

## REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT AND MR. SPEAKER:

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

S. B. No. 2477: Youth Court services; authorize state support funds.

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

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

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

22           **SECTION 1.** Section 43-21-801, Mississippi Code of 1972, is  
23 amended as follows:

24           43-21-801. (1) There is established the Youth Court Support  
25 Program. The purpose of the program shall be to ensure that all  
26 youth courts have sufficient support funds to carry on the  
27 business of the youth court. The Administrative Office of Courts  
28 shall establish a formula consistent with this section for  
29 providing state support payable from the Youth Court Support Fund  
30 for the support of the youth courts.

31           (a) (i) Each regular youth court referee is eligible  
32 for youth court support funds so long as the senior chancellor  
33 does not elect to employ a youth court administrator as set forth  
34 in paragraph (b); a municipal youth court judge is also eligible.  
35 The Administrative Office of Courts shall direct any funds to the  
36 appropriate county or municipality, but each regular youth court  
37 referee or municipal youth court judge shall have the sole  
38 individual discretion to appropriate those funds as expense monies  
39 to assist in hiring secretarial staff and acquiring materials and  
40 equipment incidental to carrying on the business of the court  
41 within the private practice of law of the referee or judge, or may  
42 direct the use of those funds through the county or municipal

43 budget for court support supplies or services. The regular youth  
44 court referee and municipal youth court judge shall be accountable  
45 for assuring through private, county or municipal employees the  
46 proper preparation and filing of all necessary tracking and other  
47 documentation attendant to the administration of the youth court.

48 (ii) Title to all tangible property, excepting  
49 stamps, stationery and minor expendable office supplies, procured  
50 with funds authorized by this section, shall be and forever remain  
51 in the county or municipality to be used by the judge or referee  
52 during the term of his office and thereafter by his successors.

53 (b) (i) When permitted by the Administrative Office of  
54 Courts and as funds are available, the senior chancellor for  
55 Chancery Districts One, Two, Three, Four, Six, Seven, Nine, Ten,  
56 Thirteen, Fourteen, Fifteen and Eighteen may appoint a youth court  
57 administrator for the district whose responsibility will be to  
58 perform all reporting, tracking and other duties of a court  
59 administrator for all youth courts in the district that are under  
60 the chancery court system. Any chancery district listed in this  
61 paragraph in which a chancellor appoints a referee or special  
62 master to hear any youth court matter is ineligible for funding  
63 under this paragraph (b). The Administrative Office of Courts may  
64 allocate to an eligible chancery district a sum not to exceed  
65 Thirty Thousand Dollars (\$30,000.00) per year for the salary,  
66 fringe benefits and equipment of the youth court administrator,  
67 and an additional sum not to exceed One Thousand Nine Hundred  
68 Dollars (\$1,900.00) for the administrator's travel expenses.

69 (ii) The appointment of a youth court  
70 administrator shall be evidenced by the entry of an order on the  
71 minutes of the court. The person appointed shall serve at the  
72 will and pleasure of the senior chancellor but shall be an  
73 employee of the Administrative Office of Courts.

74                   (iii) The Administrative Office of Courts must  
75 approve the position, job description and salary before the  
76 position can be filled. The Administrative Office of Courts shall  
77 not approve any plan that does not first require the expenditure  
78 of the funds from the Youth Court Support Fund before expenditure  
79 of county funds is authorized for that purpose.

80                   (iv) Title to any tangible property procured with  
81 funds authorized under this paragraph shall be and forever remain  
82 in the State of Mississippi.

83                   (c) (i) Each county court is eligible for youth court  
84 support funds, and the senior county court judge shall have  
85 discretion to direct the expenditure of those funds in hiring  
86 support staff to carry on the business of the court.

87                   (ii) For the purposes of this paragraph, "support  
88 staff" means court administrators, law clerks, legal research  
89 assistants, secretaries, resource administrators or case managers  
90 appointed by a youth court judge, or any combination thereof, but  
91 shall not mean school attendance officers.

92                   (iii) The appointment of support staff shall be  
93 evidenced by the entry of an order on the minutes of the court.  
94 The support staff so appointed shall serve at the will and  
95 pleasure of the senior county court judge but shall be an employee  
96 of the county.

97                   (iv) The Administrative Office of Courts must  
98 approve the positions, job descriptions and salaries before the  
99 positions may be filled. The Administrative Office of Courts  
100 shall not approve any plan that does not first require the  
101 expenditure of funds from the Youth Court Support Fund before  
102 expenditure of county funds is authorized for that purpose.

103                   (v) The Administrative Office of Courts may  
104 approve expenditure from the fund for additional equipment for  
105 support staff appointed pursuant to this paragraph if the

106 additional expenditure falls within the formula. Title to any  
107 tangible property procured with funds authorized under this  
108 paragraph shall be and forever remain in the county to be used by  
109 the youth court and support staff.

110 (2) (a) (i) The formula developed by the Administrative  
111 Office of Courts for providing youth court support funds shall be  
112 devised so as to distribute appropriated funds proportional to  
113 caseload and other appropriate factors as set forth in regulations  
114 promulgated by the Administrative Office of Courts. The formula  
115 will determine a reasonable maximum amount per judge or referee  
116 per annum that will not be exceeded in allocating funds under this  
117 section.

118 (ii) The formula shall be reviewed by the  
119 Administrative Office of Courts every two (2) years to ensure that  
120 the youth court support funds provided herein are proportional to  
121 each youth court's caseload and other specified factors.

122 (iii) The Administrative Office of Courts shall  
123 have wide latitude in the first two-year cycle to implement a  
124 formula designed to maximize caseload data collection.

125 (b) Application to receive funds under this section  
126 shall be submitted in accordance with procedures established by  
127 the Administrative Office of Courts.

