

STATE OF MISSISSIPPI



**JIM HOOD**  
ATTORNEY GENERAL

May 2, 2017

Honorable Phil Bryant  
Governor, State of Mississippi  
Post Office Box 139  
Jackson, Mississippi 39205

Dear Governor Bryant:

I respectfully ask you to include the items discussed below in your call for a Special Legislative Session.

The first item is to address the FY 2018 Appropriation for the Attorney General's Office. Our Appropriation (HB 1492) died during the 2017 Regular Legislative Session because its conference report contained language making the report subject to a point of order in the House. The House attempted to fix the conference report by passing a suspension resolution that removed the offending language. The resolution was then sent to the Senate, but no action was taken. Both chambers adjourned at midnight on that deadline day and our bill died. Due to these circumstances, I am requesting that you add the FY 2018 Attorney General's Office Appropriation to the call.

Please note that since our budget hearings, the Department of Justice as well as private plaintiffs have proceeded with litigation on the Olmstead/mental health issues we have discussed previously. We are now expecting a massive request from plaintiffs for electronic document discovery and it will be necessary for the State to hire a document handling firm to process the huge volume of documents that must be processed. We estimate that this will cost \$350,000.00 in the next fiscal year. We will also need to hire subject matter experts and pay outside counsel fees in the estimated amount of \$1 million and \$420,000.00 respectively, for a total of \$1,720,000.00 above our previous budget requests, to pay for the costs of the Olmstead litigation in fiscal year 2018.

Please note also that the AG appropriation bill conference report that did not survive sine die included no funding for the Crime Victim's Compensation and Law Enforcement Officers and Firefighters Disability Programs, as provided for in general law. The amounts needed for Crime Victim's and injured first responders are

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\$3,000,000.00 and \$350,000.00, respectively. It is extremely important that we continue to meet the financial obligations of those who become victims of violent crime and the first responders who protect our lives and secure our safety.

The second item is a separate and additional appropriation resulting from two discrepancies found in the Attorney General's section of this year's Additional Appropriation Bill (SB 3015 Section 4). Each year, the Attorney General submits legal judgments and settlements entered against the State or State agencies to the Legislature for payment. However, the following two sections of the bill did not contain the necessary funding for the State to meet its obligations:

1. SB 3015 Section 4 (e) - *Kenneth F. Murphy, Ray J. Murphy and Audie R. Murphy v. The State of Mississippi by and through Delbert Hosemann in his Official Capacity as the Secretary of State and Trustee of the Public Tidelands and The City of Bay Saint Louis, Mississippi, in the Circuit Court of Hancock County, Mississippi, Cause No. 12-0153.*

This judgment orders the State to pay attorney fees and expenses of \$263,343. However, SB 3015 Section 4 (e) contained an appropriation of \$223,842 which results in the judgment being underfunded by \$39,501. I am requesting that this judgment be added to the call to obtain an additional FY 2017 Appropriation of \$39,501.

2. SB 3015 Section 4 (g) - *Melissa Ross v. Mississippi Department of Education, in the United States District Court for the Southern District of Mississippi, Cause No. 3: 09-cv- 113-HTW-LRA.*

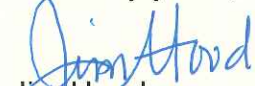
In order to settle this employment discrimination case, the State will have to pay \$135,000. However, SB 3015 Section 4 (g) contains an appropriation of \$114,750 which results in the settlement being underfunded by \$20,250. I am requesting that this settlement be added to the call to obtain an additional FY 2017 Appropriation of \$20,250.

I have enclosed a copy of the judgment and settlement for your review. In order to avoid a protracted special session, I respectfully ask that the call of the session be limited to appropriations matters only.

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If you, the Lieutenant Governor, or any members of the Legislature have any questions concerning any of these matters, please call me at 601-359-3692.

Sincerely yours,



Jim Hood  
Attorney General

cc: Honorable Tate Reeves  
Honorable Philip Gunn  
Honorable Eugene S. (Buck) Clarke  
Honorable John Read