

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MADAM PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1684: Appropriation; Office of Capital Defense Counsel.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

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 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, 2007, and ending June 30, 2008..... \$ 1,034,769.00.

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.. \$ 705,068.00
18 Travel and Subsistence..... 45,000.00
19 Contractual Services..... 253,701.00
20 Commodities..... 20,000.00

21 Capital Outlay:

22 Other Than Equipment..... 0.00
23 Equipment..... 11,000.00
24 Vehicles..... 0.00
25 Wireless Communication Devices..... 0.00
26 Subsidies, Loans and Grants..... 0.00

27 Total..... \$ 1,034,769.00

28 FUNDING:

29 General Funds..... \$ 0.00

30 Special Funds..... 1,032,933.00

31 Total..... \$ 1,032,933.00

32 AUTHORIZED POSITIONS:

33 Permanent: Full Time..... 9

34 Part Time..... 0

35 Time-Limited: Full Time..... 0

36 Part Time..... 0

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

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42 act and which are withdrawn and no longer available.

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

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

58 the Department of Finance and Administration in a manner
59 consistent with escalation of federal funds.

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

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

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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 2008.

CONFEREES FOR THE HOUSE

X (SIGNED)
Stringer

X (SIGNED)
Coleman (29th)

X (SIGNED)
Dickson

CONFEREES FOR THE SENATE

X (SIGNED)
Gordon

X (SIGNED)
Walls

X (SIGNED)
Turner