128 (c) Approval of the use of any of the youth court  
129 support funds distributed under this section shall be made by the  
130 Administrative Office of Courts in accordance with procedures  
131 established by the Administrative Office of Courts.

132 (3) (a) There is created in the State Treasury a special  
133 fund to be designated as the "Youth Court Support Fund," which  
134 shall consist of funds appropriated or otherwise made available by  
135 the Legislature in any manner and funds from any other source  
136 designated for deposit into such fund. Unexpended amounts  
137 remaining in the fund at the end of a fiscal year shall not lapse

138 into the State General Fund, and any investment earnings or  
139 interest earned on amounts in the fund shall be deposited to the  
140 credit of the fund. Monies in the fund shall be distributed to  
141 the youth courts by the Administrative Office of Courts for the  
142 purposes described in this section.

143 (b) (i) During the regular legislative session held in  
144 calendar year 2007, the Legislature may appropriate an amount not  
145 to exceed Two Million Five Hundred Thousand Dollars  
146 (\$2,500,000.00) to the Youth Court Support Fund.

147 (ii) During each regular legislative session  
148 subsequent to the 2007 Regular Session, the Legislature shall  
149 appropriate Two Million Five Hundred Thousand Dollars  
150 (\$2,500,000.00) to the Youth Court Support Fund.

151 (c) No youth court judge or youth court referee shall  
152 be eligible to receive funding from the Youth Court Support Fund  
153 who has not received annual continuing education in the field of  
154 juvenile justice in an amount to conform with the requirements of  
155 the Rules and Regulations for Mandatory Continuing Judicial  
156 Education promulgated by the Supreme Court. The Administrative  
157 Office of Courts shall maintain records of all referees and youth  
158 court judges regarding such training and shall not disburse funds  
159 to any county or municipality for the budget of a youth court  
160 judge or referee who is not in compliance with the judicial  
161 training requirements.

162 (4) Any recipient of funds from the Youth Court Support Fund  
163 shall not be eligible for continuing disbursement of funds if the  
164 recipient is not in compliance with the terms, conditions and  
165 reporting requirements set forth in the procedures promulgated by  
166 the Administrative Office of Courts.

167 **SECTION 2.** Section 43-21-803, Mississippi Code of 1972, is  
168 amended as follows:

169 43-21-803. (1) There is established the Tony Gobar  
170 Individualized Assessment and Comprehensive Community Intervention  
171 Initiative (IACCII) Program for the purposes of:

172 (a) (i) Providing comprehensive strength-based needs  
173 assessments, individualized treatment plans and community-based  
174 services for certain youth who would otherwise be committed to the  
175 training schools. The IACCII ensures that youth and their  
176 families can access necessary services available in their home  
177 communities; and

178 (ii) Providing grants to faith-based organizations  
179 and nonprofit 501 (c)(3) organizations that develop and operate  
180 community-based alternatives to the training schools and detention  
181 centers. In order to be eligible for a grant under this  
182 paragraph, a faith-based or nonprofit 501(c)(3) organization in  
183 cooperation with a youth court must develop and operate a juvenile  
184 justice alternative sanction designed for delinquent youths. The  
185 program must be designed to decrease reliance on commitment in  
186 juvenile detention facilities and training schools.

187 (b) Programs established pursuant to this subsection  
188 must not duplicate existing programs or services and must  
189 incorporate best practices principles and positive behavioral  
190 interventions. \* \* \* The Department of Human Services shall have  
191 sole authority and power to determine the programs to be funded  
192 pursuant to this section.

193 (2) A faith-based or nonprofit 501(c)(3) must submit an  
194 application to the Department of Human Services. The application  
195 must include a description of the purpose for which assistance is  
196 requested, the amount of assistance requested and any other  
197 information required by the \* \* \* Department of Human Services.

198 (3) The Department of Human Services shall have all powers  
199 necessary to implement and administer the program established  
200 under this section, and the department shall promulgate rules and

201 regulations, in accordance with the Mississippi Administrative  
202 Procedures Law, necessary for the implementation of this section.

203 (4) (a) There is created in the State Treasury a special  
204 fund to be designated as the "Tony Gobar 'IACCII' Fund," which  
205 shall consist of funds appropriated or otherwise made available by  
206 the Legislature in any manner and funds from any other source  
207 designated for deposit into such fund. Unexpended amounts  
208 remaining in the fund at the end of a fiscal year shall not lapse  
209 into the State General Fund, and any investment earnings or  
210 interest earned on amounts in the fund shall be deposited to the  
211 credit of the fund. Monies in the fund shall be used by the  
212 Division of Youth Services for the purposes described in this  
213 section.

214 (b) (i) During the regular legislative session held in  
215 calendar year 2007, the Legislature may appropriate an amount not  
216 to exceed Two Million Five Hundred Thousand Dollars  
217 (\$2,500,000.00) to the Tony Gobar "IACCII" Fund.

218 (ii) During each regular legislative session  
219 subsequent to the 2007 Regular Session, the Legislature shall  
220 appropriate Two Million Five Hundred Thousand Dollars  
221 (\$2,500,000.00) to the Tony Gobar "IACCII" Fund.

222 (5) This section shall stand repealed from and after July 1,  
223 2009.

224 **SECTION 3.** Section 9-1-36, Mississippi Code of 1972, is  
225 amended as follows:

226 9-1-36. (1) Each circuit judge and chancellor shall receive  
227 an office operating allowance for the expenses of operating the  
228 office of the judge, including retaining a law clerk, legal  
229 research, stenographic help, stationery, stamps, furniture, office  
230 equipment, telephone, office rent and other items and expenditures  
231 necessary and incident to maintaining the office of judge. The  
232 allowance shall be paid only to the extent of actual expenses

233 incurred by the judge as itemized and certified by the judge to  
234 the Supreme Court \* \* \* in the amounts set forth in this  
235 subsection; however, the judge may expend sums in excess thereof  
236 from the compensation otherwise provided for his office. No part  
237 of this expense or allowance shall be used to pay an official  
238 court reporter for services rendered to said court.

