

4/18 8:49a

Chapter No. 39
13/SS26/ANAP1SG
CR 197/SI

SENATE BILL NO. 2904

Originated in Senate *[Signature]* Secretary

SENATE BILL NO. 2904

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF BUDGET CONTINGENCY FUNDS TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEARS 2013 AND 2014; DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS FOR FISCAL YEAR 2013; THE OFFICE OF THE ATTORNEY GENERAL FOR CERTAIN LEGAL EXPENSES, JUDGMENTS, AND SETTLEMENTS FOR FISCAL YEAR 2013; THE FORESTRY COMMISSION FOR FISCAL YEAR 2013; THE MISSISSIPPI EMERGENCY MANAGEMENT FOR FISCAL YEARS 2013 AND 2014; THE DEPARTMENT OF PUBLIC SAFETY HIGHWAY PATROL FOR FISCAL YEAR 2013; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. In addition to all other sums previously appropriated, the following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Budget Contingency Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Finance and Administration for the period beginning upon passage and through the fiscal year ending June 30, 2014.....\$ 6,644,715.00.

This additional appropriation is made for the purpose of purchasing property insurance on state property as required by the

Stafford Act, Section 311, Paragraph 5154 and 44 CFR 206.252 and 206.253.

SECTION 2. In addition to all other sums previously appropriated, the following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Budget Contingency Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the district attorneys, assistant district attorneys and criminal investigators for the period beginning upon passage and through the fiscal year ending June 30, 2013.....\$ 10,000.00.

This additional appropriation is made for the purpose of fully funding salaries and fringe benefits for district attorneys and staff.

SECTION 3. In addition to all other sums previously appropriated, the following sum, or so much of it as may be necessary, is appropriated out of any money in the Budget Contingency Fund, and allocated in a manner as determined by the Treasurer's Office, for the purpose of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning upon passage and through the fiscal year ending June 30, 2013.....\$ 10,169,265.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) Olivia Y., et al v. Haley Barbour, as Governor; Donald Taylor, as Executive Director of DHS; and Billy Mangold, as Director of the Division of Family and Children's Services and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No. 3:04cv251(L) (N).....\$ 1,071,572.00.

(b) Olivia Y., et al v. Haley Barbour, as Governor; Donald Taylor, as Executive Director of DHS; and Billy Mangold, as Director of the Division of Family and Children's Services and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No. 3:04:cv251(L) (N).....\$ 288,402.00.

(c) C.B., by and through his next friend, Charleston DePriest, et al. v. Walnut Grove Correctional Authority, et al., United States District Court for the Southern District of Mississippi, Cause No. 3:10cv663-CWR-FKB.....\$ 257,041.00.

(d) Kenney Brewer v. State of Mississippi, Circuit Court of Noxubee County, Mississippi, Claimant No. 2009-0099.....\$ 50,000.00.

(e) Levon Brooks v. State of Mississippi, Circuit Court of Noxubee County, Mississippi, Claimant No. 2009-0098.....\$ 50,000.00.

(f) Arthur Johnson v. State of Mississippi, Circuit Court of Sunflower County, Mississippi, Claimant No. 2009-0289-CI.....\$ 50,000.00.

(g) Cedric Willis v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Claimant No. 251-09-649-CIV.....
.....\$ 50,000.00.

(h) Calvin Wilks v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Claimant No. 251-10-721-CIV.....
.....\$ 50,000.00.

(i) Gregory Paul Carr v. State of Mississippi, Circuit Court of Washington County, Mississippi, Claimant No. 2011-0007-CI.....
.....\$ 50,000.00.

(j) Sabrina Butler Porter v. State of Mississippi, Circuit Court of Lowndes County, Mississippi, Claimant No. 2011-0014-CV1K.....
.....\$ 50,000.00.

(k) Rodney Demetrius Sands v. State of Mississippi, Circuit Court of Jefferson Davis County, Mississippi, Claimant No. 2011-7H.....
.....\$ 50,000.00.

(l) "Estate of Larry Ruffin" v. State of Mississippi, Circuit Court of Forrest County, Mississippi, Claimant No. CI-11-0238.....
.....\$ 50,000.00.

