

Senate Amendments to House Bill No. 1557

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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 any special
7 fund in the State Treasury to the credit of the Office of Capital
8 Post-Conviction Counsel which is comprised of special source funds
9 collected by or otherwise available to the office for the fiscal
10 year beginning July 1, 2006, and ending June 30, 2007.....
11 \$ 741,778.00.

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

16 **MAJOR OBJECTS OF EXPENDITURE:**

17 Personal Services:

18 Salaries, Wages and Fringe Benefits..	\$	453,785.00
19 Travel and Subsistence.....		28,000.00
20 Contractual Services.....		214,743.00
21 Commodities.....		34,250.00
22 Capital Outlay:		
23 Other Than Equipment.....		0.00
24 Equipment.....		11,000.00
25 Subsidies, Loans and Grants.....		0.00
26 Total.....	\$	741,778.00

27 **FUNDING:**

28 General Funds.....	\$	0.00
29 Special Funds.....		741,778.00
30 Total.....	\$	741,778.00

31 AUTHORIZED POSITIONS:

32	Permanent:	Full Time.....	10
33		Part Time.....	0
34	Time-Limited:	Full Time.....	0
35		Part Time.....	0

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

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41 act and which are withdrawn and no longer available.

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

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

61 **SECTION 5.** It is the intention of the Legislature that
62 whenever two (2) or more bids are received by this agency for the
63 purchase of commodities or equipment, and whenever all things
64 stated in such received bids are equal with respect to price,
65 quality and service, the Mississippi Industries for the Blind

66 shall be given preference. A similar preference shall be given to
67 the Mississippi Industries for the Blind whenever purchases are
68 made without competitive bids.

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

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

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John O. Gilbert
Secretary of the Senate