239 (a) Until July 1, 2008, the office operating allowance  
240 under this subsection shall be not less than Four Thousand Dollars  
241 (\$4,000.00) nor more than Nine Thousand Dollars (\$9,000.00) per  
242 annum.

243 (b) From and after July 1, 2008, the office operating  
244 allowance under this subsection shall be Nine Thousand Dollars  
245 (\$9,000.00) per annum.

246 (2) In addition to the amounts provided for in subsection  
247 (1), there is hereby created a separate office allowance fund for  
248 the purpose of providing support staff to judges. This fund shall  
249 be managed by the Administrative Office of Courts.

250 (3) Each judge who desires to employ support staff after  
251 July 1, 1994, shall make application to the Administrative Office  
252 of Courts by submitting to the Administrative Office of Courts a  
253 proposed personnel plan setting forth what support staff is deemed  
254 necessary. The plan may be submitted by a single judge or by any  
255 combination of judges desiring to share support staff. In the  
256 process of the preparation of the plan, the judges, at their  
257 request, may receive advice, suggestions, recommendations and  
258 other assistance from the Administrative Office of Courts. The  
259 Administrative Office of Courts must approve the positions, job  
260 descriptions and salaries before the positions may be filled. The  
261 Administrative Office of Courts shall not approve any plan which  
262 does not first require the expenditure of the funds in the support  
263 staff fund for compensation of any of the support staff before  
264 expenditure is authorized of county funds for that purpose. Upon

265 approval by the Administrative Office of Courts, the judge or  
266 judges may appoint the employees to the position or positions, and  
267 each employee so appointed will work at the will and pleasure of  
268 the judge or judges who appointed him but will be employees of the  
269 Administrative Office of Courts. Upon approval by the  
270 Administrative Office of Courts, the appointment of any support  
271 staff shall be evidenced by the entry of an order on the minutes  
272 of the court. When support staff is appointed jointly by two (2)  
273 or more judges, the order setting forth any appointment shall be  
274 entered on the minutes of each participating court.

275 (4) The Administrative Office of Courts shall develop and  
276 promulgate minimum qualifications for the certification of court  
277 administrators. Any court administrator appointed on or after  
278 October 1, 1996, shall be required to be certified by the  
279 Administrative Office of Courts.

280 (5) Support staff shall receive compensation pursuant to  
281 personnel policies established by the Administrative Office of  
282 Courts; however:

283 (a) From and after July 1, 1994, the Administrative  
284 Office of Courts shall allocate from the support staff fund an  
285 amount of Forty Thousand Dollars (\$40,000.00) per fiscal  
286 year \* \* \* per judge for whom support staff is approved for the  
287 funding of support staff assigned to a judge or judges; and

288 (b) From and after July 1, 2008, the Administrative  
289 Office of Courts shall allocate from the support staff fund an  
290 amount of Forty Thousand Dollars (\$40,000.00), in addition to the  
291 amount provided in paragraph (a). Of the amount provided in this  
292 paragraph (b), each judge shall utilize an amount sufficient to  
293 ensure that judge has access to the services of a law clerk,  
294 whether hired by the judge separately or in concert with another  
295 judge. Any excess funds remaining upon satisfaction of this  
296 requirement may be used for any other support staff as defined in

297 this section. Any employment pursuant to this subsection shall be  
298 subject to the provisions of Section 25-1-53.

299 The Administrative Office of Courts may approve expenditure  
300 from the fund for additional equipment for support staff appointed  
301 pursuant to this section in any year in which the allocation per  
302 judge is sufficient to meet the equipment expense after provision  
303 for the compensation of the support staff.

304 (6) For the purposes of this section, the following terms  
305 shall have the meaning ascribed herein unless the context clearly  
306 requires otherwise:

307 (a) "Judges" means circuit judges and chancellors, or  
308 any combination thereof;

309 (b) "Support staff" means court administrators, law  
310 clerks, legal research assistants or secretaries, or any  
311 combination thereof, but shall not mean school attendance  
312 officers;

313 (c) "Compensation" means the gross salary plus all  
314 amounts paid for benefits or otherwise as a result of employment  
315 or as required by employment; provided, however, that only salary  
316 earned for services rendered shall be reported and credited for  
317 Public Employees' Retirement System purposes. Amounts paid for  
318 benefits or otherwise, including reimbursement for travel  
319 expenses, shall not be reported or credited for retirement  
320 purposes;

321 (d) "Law clerk" means a clerk hired to assist a judge  
322 or judges who has a law degree or who is a full-time law student  
323 who is making satisfactory progress at an accredited law school.

324 (7) Title to all tangible property, excepting stamps,  
325 stationery and minor expendable office supplies, procured with  
326 funds authorized by this section, shall be and forever remain in  
327 the State of Mississippi to be used by the circuit judge or

328 chancellor during the term of his office and thereafter by his  
329 successors.

330 (8) Any circuit judge or chancellor who did not have a  
331 primary office provided by the county on March 1, 1988, shall be  
332 allowed an additional Four Thousand Dollars (\$4,000.00) per annum  
333 to defray the actual expenses incurred by the judge or chancellor  
334 in maintaining an office; however, any circuit judge or chancellor  
335 who had a primary office provided by the county on March 1, 1988,  
336 and who vacated the office space after that date for a legitimate  
337 reason, as determined by the Department of Finance and  
338 Administration, shall be allowed the additional office expense  
339 allowance provided under this subsection. The county in which a  
340 circuit judge or chancellor sits is authorized to provide funds  
341 from any available source to assist in defraying the actual  
342 expenses to maintain an office.

