

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

To: Appropriations

HOUSE BILL NO. 1683

1          AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS  
3 COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT  
4 CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL  
5 JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF  
6 DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND  
7 CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF  
8 APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2008;  
9 AND FOR RELATED PURPOSES.

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

11         **SECTION 1.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in the State  
13 General Fund not otherwise appropriated, for the purpose of  
14 defraying the expenses of the Mississippi State Supreme Court for  
15 the fiscal year beginning July 1, 2007, and ending June 30, 2008.  
16 ..... \$          6,179,303.00.

17         **SECTION 2.** The following sum, or so much thereof as may be  
18 necessary, is hereby appropriated out of any money in any special  
19 fund in the State Treasury to the credit of the Mississippi State  
20 Supreme Court which is comprised of special source funds collected  
21 by or otherwise available to the Mississippi State Supreme Court,  
22 for the purpose of defraying the expenses of the Mississippi State  
23 Supreme Court for the fiscal year beginning July 1, 2007, and  
24 ending June 30, 2008 ..... \$          245,492.00.

25         **SECTION 3.** Of the funds appropriated under the provisions of  
26 this act for the purpose of defraying the expenses of the  
27 Mississippi State Supreme Court, not more than the amounts set  
28 forth below shall be expended for the respective major objects or  
29 purposes of expenditure:

30         MAJOR OBJECTS OF EXPENDITURE:

31	Personal Services:		
32	Salaries, Wages and Fringe Benefits..	\$	4,905,936.00
33	Travel and Subsistence.....		245,000.00
34	Contractual Services.....		963,859.00
35	Commodities.....		310,000.00
36	Capital Outlay:		
37	Other Than Equipment.....		0.00
38	Equipment.....		0.00
39	Vehicles.....		0.00
40	Wireless Communication Devices.....		0.00
41	Subsidies, Loans and Grants.....		<u>0.00</u>
42	Total.....	\$	6,424,795.00
43	FUNDING:		
44	General Funds.....	\$	6,179,303.00
45	Special Funds.....		<u>245,492.00</u>
46	Total.....	\$	6,424,795.00
47	AUTHORIZED POSITIONS:		
48	Permanent: Full Time.....		73
49	Part Time.....		2
50	Time-Limited: Full Time.....		0
51	Part Time.....		0

52       **SECTION 4.** The following sum, or so much thereof as may be  
53 necessary, is hereby appropriated out of any money in the State  
54 General Fund not otherwise appropriated to the Mississippi State  
55 Supreme Court for the purpose of defraying the expenses of special  
56 judges, chancellors and circuit judges for the fiscal year  
57 beginning July 1, 2007, and ending June 30, 2008.....  
58 ..... \$     17,329,210.00.

59       **SECTION 5.** Of the funds appropriated under the provisions of  
60 this act for the purpose of defraying the expenses of special  
61 judges, chancellors and circuit judges, not more than the amounts  
62 set forth below shall be expended for the respective major objects  
63 or purposes of expenditure:

64	MAJOR OBJECTS OF EXPENDITURE:		
65	Personal Services:		
66	Salaries, Wages and Fringe Benefits..	\$	16,287,910.00
67	Travel and Subsistence.....		465,000.00
68	Contractual Services.....		92,300.00
69	Commodities.....		484,000.00
70	Capital Outlay:		
71	Other Than Equipment.....		0.00
72	Equipment.....		0.00
73	Vehicles.....		0.00
74	Wireless Communication Devices.....		0.00
75	Subsidies, Loans and Grants.....		0.00
76	Total.....	\$	17,329,210.00
77	FUNDING:		
78	General Funds.....	\$	17,329,210.00
79	Special Funds.....		0.00
80	Total.....	\$	17,329,210.00
81	AUTHORIZED POSITIONS:		
82	Permanent: Full Time.....		99
83	Part Time.....		0
84	Time-Limited: Full Time.....		0
85	Part Time.....		0
86	It is the intention of the Legislature that of the funds		
87	allocated under the provisions of Section 4, the Mississippi		
88	Supreme Court may authorize an increase in any major object of		
89	expenditure, provided that there is a corresponding decrease in		
90	the other major object of expenditure.		
91	Of the funds appropriated and allocated herein, Three Million		
92	Seven Hundred Sixty Thousand Dollars (\$3,760,000.00) is provided		
93	for the purpose of employing support staff in an amount not to		
94	exceed Forty Thousand Dollars (\$40,000.00) per fiscal year per		
95	judge.		

96           **SECTION 6.** The following sum, or so much thereof as may be  
97 necessary, is hereby appropriated out of any money in the State  
98 General Fund, not otherwise appropriated, for the purpose of  
99 funding the Administrative Office of Courts for the fiscal year  
100 beginning July 1, 2007, and ending June 30, 2008.....  
101 ..... \$           1,295,712.00.

102           **SECTION 7.** The following sum, or so much thereof as may be  
103 necessary, is hereby appropriated out of any money in any special  
104 fund in the State Treasury to the credit of the Administrative  
105 Office of Courts for the purpose of defraying the expenses of the  
106 Administrative Office of Courts and the Board of Certified Court  
107 Reporters for the fiscal year beginning July 1, 2007, and ending  
108 June 30, 2008..... \$           12,575,389.00.