(m) John Randall Alexander v. State of Mississippi, Circuit Court of Panola County, Mississippi, Claimant No. CV-2011-56JMP2.....
.....\$ 50,000.00.

(n) Matthew Norwood v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Claimant No. 251-10-861-CIV.....
.....\$ 50,000.00.

(o) Phillip Bivens v. State of Mississippi, Circuit Court of
Forrest County, Mississippi, Claimant No. CI11-0240.....
.....\$ 50,000.00.

(p) "Estate of Bobby Ray Dixon" v. State of Mississippi,
Circuit Court of Forrest County, Mississippi, Claimant No.
CI11-0239.....\$ 50,000.00.

(q) Jimmie Bass v. State of Mississippi, Circuit Court of
Bolivar County, Mississippi, Claimant No. 2011-0009.....
.....\$ 101,500.00.

(r) Counsel for Claimant Jimmie Bass - Attorney Robert
McDuff and the Innocence Project of New Orleans.....
.....\$ 50,000.00.

(s) Wesley Beavers v. State of Mississippi, Circuit Court of
Harrison County, Mississippi, Claimant No. A2401-12-173.....
.....\$ 2,500.00.

(t) Frederick Earl Bradford v. State of Mississippi, Circuit
Court of Washington County Mississippi, Claimant No. 2012-0085-CI
.....\$ 30,000.00.

(u) John Wayne Edwards v. State of Mississippi, Circuit
Court of Scott County, Mississippi, Claimant No.
12-CV-194-SC-G.....\$ 50,000.00.

(v) Margie Elliot v. State of Mississippi, Circuit Court of
Scott County, Mississippi, Claimant No. 12-CV-195-SC-G.....
.....\$ 50,000.00.

(w) Sharon Hall v. State of Mississippi, Circuit Court of Adams County, Mississippi. Claimant No. 12-KV-0069-J.....\$ 50,000.00.

(x) Adam Wayne Roebuck v. State of Mississippi, Circuit Court of Leake County, Mississippi, Claimant No. 12-CV-162-LE-C.....\$ 2,500.00.

(y) Irby Matthew Tate v. State of Mississippi, Circuit Court of Holmes County, Mississippi. Claimant No. 2012-0221.....\$ 50,000.00.

(z) Jennifer Collier, on behalf of the Estate of Ronnie G. Oswalt v. State of Mississippi, Circuit Court of Chickasaw County, Mississippi, Claimant No. H2012-094G.....\$ 48,500.00.

(aa) Walter Guyton v. State of Mississippi, Circuit Court of Sunflower County, Mississippi, Claimant No. CV-2010-0211-CI.....\$ 50,000.00.

(bb) Counsel for Claimant Wesley Beavers - Attorneys David Neil McCarty and Graham P. Carner.....\$ 500.00.

(cc) Counsel for Claimant Frederick Earl Bradford - Attorneys David Neil McCarty and Graham P. Carner.....\$ 5,000.00.

(dd) Counsel for Claimant John Wayne Edwards - Attorneys David Neil McCarty and Graham P. Carner.....\$ 8,000.00.

(ee) Counsel for Claimant Margie Elliot - Attorneys David Neil McCarty and Graham P. Carner.....\$ 8,000.00.

(ff) Counsel for Claimant Sharon Hall - Attorneys David Neil McCarty and Graham P. Carner.....\$ 8,000.00.

(gg) Counsel for Claimant Adam Wayne Roebuck - Attorneys David Neil McCarty and Graham P. Carner.....\$ 500.00.

(hh) Counsel for Claimant Irby Matthew Tate - Attorneys David Neil McCarty and Graham P. Carner.....\$ 8,000.00.

(ii) Counsel for Claimant Jennifer Collier on behalf of the Estate of Ronnie G. Oswalt - Attorneys David Neil McCarty and Graham P. Carner.....\$ 8,250.00.

(jj) Counsel for Claimant Walter Guyton - Attorney Ottawa E. Carter, Jr.....\$ 9,000.00.