343 (9) The Supreme Court, through the Administrative Office of  
344 Courts, shall submit to the Department of Finance and  
345 Administration the itemized and certified expenses for office  
346 operating allowances that are directed to the court pursuant to  
347 this section.

348 (10) The Supreme Court, through the Administrative Office of  
349 Courts, shall have the power to adopt rules and regulations  
350 regarding the administration of the office operating allowance  
351 authorized pursuant to this section.

352 **SECTION 4.** Section 25-3-9, Mississippi Code of 1972, is  
353 amended as follows:

354 25-3-9. (1) Except as provided in subsections (2), (3) and  
355 (4) of this section, the county prosecuting attorney may receive  
356 for his services an annual salary to be paid by the board of  
357 supervisors as follows:

358           (a) For counties with a total population of more than  
359 two hundred thousand (200,000), a salary not to exceed  
360 Twenty-eight Thousand Five Hundred Dollars (\$28,500.00).

361           (b) For counties with a total population of more than  
362 one hundred thousand (100,000) and not more than two hundred  
363 thousand (200,000), a salary not to exceed Twenty-six Thousand  
364 Five Hundred Dollars (\$26,500.00).

365           (c) For counties with a total population of more than  
366 fifty thousand (50,000) and not more than one hundred thousand  
367 (100,000), a salary not to exceed Twenty-one Thousand Seven  
368 Hundred Dollars (\$21,700.00).

369           (d) For counties with a total population of more than  
370 thirty-five thousand (35,000) and not more than fifty thousand  
371 (50,000), a salary not to exceed Twenty Thousand Four Hundred  
372 Dollars (\$20,400.00).

373           (e) For counties with a total population of more than  
374 twenty-five thousand (25,000) and not more than thirty-five  
375 thousand (35,000), a salary not to exceed Nineteen Thousand Three  
376 Hundred Dollars (\$19,300.00).

377           (f) For counties with a total population of more than  
378 fifteen thousand (15,000) and not more than twenty-five thousand  
379 (25,000), a salary not to exceed Seventeen Thousand Seven Hundred  
380 Dollars (\$17,700.00).

381           (g) For counties with a total population of more than  
382 ten thousand (10,000) and not more than fifteen thousand (15,000),  
383 a salary not to exceed Sixteen Thousand One Hundred Dollars  
384 (\$16,100.00).

385           (h) For counties with a total population of more than  
386 six thousand (6,000) and not more than ten thousand (10,000), a  
387 salary not to exceed Fourteen Thousand Five Hundred Dollars  
388 (\$14,500.00).

389           (i) For counties with a total population of six  
390 thousand (6,000) or less, the board of supervisors, in its  
391 discretion, may appoint a county prosecuting attorney, and it may  
392 pay such county prosecuting attorney an annual salary not to  
393 exceed Twelve Thousand Nine Hundred Dollars (\$12,900.00).

394           In all cases of conviction there shall be taxed against the  
395 convicted defendant, as an item of cost, the sum of Three Dollars  
396 (\$3.00), which shall be turned in to the county treasury as a part  
397 of the general county funds; however, the Three Dollars (\$3.00)  
398 shall not be taxed in any case in which it is not the specific  
399 duty of the county attorney to appear and prosecute.

400           From and after October 1, 1993, in addition to the salaries  
401 provided for in this subsection, the board of supervisors of any  
402 county, in its discretion, may pay the county prosecuting attorney  
403 an additional amount not to exceed ten percent (10%) of the  
404 maximum allowable salary prescribed herein.

405           (2) In the following counties, the county prosecuting  
406 attorney shall receive for his services an annual salary to be  
407 paid by the board of supervisors, as follows:

408           (a) In any county bordering upon the Mississippi River  
409 and having a population of not less than thirty thousand (30,000)  
410 and not more than thirty-five thousand five hundred (35,500)  
411 according to the federal census of 1990, and in counties having a  
412 population of not more than thirty-seven thousand (37,000)  
413 according to the federal census of 1990 in which Interstate  
414 Highway 55 and U.S. Highway 98 intersect, the county prosecuting  
415 attorney shall receive a salary equal to the justice court judge  
416 of such county; and in any county wherein is located the state's  
417 oldest state-supported institution of higher learning and wherein  
418 Mississippi State Highways 7 and 6 intersect, the county  
419 prosecuting attorney shall receive an annual salary equal to that  
420 of a member of the board of supervisors of such county.

421           (b) In counties having a population in excess of fifty  
422 thousand (50,000) in the 1960 federal census, wherein is located a  
423 state-supported university and in which U.S. Highways 49 and 11  
424 intersect, the salary of the county prosecuting attorney shall be  
425 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)  
426 per year. The Board of Supervisors of Forrest County,  
427 Mississippi, may, in its discretion, and by agreement with the  
428 county prosecuting attorney, employ the county prosecuting  
429 attorney as a full-time elected official during his/her term of  
430 office, designate additional duties and responsibilities of the  
431 office and pay additional compensation up to, but not in excess  
432 of, ninety percent (90%) of the annual compensation and salary of  
433 the county court judge and the youth court judge of Forrest County  
434 as authorized by law and provide a reasonable office and  
435 reasonable office expenses to the county prosecuting attorney.  
436 The salary authorized by this paragraph (b) for the county  
437 prosecuting attorney shall be the sole and complete salary for  
438 such prosecuting attorney in each county to which this paragraph  
439 applies, notwithstanding any other provision of law to the  
440 contrary.

