

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

To: Appropriations

HOUSE BILL NO. 1686
(As Sent to Governor)

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 \$ 1,234,245.00.

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.. \$ 837,645.00

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.....		<u>0.00</u>
29	Total.....	\$	1,234,245.00
30	FUNDING:		
31	General Funds.....	\$	0.00
32	Special Funds.....		<u>1,234,245.00</u>
33	Total.....	\$	1,234,245.00

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.** It is the intention of the Legislature that the
71 Director of the Office of Indigent Appeals shall have the
72 authority to accept, budget and expend any source funds, not to
73 exceed Five Hundred Thousand Dollars (\$500,000.00). Such funds
74 are to be escalated in accordance with the rules and regulations
75 of the Department of Finance and Administration in a manner
76 consistent with the escalation of federal funds.

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

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