

By: Representatives Coleman  
(29th), Denny, Dickson, Green,  
McBride

To: Appropriations

HOUSE BILL NO. 61

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI OFFICE OF INDIGENT APPEALS FOR THE  
3 FISCAL YEAR 2006; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in any special  
7 fund in the State Treasury to the credit of the Mississippi Office  
8 of Indigent Appeals which is comprised of special source funds  
9 collected by or otherwise available for the purpose of defraying  
10 the expenses of the Mississippi Office of Indigent Appeals for the  
11 fiscal year beginning July 1, 2005, and ending June 30, 2006.....  
12 ..... \$ 1,156,436.00.

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

17 MAJOR OBJECTS OF EXPENDITURE:

18	Personal Services:		
19	Salaries, Wages and Fringe Benefits..	\$	721,836.00
20	Travel and Subsistence.....		43,000.00
21	Contractual Services.....		311,100.00
22	Commodities.....		22,500.00
23	Capital Outlay:		
24	Other Than Equipment.....		0.00
25	Equipment.....		58,000.00
26	Subsidies, Loans and Grants.....		0.00
27	Total.....	\$	1,156,436.00

28	FUNDING:	
29	General Funds.....	\$ 0.00
30	Special Funds.....	<u>1,156,436.00</u>
31	Total.....	\$ 1,156,436.00

32 AUTHORIZED POSITIONS:

33	Permanent: Full Time.....	9
34	Part Time.....	0
35	Time-Limited: Full Time.....	0
36	Part Time.....	0

37 Any transfers or escalations shall be made in accordance with  
38 the terms, conditions and procedures established by law or  
39 allowable under the terms set forth within this act. The State  
40 Personnel Board shall not escalate positions without written  
41 approval from the Department of Finance and Administration. The  
42 Department of Finance and Administration shall not provide written  
43 approval to escalate any funds for salaries and/or positions  
44 without proof of availability of new or additional funds above the  
45 appropriated level.

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

50 **SECTION 3.** It is the intention of the Legislature that the  
51 Office of Indigent Appeals shall maintain complete accounting and  
52 personnel records related to the expenditure of all funds  
53 appropriated under this act and that such records shall be in the  
54 same format and level of detail as maintained for Fiscal Year  
55 2005. It is further the intention of the Legislature that the  
56 agency's budget request for Fiscal Year 2007 shall be submitted to  
57 the Joint Legislative Budget Committee in a format and level of  
58 detail comparable to the format and level of detail provided  
59 during the Fiscal Year 2006 budget request process.

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

66           **SECTION 5.** This act shall take effect and be in force from  
67 and after July 1, 2005.