441           (c) In any county wherein is housed the seat of state  
442 government, wherein U.S. Highways 80 and 49 intersect, and having  
443 two (2) judicial districts, the board of supervisors, in its  
444 discretion, may pay the county prosecuting attorney an annual  
445 salary equal to the annual salary of members of the board of  
446 supervisors in the county.

447           (d) In any county which has two (2) judicial districts  
448 and wherein Highway 8 and Highway 15 intersect, having a  
449 population of greater than seventeen thousand (17,000), according  
450 to the 1980 federal decennial census, the board of supervisors  
451 shall pay the county prosecuting attorney a salary equal to that  
452 of a member of the board of supervisors of such county; provided

453 that if such county prosecuting attorney is paid a sum for the  
454 purpose of defraying office or secretarial expenses, then the  
455 salary prescribed herein shall be reduced by that amount.

456 (e) In any county bordering the State of Tennessee and  
457 in which Mississippi Highways No. 4 and 15 intersect, and having a  
458 population of less than twenty thousand (20,000) in the 1970  
459 federal census, the salary of the county prosecuting attorney  
460 shall be no less than Six Thousand Dollars (\$6,000.00).

461 (f) In any county having a population of more than  
462 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45  
463 intersect, the salary of the county attorney shall be not less  
464 than Eight Thousand Dollars (\$8,000.00).

465 In addition, such county prosecuting attorney shall receive  
466 the sum of One Thousand Five Hundred Dollars (\$1,500.00) per month  
467 for the purpose of defraying secretarial expense.

468 (g) In any county wherein I-20 and State Highway 15  
469 intersect; and in any county wherein I-20 and State Highway 35  
470 intersect, the salary of the county prosecuting attorney shall be  
471 not less than Eight Thousand Four Hundred Dollars (\$8,400.00).

472 (h) In any Class 1 county bordering on the Mississippi  
473 River, lying in whole or in part within a levee district, wherein  
474 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River  
475 and Stales Bayou, the board of supervisors, in its discretion, may  
476 pay an annual salary equal to the annual salary of members of the  
477 board of supervisors in the county. In addition, such county  
478 prosecuting attorney shall receive the sum of One Thousand Dollars  
479 (\$1,000.00) per month for the purpose of defraying secretarial  
480 expenses.

481 (i) In any county bordering on the Gulf of Mexico  
482 having two (2) judicial districts, and wherein U.S. Highways 90  
483 and 49 intersect, the salary of the county prosecuting attorney  
484 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per

485 year. The Board of Supervisors of Harrison County, Mississippi,  
486 may, in its discretion, and by agreement with the county  
487 prosecuting attorney, employ the county prosecuting attorney and  
488 his/her assistant during his/her term of office, and designate  
489 additional duties and responsibilities of the office and pay  
490 additional compensation up to, but not in excess of, ninety  
491 percent (90%) of the annual compensation and salary of the county  
492 court judges of Harrison County as authorized by law and provide  
493 adequate office space and reasonable office expenses to the county  
494 prosecuting attorney and his/her assistant. The salary authorized  
495 by this paragraph (i) for the county prosecuting attorney and  
496 his/her assistant shall be the sole and complete salary paid by  
497 the county for such prosecuting attorney and his/her assistant in  
498 each county to which this paragraph applies, notwithstanding any  
499 other provision of law to the contrary.

500 (j) In any county bordering on the State of Alabama,  
501 having a population in excess of seventy-five thousand (75,000)  
502 according to the 1980 decennial census in which is located an  
503 institution of higher learning and a United States military  
504 installation and which is traversed by an interstate highway, the  
505 salary of the county prosecuting attorney shall not be less than  
506 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of  
507 the annual salary received by a member of the board of supervisors  
508 of that county.

509 (k) In any county with a land area wherein Mississippi  
510 Highways 8 and 9 intersect, the salary of the county prosecuting  
511 attorney shall be not less than Eight Thousand Five Hundred  
512 Dollars (\$8,500.00) per year.

513 (l) In any Class 2 county wherein Mississippi Highways  
514 6 and 3 intersect, the salary of the county prosecuting attorney  
515 shall be not less than Twelve Thousand Dollars (\$12,000.00) per

516 year nor more than the amount of the annual salary received by a  
517 member of the board of supervisors of that county.

518 (m) In any county wherein Interstate Highway 55 and  
519 State Highway 8 intersect, the salary of the county prosecuting  
520 attorney shall be not less than Twelve Thousand Dollars  
521 (\$12,000.00) per year.

522 (n) In any county wherein U.S. Highway 51 intersects  
523 Mississippi Highway 6, and having two (2) judicial districts, the  
524 salary of the county prosecuting attorney shall be not less than  
525 Three Thousand Six Hundred Dollars (\$3,600.00) per year.

526 (o) In any county bordering on the Alabama state line,  
527 having a population of greater than fifteen thousand (15,000)  
528 according to the 1970 federal decennial census, wherein U.S.  
529 Highway 45 and Mississippi Highway 18 intersect, the salary of the  
530 county prosecuting attorney shall be not less than Three Thousand  
531 Six Hundred Dollars (\$3,600.00) nor greater than that of a member  
532 of the board of supervisors of such county. All prior acts,  
533 orders and resolutions of the board of supervisors of such county  
534 which authorized the payment of the salary in conformity with the  
535 provisions of this paragraph, whether or not heretofore  
536 specifically authorized by law are hereby ratified, approved and  
537 confirmed.

538 (p) In any county wherein is located a state-supported  
539 institution of higher learning and wherein U.S. Highway 82 and  
540 Mississippi Highway 389 intersect, the board of supervisors, in  
541 its discretion, may pay the county prosecuting attorney an annual  
542 salary equal to the annual salary of members of the board of  
543 supervisors in the county.

