

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

To: Appropriations

HOUSE BILL NO. 1686

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 2008; 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, 2007, and ending June 30, 2008.....  
12 ..... \$ 1,229,402.00.

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.. | \$ 832,802.00 |
| 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.....                        | 20,000.00     |
| 26 | Vehicles.....                         | 0.00          |
| 27 | Wireless Communication Devices.....   | 0.00          |

28 Subsidies, Loans and Grants..... 0.00  
29 Total..... \$ 1,229,402.00

30 FUNDING:

31 General Funds..... \$ 0.00  
32 Special Funds..... 1,229,402.00  
33 Total..... \$ 1,229,402.00

34 AUTHORIZED POSITIONS:

35 Permanent: Full Time..... 9  
36 Part Time..... 0  
37 Time-Limited: Full Time..... 0  
38 Part Time..... 0

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

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51 act and which are withdrawn and no longer available.

52 **SECTION 3.** It is the intention of the Legislature that the  
53 Office of Indigent Appeals shall maintain complete accounting and  
54 personnel records related to the expenditure of all funds  
55 appropriated under this act and that such records shall be in the  
56 same format and level of detail as maintained for Fiscal Year  
57 2007. It is further the intention of the Legislature that the  
58 agency's budget request for Fiscal Year 2009 shall be submitted to  
59 the Joint Legislative Budget Committee in a format and level of

60 detail comparable to the format and level of detail provided  
61 during the Fiscal Year 2008 budget request process.

62         **SECTION 4.** It is the intention of the Legislature that  
63 whenever two (2) or more bids are received by this agency for the  
64 purchase of commodities or equipment, and whenever all things  
65 stated in such received bids are equal with respect to price,  
66 quality and service, the Mississippi Industries for the Blind  
67 shall be given preference. A similar preference shall be given to  
68 the Mississippi Industries for the Blind whenever purchases are  
69 made without competitive bids.

70         **SECTION 5.** The money herein appropriated shall be paid by  
71 the State Treasurer out of any money in the State Treasury to the  
72 credit of the proper fund or funds as set forth in this act, upon  
73 warrants issued by the State Fiscal Officer; and the State Fiscal  
74 Officer shall issue his warrants upon requisitions signed by the  
75 proper person, officer or officers, in the manner provided by law.

76         **SECTION 6.** This act shall take effect and be in force from  
77 and after July 1, 2007.