

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. 2951: Appropriation; Bureau of Narcotics.

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:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for payment of the
8 expenses of the Mississippi Bureau of Narcotics of the Mississippi
9 Department of Public Safety, created by Section 41-29-101 et seq.,
10 Mississippi Code of 1972, for the fiscal year beginning
11 July 1, 2003, and ending June 30, 2004..... \$ 9,765,382.00.

12 **SECTION 2.** The following sum, or so much thereof as may be
13 necessary, is hereby authorized for expenditure out of any money
14 in the special fund in the State Treasury to the credit of the
15 Mississippi Bureau of Narcotics of the Mississippi Department of
16 Public Safety which is comprised of special source funds collected
17 by or otherwise available to the agency, for the support and
18 maintenance of the agency for the fiscal year beginning
19 July 1, 2003, and ending June 30, 2004..... \$ 1,538,702.00.

20 **SECTION 3.** With the funds appropriated under the provisions
21 of Sections 1 and 2, the following positions are authorized:

22 AUTHORIZED POSITIONS:

23	Permanent:	Full Time	223
24		Part Time	0
25	Time-Limited:	Full Time	4
26		Part Time	0

27 With the funds herein appropriated, it is the intention of
28 the Legislature that it shall be the agency's responsibility to
29 make certain that funds required to be appropriated for "Personal
30 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
31 funds appropriated for that purpose, unless programs or positions
32 are added to the agency's Fiscal Year 2005 budget by the
33 Mississippi Legislature. Based on data provided by the
34 Legislative Budget Office, the State Personnel Board shall
35 determine and publish the projected annual cost to fully fund all
36 appropriated positions in compliance with the provisions of this
37 act. It shall be the responsibility of the agency head to insure
38 that no single personnel action increases this projected annual
39 cost and/or the Fiscal Year 2004 appropriation for "Personal
40 Services" when annualized. If, at the end of any calendar month,
41 the State Personnel Board determines that the agency has taken
42 action(s) which would cause the agency to exceed this projected
43 annual cost or the Fiscal Year 2004 "Personal Services"
44 appropriated level, when annualized, then only those actions which
45 reduce the projected annual cost and/or the appropriation
46 requirement will be processed by the State Personnel Board until
47 such time as the requirements of this provision are met.

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

50 No general funds authorized to be expended herein shall be
51 used to replace federal funds and/or other special funds which are
52 being used for salaries authorized under the provisions of this
53 act and which are withdrawn and no longer available.

54 **SECTION 4.** Of the funds appropriated under the provisions of
55 Section 2, funds are included to defray the costs of clothing for
56 sworn law enforcement officers in an amount not to exceed One
57 Thousand Dollars (\$1,000.00) annually per officer.

58 **SECTION 5.** The Director of the Bureau of Narcotics shall
59 have the authority to transfer any funds between any major objects
60 of expenditure, including but not limited to Salaries, Wages, and
61 Fringe Benefits, up to ten percent (10%).

62 **SECTION 6.** It is the intention of the Legislature that Fair

63 Labor Standards Act (FLSA) non-exempt sworn officers may
64 accumulate and/or receive monetary compensation for compensatory
65 time not to exceed 300 Hours in any fiscal year. FLSA exempt
66 sworn officers may accumulate and/or receive monetary compensation
67 for compensatory time not to exceed 300 hours in any fiscal year.

68 Further, an FLSA exempt sworn officer having more than 300 hours
69 of compensatory time on record as of passage of this bill shall
70 exhaust through usage the excess compensatory time by December 31,
71 2003. Any compensatory time in excess of 300 hours of exempt
72 sworn officers as of January 1, 2004, shall be forfeited and the
73 balance shall be reduced to 300 hours. However, the Bureau of
74 Narcotics Director shall have the authority to authorize
75 compensatory time in excess of 300 hours for exempt and non-exempt
76 sworn officers to carry out the duties and functions of the
77 Department of Public Safety during times of extraordinary or
78 unusual public safety risks, or for federally funded call back
79 details, or for full or part time assignments to federally funded
80 task forces. However, at no time will compensation of FLSA non-
81 exempt or exempt sworn officers exceed in total the compensation
82 of the agency head pursuant to Section 25-3-39(2), Mississippi
83 Code of 1972.

84 **SECTION 7.** The money herein appropriated shall be paid by the
85 State Treasurer out of any money in the State Treasury to the
86 credit of the proper fund or funds as set forth in this act, upon
87 warrants issued by the State Fiscal Officer; and the State Fiscal
88 Officer shall issue his warrants upon requisitions signed by the
89 proper person, officer or officers, in the manner provided by law.

90 **SECTION 8.** This act shall take effect and be in force from
91 and after July 1, 2003.

CONFEREES FOR THE SENATE

X _____

Jack Gordon

X _____

Robert G. Huggins

X _____

Lynn Posey

CONFEREES FOR THE HOUSE

X _____

Charlie Capps, Jr.

X _____

Johnny W. Stringer

X _____

David Gibbs