544 (q) In any county having two (2) judicial districts  
545 wherein Mississippi Highway 32 intersects U.S. Highway 49E, the  
546 salary of the county prosecuting attorney shall be not less than  
547 Twelve Thousand Seven Hundred Dollars (\$12,700.00).

548 (r) In any county traversed by the Natchez Trace  
549 Parkway wherein U.S. Highway 45 and Mississippi Highway 4  
550 intersect, the board of supervisors, in its discretion, may pay  
551 the county prosecuting attorney an annual salary equal to the  
552 annual salary of justice court judges in the county.

553 (s) In any county having a population of more than  
554 fourteen thousand (14,000) according to the 1970 census and which  
555 county is bordered on the north by the State of Tennessee and on  
556 the east by the State of Alabama and in which U.S. Highway No. 72  
557 and Highway No. 25 intersect, the board of supervisors, in its  
558 discretion, may pay the county prosecuting attorney an annual  
559 salary equal to the annual salary of justice court judges in the  
560 county.

561 (t) (i) \* \* \* The Board of Supervisors of Madison  
562 County, in its discretion, may pay the county prosecuting attorney  
563 an annual salary in the amount of Twenty-eight Thousand Dollars  
564 (\$28,000.00), if the county prosecuting attorney is not employed  
565 on a full-time basis.

566 (ii) From and after October 1, 1993, in addition  
567 to the salary provided for in subparagraph (i) of this paragraph,  
568 the board of supervisors, in its discretion, may pay the county  
569 prosecuting attorney an additional amount not to exceed ten  
570 percent (10%) of the maximum allowable salary prescribed herein.

571 (iii) The Board of Supervisors of Madison County,  
572 in its discretion, may employ the elected county prosecuting  
573 attorney on a full-time basis during his or her term of office and  
574 may pay compensation to the full-time prosecuting attorney in an  
575 amount of not more than ninety percent (90%) of the annual  
576 compensation and salary of the county court judges of the county  
577 as authorized by law, and may provide adequate office space and  
578 reasonable office expenses to the county prosecuting attorney.  
579 The salary authorized by this subparagraph (iii) for the county

580 prosecuting attorney shall be the sole and complete salary paid by  
581 the county for the prosecuting attorney in Madison County,  
582 notwithstanding any other provisions of law to the contrary.

583 (u) In any county having a population in the 1970  
584 census in excess of thirty-five thousand (35,000) and in which  
585 U.S. Highways 49W and 82 intersect, and in which is located a  
586 state penitentiary, the annual salary of a county prosecuting  
587 attorney shall be Thirty Thousand Four Hundred Twenty Dollars  
588 (\$30,420.00).

589 (v) In any county wherein Mississippi Highway 50  
590 intersects U.S. Highway 45-Alternate, and having a population  
591 greater than twenty thousand (20,000) according to the 1980  
592 federal decennial census, a salary equal to that of a member of  
593 the board of supervisors of such county; provided that if such  
594 county prosecuting attorney is paid a sum for the purpose of  
595 defraying office or secretarial expenses, then the salary  
596 prescribed herein shall be reduced by that amount.

597 (w) In any county in which the 1975 assessed valuation  
598 was Forty Million Seven Hundred Thirty-nine Thousand Four Hundred  
599 Sixty-six Dollars (\$40,739,466.00) and wherein U.S. Highway 45 and  
600 Mississippi Highway 8 intersect, the salary of the county  
601 prosecuting attorney shall be equal to that of a member of the  
602 board of supervisors of such county.

603 (x) In any county bordering on the Mississippi River  
604 having a population greater than fifty thousand (50,000) according  
605 to the 1980 federal decennial census and also having a national  
606 military park and national cemetery, an annual salary of  
607 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to  
608 that of a member of the board of supervisors in such county,  
609 whichever is greater. In addition, such county prosecuting  
610 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)  
611 per month for the purpose of defraying secretarial expenses.

612           (y) In any county bordering on the Alabama state line,  
613 traversed by the Chickasawhay River, and wherein U.S. Highway 45  
614 and U.S. Highway 84 intersect, a salary that shall be equal to the  
615 annual salary of a member of the board of supervisors of such  
616 county. All prior acts, orders and resolutions of the board of  
617 supervisors of such county which authorize the payment of the  
618 salary of the county prosecuting attorney in conformity with the  
619 provisions of this section as it existed immediately prior to the  
620 effective date of Chapter 506, Laws of 1985, are hereby ratified,  
621 approved, confirmed and validated.

622           (z) In any county having a population greater than  
623 sixty-five thousand five hundred eighty (65,580) but less than  
624 sixty-five thousand five hundred ninety (65,590) according to the  
625 1990 federal decennial census, wherein U.S. Highway 45 intersects  
626 with Mississippi Highway 6, an annual salary equal to Thirty  
627 Thousand Dollars (\$30,000.00).

628           (aa) In any county where an institution of higher  
629 learning is located and wherein U.S. Highway 82 and U.S. Highway  
630 45 intersect, the salary of the county prosecuting attorney shall  
631 be not less than that of a member of the board of supervisors in  
632 such county, and the board of supervisors may, in its discretion,  
633 pay such county prosecuting attorney a salary in an amount not to  
634 exceed the amount of the salary of the District Attorney for the  
635 Sixteenth Judicial District of Mississippi.

636           (bb) In any county having a population greater than six  
637 thousand (6,000) according to the federal decennial census and  
638 wherein U.S. Highway 61 and Highway 24 intersect, the board of  
639 supervisors, in its discretion, may pay the county prosecuting  
640 attorney an annual salary equal to the annual salary of members of  
641 the board of supervisors in the county.

642           (cc) In any county having a population greater than  
643 thirty-one thousand (31,000) according to the 1990 federal

644 decennial census and wherein U.S. Highway 61 and U.S. Highway 49  
645 intersect, a salary of not less than the annual salary of justice  
646 court judges in the county.