(kk) Leamond Shaffer v. MS Highway Safety Patrol, United States District Court for the Southern District of Mississippi, Cause No. 4:11cv111-CWR-LRA.....\$ 12,000.00.

(ll) Jackson HMA, LLC d/b/a Central Mississippi Medical Center v. Mississippi Department of Corrections (MDOC) and Christopher B. Epps, in his official capacity as Commissioner of Mississippi Department of Corrections; In the United States District Court for the Southern District of Mississippi, Jackson Division; Civil Action No. 3:11CV135CWR-FKB.....\$ 5,100,000.00.

(mm) To reimburse the federal government for the \$4.044 Million Environmental Protection Agency spent on emergency

clean-up regarding contaminated 16th Section land located in Harrison County called the "Chemfax site".....\$ 2,250,000.00.

SECTION 4. In addition to all other sums previously appropriated, the following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Budget Contingency Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Attorney General's Office for conducting the environment cleanup of the 16th Section land located in Harrison County and known as the "Chemfax site" for the period beginning upon passage and through the fiscal year ending June 30, 2014....
.....\$ 2,000,000.00.

SECTION 5. In addition to all other sums previously appropriated, the following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Budget Contingency Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Corrections for the period beginning upon passage and through the fiscal year ending June 30, 2013.....
.....\$ 23,900,000.00.

This additional appropriation is made for the purpose of supporting the operations of the Department of Corrections.

SECTION 6. In addition to all other sums previously appropriated, the following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury

to the credit of the Budget Contingency Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Forestry Commission for the period beginning upon passage and through the fiscal year ending June 30, 2013.....
.....\$ 500,000.00.

This additional appropriation is made for the operations of the Forestry Commission.

SECTION 7. In addition to all other sums previously appropriated, the following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Budget Contingency Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Emergency Management Agency for the period beginning upon passage and through the fiscal year ending June 30, 2014.....\$ 4,000,000.00.

The funds provided in this section shall only be allocated for costs directly related with the state share requirements for outstanding natural disasters.

SECTION 8. In addition to all other sums previously appropriated, the following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Budget Contingency Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Public Safety - Highway Safety

Patrol for the period beginning upon passage and through the
fiscal year ending June 30, 2013.....\$ 3,012,134.00.

This additional appropriation is made for the operations of
the Department of Public Safety - Highway Patrol.

SECTION 9. In addition to all other sums herein
appropriated, the following sum, or so much thereof as may be
necessary, is appropriated out of any money in the State Treasury
to the credit of the Budget Contingency Fund, and allocated in a
manner as determined by the Treasurer's Office, to defray the
expenses of the Wireless Communication Commission (WCC), for the
period beginning upon the passage of this act and through June 30,
2013.....\$ 2,000,000.00.

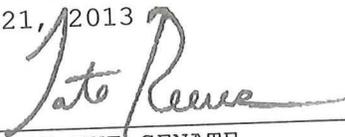
This additional appropriation is made for the purpose of
preventing a deficit, which otherwise would occur, in order for
the commission to provide the services prescribed by Section
25-53-171, Mississippi Code of 1972.

SECTION 10. The money herein appropriated shall be paid by
the State Treasurer out of any money in the proper fund or funds
as set forth in this act, upon warrants issued by the State Fiscal
Officer; and the State Fiscal Officer shall issue his warrants
upon requisitions signed by the proper person, officer or officers
in the manner provided by law.

SECTION 11. This act shall take effect and be in force from
and after its passage and through the fiscal year ending June 30,
2013, except for Section 1, Section 4 and Section 7, which shall

take effect and be in force beginning upon passage of this act and through the fiscal year ending June 30, 2014.

PASSED BY THE SENATE
February 21, 2013



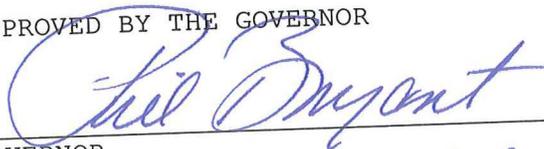
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 13, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

4-18-13
8:49am