital Post-Conviction Counsel shall have the authority  
 49 to accept, budget and expend any source funds not to exceed Two  
 50 Million Dollars (\$2,000,000.00). Such funds are to be escalated  
 51 in accordance with procedures for federal fund escalations as  
 52 established in Section 27-104-21, Mississippi Code of 1972, and  
 53 expended for the purposes of performing such duties as set forth  
 54 by law in accordance with applicable rules and regulations of the  
 55 State Fiscal Officer.

56           **SECTION 5.** The money herein appropriated shall be paid by  
57 the State Treasurer out of any money in the State Treasury to the  
58 credit of the proper fund or funds as set forth in this act, upon  
59 warrants issued by the State Fiscal Officer; and the State Fiscal  
60 Officer shall issue his warrants upon requisitions signed by the  
61 proper person, officer or officers, in the manner provided by law.

62           **SECTION 6.** This act shall take effect and be in force from  
63 and after July 1, 2005.