647 (dd) (i) The Rankin County prosecuting attorney, if  
648 such person is not employed on a full-time basis, shall receive an  
649 annual salary of Twenty-nine Thousand Dollars (\$29,000.00).

650 (ii) The Board of Supervisors of Rankin County, in  
651 its discretion, may employ the elected county prosecuting attorney  
652 and an assistant on a full-time basis during his or her term of  
653 office and may pay compensation to such full-time prosecuting  
654 attorney in an amount of not more than ninety percent (90%) of the  
655 annual compensation and salary of the county court judges of the  
656 county as authorized by law, and may provide adequate office space  
657 and reasonable office expenses to the county prosecuting attorney  
658 and his/her assistant. The Board of Supervisors of Rankin County,  
659 in its discretion, may also employ a full-time assistant county  
660 prosecuting attorney and may pay such person an annual salary in  
661 such amount as determined by the board of supervisors. The salary  
662 authorized by this subparagraph (dd)(ii) for the elected county  
663 prosecuting attorney and an assistant shall be the sole and  
664 complete salary paid by the county for the elected prosecuting  
665 attorney and assistant in Rankin County, notwithstanding any other  
666 provisions of law to the contrary.

667 (ee) In any county having a population greater than  
668 eight thousand (8,000) but less than eight thousand two hundred  
669 (8,200) according to the 1990 federal census, and in which U.S.  
670 Highway 61 and Mississippi Highway 4 intersect, the board of  
671 supervisors may, in its discretion, pay the county prosecuting  
672 attorney an amount not to exceed Fourteen Thousand Dollars  
673 (\$14,000.00), in addition to the maximum allowable salary for that  
674 attorney under subsection (1), beginning on April 1, 1997.

675           (ff) In any county having a population greater than  
676 thirty thousand three hundred (30,300) but less than thirty  
677 thousand four hundred (30,400) according to the 1990 federal  
678 census, and in which U.S. Highway 78 and Mississippi Highway 7  
679 intersect, a salary of not less than the annual salary of a member  
680 of the board of supervisors in such county.

681           (gg) In any county having a population greater than  
682 thirteen thousand three hundred (13,300) but less than thirteen  
683 thousand four hundred (13,400) according to the 1990 federal  
684 census, and in which Mississippi Highway 24 and Mississippi  
685 Highway 48 intersect, the board of supervisors may, in its  
686 discretion, pay the county prosecuting attorney an additional  
687 amount not to exceed ten percent (10%) of the maximum allowable  
688 salary for that attorney under subsection (1).

689           (hh) In any county having a population greater than  
690 eight thousand three hundred (8,300) but less than eight thousand  
691 four hundred (8,400) according to the 1990 federal census, and in  
692 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of  
693 supervisors may, in its discretion, pay the county prosecuting  
694 attorney an additional amount not to exceed ten percent (10%) of  
695 the maximum allowable salary for that attorney under subsection  
696 (1).

697           (ii) In any county having a population of more than  
698 thirty thousand four hundred (30,400) and which is traversed in  
699 whole or part by I-59, U.S. Highways 98 and 11 and State Highway  
700 13, the annual salary of the county prosecuting attorney shall be  
701 Twenty-five Thousand Dollars (\$25,000.00).

702           (jj) In any county having a population greater than  
703 twenty thousand (20,000) according to the 1990 federal census and  
704 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the  
705 board of supervisors, in its discretion, may pay the county

706 prosecuting attorney an annual salary equal to the annual salary  
707 of justice court judges in the county.

708           (kk) In any county having a population greater than  
709 twelve thousand four hundred (12,400) but less than twelve  
710 thousand five hundred (12,500) according to the 1990 federal  
711 census, and in which U.S. Highway 84 and Mississippi Highway 27  
712 intersect, the board of supervisors may, in its discretion, pay  
713 the county prosecuting attorney an additional amount not to exceed  
714 ten percent (10%) of the maximum allowable salary for that  
715 attorney under subsection (1).

716           (ll) In any county having a population greater than  
717 thirty thousand two hundred (30,200) but less than thirty thousand  
718 three hundred (30,300) according to the 1990 federal census, and  
719 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,  
720 the board of supervisors may, in its discretion, pay the county  
721 prosecuting attorney an additional amount not to exceed ten  
722 percent (10%) of the maximum allowable salary for that attorney  
723 under subsection (1).

724           (mm) In any county on the Mississippi River levee,  
725 having a population greater than forty-one thousand eight hundred  
726 (41,800) but less than forty-one thousand nine hundred (41,900)  
727 according to the 1990 federal census wherein U.S. Highway 61 and  
728 Mississippi Highway 8 intersect, the board of supervisors, in its  
729 discretion, may pay the county prosecuting attorney an annual  
730 salary equal to the annual salary of members of the board of  
731 supervisors in the county. In addition, the board of supervisors,  
732 in its discretion, may pay the county prosecuting attorney the sum  
733 of One Thousand Dollars (\$1,000.00) per month for the purpose of  
734 defraying secretarial expenses.

735           (nn) In any county having a population greater than  
736 twenty-four thousand seven hundred (24,700) and less than  
737 twenty-four thousand nine hundred (24,900) according to the 1990

738 federal census, wherein Mississippi Highways 15 and 16 intersect,  
739 the board of supervisors, in its discretion, may pay the county  
740 prosecuting attorney an annual salary equal to the annual salary  
741 of members of the board of supervisors in the county.

