

Senate Amendments to House Bill No. 1638

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Office of Capital Post-Conviction Counsel, for the
9 fiscal year beginning July 1, 2019, and ending June 30, 2020.....
10\$ 1,654,404.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of
12 Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	9
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

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

20 No general funds authorized to be expended herein shall be
21 used to replace federal funds and/or other special funds which are

22 being used for salaries authorized under the provisions of this
23 act and which are withdrawn and no longer available.

24 **SECTION 3.** It is the intention of the Legislature that the
25 Office of Capital Post-Conviction Counsel shall maintain complete
26 accounting and personnel records related to the expenditure of all
27 funds appropriated under this act and that such records shall be
28 in the same format and level of detail as maintained for Fiscal
29 Year 2019. It is further the intention of the Legislature that
30 the agency's budget request for Fiscal Year 2021 shall be
31 submitted to the Joint Legislative Budget Committee in a format
32 and level of detail comparable to the format and level of detail
33 provided during the Fiscal Year 2020 budget request process.

34 **SECTION 4.** It is the intention of the Legislature that
35 whenever two (2) or more bids are received by this agency for the
36 purchase of commodities or equipment, and whenever all things
37 stated in such received bids are equal with respect to price,
38 quality and service, the Mississippi Industries for the Blind
39 shall be given preference. A similar preference shall be given to
40 the Mississippi Industries for the Blind whenever purchases are
41 made without competitive bids.

42 **SECTION 5.** It is the intention of the Legislature that the
43 funds herein appropriated shall be expended in compliance with
44 Section 27-104-25, Mississippi Code of 1972, that no state agency
45 shall incur obligations or indebtedness in excess of their
46 appropriation and that the responsible officers, either personally

47 or upon their official bonds, shall be held responsible for
48 actions contrary to this provision.

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

55 **SECTION 7.** This act shall take effect and be in force from
56 and after July 1, 2019.

SS05\HB1638A.J

Liz Welch
Secretary of the Senate