

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

To: Appropriations

HOUSE BILL NO. 1685

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF  
3 THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2008.

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 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, 2007, and ending June 30, 2008.....  
11 ..... \$ 673,470.00.

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..	\$	388,477.00
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	Vehicles.....		0.00
25	Wireless Communication Devices.....		0.00
26	Equipment.....		8,000.00
27	Subsidies, Loans and Grants.....		0.00



28                   Total..... \$           673,470.00  
 29    FUNDING:  
 30            General Funds..... \$           0.00  
 31            Special Funds..... 673,470.00  
 32            Total..... \$           673,470.00

33    AUTHORIZED POSITIONS:

34           Permanent:       Full Time.....       6  
 35                                Part Time.....       0  
 36           Time-Limited:   Full Time.....       0  
 37                                Part Time.....       0

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

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 43    act and which are withdrawn and no longer available.

44           **SECTION 3.** It is the intention of the Legislature that the  
 45    Office of Capital Post-Conviction Counsel shall maintain complete  
 46    accounting and personnel records related to the expenditure of all  
 47    funds appropriated under this act and that such records shall be  
 48    in the same format and level of detail as maintained for Fiscal  
 49    Year 2007. It is further the intention of the Legislature that  
 50    the agency's budget request for Fiscal Year 2009 shall be  
 51    submitted to the Joint Legislative Budget Committee in a format  
 52    and level of detail comparable to the format and level of detail  
 53    provided during the Fiscal Year 2008 budget request process.

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



61 by law in accordance with applicable rules and regulations of the  
62 State Fiscal Officer.

63       **SECTION 5.** It is the intention of the Legislature that  
64 whenever two (2) or more bids are received by this agency for the  
65 purchase of commodities or equipment, and whenever all things  
66 stated in such received bids are equal with respect to price,  
67 quality and service, the Mississippi Industries for the Blind  
68 shall be given preference. A similar preference shall be given to  
69 the Mississippi Industries for the Blind whenever purchases are  
70 made without competitive bids.

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

77       **SECTION 7.** This act shall take effect and be in force from  
78 and after July 1, 2007.

