

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

To: Appropriations

HOUSE BILL NO. 1556
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE OFFICE OF CAPITAL DEFENSE COUNSEL OF THE STATE
3 OF MISSISSIPPI FOR THE FISCAL YEAR 2007.

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 the special
7 fund in the State Treasury to the credit of the Office of Capital
8 Defense Counsel of the State of Mississippi for the purpose of
9 defraying the expenses of the office for the fiscal year beginning
10 July 1, 2006, and ending June 30, 2007..... \$ 994,701.00.

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..	\$	726,831.00
18	Travel and Subsistence.....		38,000.00
19	Contractual Services.....		207,870.00
20	Commodities.....		15,000.00

21 Capital Outlay:

22	Other Than Equipment.....		0.00
23	Equipment.....		7,000.00
24	Subsidies, Loans and Grants.....		0.00
25	Total.....	\$	994,701.00

26 FUNDING:

27	General Funds.....	\$	0.00
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28	Special Funds.....		<u>994,701.00</u>
29	Total.....	\$	994,701.00

30 AUTHORIZED POSITIONS:

31	Permanent:	Full Time.....	9
32		Part Time.....	0
33	Time-Limited:	Full Time.....	0
34		Part Time.....	0

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

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40 act and which are withdrawn and no longer available.

41 **SECTION 3.** It is the intention of the Legislature that the
42 Office of Capital Defense Counsel shall maintain complete
43 accounting and personnel records related to the expenditure of all
44 funds appropriated under this act and that such records shall be
45 in the same format and level of detail as maintained for Fiscal
46 Year 2006. It is further the intention of the Legislature that
47 the agency's budget request for Fiscal Year 2008 shall be
48 submitted to the Joint Legislative Budget Committee in a format
49 and level of detail comparable to the format and level of detail
50 provided during the Fiscal Year 2007 budget request process.

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

58 **SECTION 5.** It is the intention of the Legislature that
59 whenever two (2) or more bids are received by this agency for the
60 purchase of commodities or equipment, and whenever all things

61 stated in such received bids are equal with respect to price,
62 quality and service, the Mississippi Industries for the Blind
63 shall be given preference. A similar preference shall be given to
64 the Mississippi Industries for the Blind whenever purchases are
65 made without competitive bids.

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

72 **SECTION 7.** This act shall take effect and be in force from
73 and after July 1, 2006.