109           **SECTION 8.** Of the funds appropriated under the provisions of  
110 this act for the purpose of funding the Administrative Office of  
111 Courts, not more than the amounts set forth below shall be  
112 expended for the respective major objects or purposes of  
113 expenditure:

114       MAJOR OBJECTS OF EXPENDITURE:

115       Personal Services:	
116           Salaries, Wages and Fringe Benefits..	\$           10,742,930.00
117           Travel and Subsistence.....	32,000.00
118           Contractual Services.....	416,171.00
119           Commodities.....	30,000.00
120       Capital Outlay:	
121           Other Than Equipment.....	0.00
122           Equipment.....	0.00
123           Vehicles.....	0.00
124           Wireless Communication Devices.....	0.00
125           Subsidies, Loans and Grants.....	<u>2,650,000.00</u>
126           Total.....	\$           13,871,101.00

127       FUNDING:

128           General Funds.....	\$           1,295,712.00
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129       Special Funds..... 12,575,389.00  
130       Total..... \$ 13,871,101.00

131   AUTHORIZED POSITIONS:

132       Permanent:       Full Time..... 15  
133                           Part Time..... 0  
134       Time-Limited:   Full Time..... 0  
135                           Part Time..... 0

136       Of the funds appropriated in this section, One Hundred Fifty  
137   Thousand Dollars (\$150,000.00) shall be used for providing a Drug  
138   Treatment Court Program in Hinds County.

139       The Drug Treatment Court Program funded above is established  
140   in the Administrative Office of Courts to facilitate the creation  
141   of drug treatment court programs in Hinds County. Funds shall be  
142   spent based upon the general guidelines set forth by the Director  
143   of the Administrative Office of Courts based on a program as  
144   approved by the Hinds County Board of Supervisors.

145       **SECTION 9.** The following sum, or so much thereof as may be  
146   necessary, is hereby appropriated out of any money in the  
147   Continuing Legal Education Fund, a special fund hereby created in  
148   the State Treasury, for the purpose of defraying the expenses of  
149   providing continuing legal education programs to lawyers in  
150   Mississippi, for the fiscal year beginning July 1, 2007, and  
151   ending June 30, 2008..... \$ 124,812.00.

152       It is the intention of the Legislature that interest earned  
153   from any investment or deposit to the Continuing Legal Education  
154   Fund made pursuant to Section 27-105-33, Mississippi Code of 1972,  
155   shall be credited by the State Treasurer to the Continuing Legal  
156   Education Fund and shall not be paid into the General Fund of  
157   Mississippi.

158       **SECTION 10.** Of the funds appropriated under the provisions  
159   of this act for the purpose of providing continuing legal  
160   education programs, not more than the amounts set forth below

161 shall be expended for the respective major objects or purposes of  
162 expenditure:

163 MAJOR OBJECTS OF EXPENDITURE:

164 Personal Services:

165	Salaries, Wages and Fringe Benefits.. \$	61,194.00
166	Travel and Subsistence.....	10,318.00
167	Contractual Services.....	32,350.00
168	Commodities.....	4,750.00

169 Capital Outlay:

170	Other Than Equipment.....	0.00
171	Equipment.....	1,200.00
172	Vehicles.....	0.00
173	Wireless Communication Devices.....	0.00
174	Subsidies, Loans and Grants.....	<u>15,000.00</u>
175	Total..... \$	124,812.00

176 AUTHORIZED POSITIONS:

177	Permanent: Full Time.....	1
178	Part Time.....	0
179	Time-Limited: Full Time.....	0
180	Part Time.....	0

181 **SECTION 11.** The following sum, or so much thereof as may be  
182 necessary, is hereby appropriated out of any money in the State  
183 General Fund not otherwise appropriated to the Mississippi State  
184 Supreme Court for the purpose of defraying the expenses of the  
185 Court of Appeals for the fiscal year beginning July 1, 2007, and  
186 ending June 30, 2008..... \$ 4,941,826.00.

187 **SECTION 12.** Of the funds appropriated under the provisions  
188 of this act for the purpose of defraying the expenses of the Court  
189 of Appeals, not more than the amounts set forth below shall be  
190 expended for the respective major objects or purposes of  
191 expenditure:

192 MAJOR OBJECTS OF EXPENDITURE:

193 Personal Services:

194	Salaries, Wages and Fringe Benefits..	\$	4,152,327.00
195	Travel and Subsistence.....		200,000.00
196	Contractual Services.....		560,499.00
197	Commodities.....		29,000.00
198	Capital Outlay:		
199	Other Than Equipment.....		0.00
200	Equipment.....		0.00
201	Vehicles.....		0.00
202	Wireless Communication Devices.....		0.00
203	Subsidies, Loans and Grants.....		0.00
204	Total.....	\$	4,941,826.00
205	FUNDING:		
206	General Funds.....	\$	4,941,826.00
207	Special Funds.....		0.00
208	Total.....	\$	4,941,826.00
209	AUTHORIZED POSITIONS:		
210	Permanent: Full Time.....	60	
211	Part Time.....	0	
212	Time-Limited: Full Time.....	0	
213	Part Time.....	0	
214	<b>SECTION 13.</b> The following sum, or so much thereof as may be		
215	necessary, is hereby appropriated out of any money in the special		
216	fund in the State Treasury to the credit of the Board of Bar		
217	Admissions, for the purpose of defraying the expenses of the board		
218	for the fiscal year beginning July 1, 2007, and ending		
219	June 30, 2008.....	\$	342,013.00.
220	It is the intention of the Legislature that interest earned		
221	from any investment or deposit to the Board of Bar Admissions Fund		
222	made pursuant to Section 27-105-33, Mississippi Code of 1972,		
223	shall be credited by the State Treasurer to the Board of Bar		
224	Admissions Fund and shall not be paid into the General Fund of		
225	Mississippi.		

226           **SECTION 14.** Of the funds appropriated under the provisions  
227 of this act for the purpose of funding the Board of Bar  
228 Admissions, not more than the amounts set forth below shall be  
229 expended for the respective major objects or purposes of  
230 expenditure:

231       MAJOR OBJECTS OF EXPENDITURE:

232           Personal Services:

233	Salaries, Wages and Fringe Benefits.. \$	134,065.00
234	Travel and Subsistence.....	15,500.00
235	Contractual Services.....	176,348.00
236	Commodities.....	13,600.00

237           Capital Outlay:

238	Other Than Equipment.....	0.00
239	Equipment.....	2,500.00
240	Vehicles.....	0.00
241	Wireless Communication Devices.....	0.00
242	Subsidies, Loans and Grants.....	<u>0.00</u>
243	Total..... \$	342,013.00

244       AUTHORIZED POSITIONS:

245	Permanent:	Full Time.....	3
246		Part Time.....	0
247	Time-Limited:	Full Time.....	0
248		Part Time.....	0

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

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

255       **SECTION 15.** No part of the funds herein appropriated shall  
256 be used in the payment of attorney's fees, nor shall any of such  
257 funds be used, either directly or indirectly, for the purpose of  
258 paying any clerk, stenographer, assistant, deputy or other person



259 who may be related by blood or marriage within the third degree,  
260 computed by the rules of civil law, to the official employing or  
261 having the right of employment or selection thereof; and in the  
262 event of any such payment, then the official or person approving  
263 and making or receiving such payment shall be jointly and  
264 severally liable to return to the State of Mississippi and to pay  
265 into the State Treasury three (3) times any such amount so paid or  
266 received, to be recovered at suit of the Attorney General;  
267 however, when the relationship is by affinity and the person  
268 through whom the relationship was established is dead, this  
269 provision shall not apply.

270       **SECTION 16.** It is the intent of the Legislature that the  
271 Mississippi State Supreme Court shall charge the maximum amount  
272 allowable by law for services rendered where charges for such  
273 services are provided for by statute, and for any other services  
274 rendered, shall charge an amount consistent with the cost of  
275 providing such services. The funds derived from these charges  
276 shall be deposited into a special fund account in the State  
277 Treasury to the credit of the Office of the Mississippi State  
278 Supreme Court.

279       **SECTION 17.** It is the intent of the Legislature that no part  
280 of the funds herein appropriated shall be required to be used for  
281 the payment of rent for the public space in the Law Library.

282       **SECTION 18.** It is the intention of the Legislature that  
283 whenever two (2) or more bids are received by this agency for the  
284 purchase of commodities or equipment, and whenever all things  
285 stated in such received bids are equal with respect to price,  
286 quality and service, the Mississippi Industries for the Blind  
287 shall be given preference. A similar preference shall be given to  
288 the Mississippi Industries for the Blind whenever purchases are  
289 made without competitive bids.

290       **SECTION 19.** It is the intention of the Legislature that the  
291 Administrative Office of Courts shall have the authority to

292 accept, budget and expend any money in the Comprehensive  
293 Electronic Court Systems Fund, not to exceed Five Hundred Thousand  
294 Dollars (\$500,000.00), for the purpose of defraying the expenses  
295 of developing, implementing and maintaining a comprehensive case  
296 management and electronic filing system for the courts of the  
297 state that complies with the data and case management and  
298 electronic standards adopted by the Supreme Court. Such funds are  
299 to be escalated in accordance with procedures for federal fund  
300 escalations as established in Section 27-104-21, Mississippi Code  
301 of 1972, and expended for the purposes of performing such duties  
302 as set forth by law in accordance with applicable rules and  
303 regulations of the State Fiscal Officer.

304       **SECTION 20.** The money herein appropriated shall be paid by  
305 the State Treasurer out of any money in the State Treasury to the  
306 credit of the proper fund or funds as set forth in this act, upon  
307 warrants issued by the State Fiscal Officer; and the State Fiscal  
308 Officer shall issue his warrants upon requisitions signed by the  
309 proper person, officer or officers, in the manner provided by law.

310       **SECTION 21.** This act shall take effect and be in force from  
311 and after July 1, 2007.