742 (oo) In any county having a population greater than  
743 thirty-seven thousand (37,000) but less than thirty-eight thousand  
744 (38,000) according to the 1990 federal census, in which is located  
745 a state supported institution of higher learning, and in which  
746 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of  
747 supervisors may, in its discretion, pay the county prosecuting  
748 attorney a salary in an amount not to exceed the amount of the  
749 salary of the District Attorney for the Fourth Judicial District  
750 of Mississippi.

751 (pp) In any county in which U.S. Highway 78 and  
752 Mississippi Highway 15 intersect and which is traversed by the  
753 Tallahatchie River, a salary equal to that of members of the board  
754 of supervisors of the county, which salary shall be in addition to  
755 any sums received for the purpose of defraying office or  
756 secretarial expenses and sums received as youth court prosecutor  
757 fees.

758 (qq) In any county bordering on the State of Tennessee  
759 and the State of Arkansas, wherein Interstate Highway 55 and  
760 Mississippi Highway 302 intersect, the board of supervisors, in  
761 its discretion, may pay the county prosecuting attorney an annual  
762 salary equal to the annual salary of justice court judges in the  
763 county.

764 (rr) In any county that is traversed by the Natchez  
765 Trace Parkway and in which Mississippi Highway 35 and Mississippi  
766 Highway 12 intersect, the board of supervisors, in its discretion,  
767 may pay the county prosecuting attorney an annual salary in the  
768 amount of the annual salary of justice court judges in the county.

769           (ss) In any county in which Mississippi Highway 14 and  
770 Mississippi Highway 25 intersect, the board of supervisors, in its  
771 discretion, may pay the county prosecuting attorney an annual  
772 salary in the amount of Twenty-two Thousand Dollars (\$22,000.00).

773           (tt) In any county in which Interstate Highway 59 and  
774 U.S. Highway 84 intersect, the board of supervisors, in its  
775 discretion, may pay the county prosecuting attorney an annual  
776 salary equal to the annual salary of members of the board of  
777 supervisors in the county.

778           (3) In any case where a salary, expense allowance or other  
779 sum is authorized or paid by the board of supervisors pursuant to  
780 this section, that salary, expense allowance or other sum shall  
781 not be reduced or terminated during the term for which the county  
782 attorney was elected.

783           (4) Notwithstanding any provision of this section to the  
784 contrary, no county prosecuting attorney shall receive for his  
785 services an annual salary less than the salary paid to a justice  
786 court judge in his respective county.

787           **SECTION 5.** Section 43-21-107, Mississippi Code of 1972, is  
788 amended as follows:

789           43-21-107. \* \* \*

790           (1) A youth court division is hereby created as a division  
791 of the county court of each county now or hereafter having a  
792 county court \* \* \*, and the county judge shall be the judge of the  
793 youth court unless another judge is named by the county judge as  
794 provided by this chapter.

795           (2) A youth court division is hereby created as a division  
796 of the chancery court of each county in which no county  
797 court \* \* \* is maintained and any chancellor within a chancery  
798 court district shall be the judge of the youth court of that  
799 county within such chancery court district unless another judge is

800 named by the senior chancellor of the county or chancery court  
801 district as provided by this chapter.

802       (3) In any county where there is no county court or family  
803 court on July 1, 1979, there may be created a youth court division  
804 as a division of the municipal court in any city if the governing  
805 authorities of such city adopt a resolution to that effect. The  
806 cost of the youth court division of the municipal court shall be  
807 paid from any funds available to the municipality \* \* \*  
808 excluding \* \* \* county funds. No additional municipal youth court  
809 shall be formed after January 1, 2007.

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

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

1       AN ACT TO AMEND SECTION 43-21-801, MISSISSIPPI CODE OF 1972,  
2 TO ABOLISH THE YOUTH COURT INCARCERATION ALTERNATIVES FUND; TO  
3 ESTABLISH THE YOUTH COURT SUPPORT FUND; TO PROVIDE THE PURPOSE OF  
4 SUCH FUND; TO PROVIDE FOR SPECIFIC APPROPRIATION TO THE YOUTH  
5 COURT SUPPORT FUND; TO MANDATE JUVENILE JUSTICE TRAINING FOR YOUTH  
6 COURT JUDGES AND REFEREES; TO AMEND SECTION 43-21-803, MISSISSIPPI  
7 CODE OF 1972, TO ABOLISH THE TONY GOBAR JUVENILE JUSTICE  
8 ALTERNATIVE SANCTIONS GRANT FUND; TO ESTABLISH THE TONY GOBAR  
9 IACCII FUND; TO CREATE THE TONY GOBAR INDIVIDUALIZED ASSESSMENT  
10 AND COMPREHENSIVE COMMUNITY INTERVENTION INITIATIVE (IACCII)  
11 PROGRAM; TO PROVIDE FOR SPECIFIC APPROPRIATION TO THE TONY GOBAR  
12 IACCII FUND; TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO  
13 INCREASE THE SUPPORT STAFF ALLOWANCE FOR TRIAL COURT JUDGES WITH  
14 CERTAIN ATTENDANT RESTRICTIONS; TO AMEND SECTION 25-3-9,  
15 MISSISSIPPI CODE OF 1972, TO ALLOW THE BOARD OF SUPERVISORS OF  
16 MADISON COUNTY, IN ITS DISCRETION, TO EMPLOY THE ELECTED COUNTY  
17 PROSECUTING ATTORNEY ON A FULL-TIME BASIS AND ESTABLISH THE  
18 MAXIMUM COMPENSATION FOR THAT POSITION; TO AMEND SECTION  
19 43-21-107, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED  
20 PURPOSES.

CONFEREES FOR THE SENATE

X (SIGNED)  
Ross

X (SIGNED)  
Doxey

(NOT SIGNED)  
Gordon

CONFEREES FOR THE HOUSE

X (SIGNED)  
Flaggs

X (SIGNED)  
Baker (74th)

X (SIGNED)  
Brown