

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

Senate Bill NO. 2951

By Representative(s) Committee

**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.** Of the funds appropriated under the provisions of
21 Sections 1 and 2, not more than the amounts set forth below shall
22 be expended for the respective major objects or purposes of
23 expenditure:

24 MAJOR OBJECTS OF EXPENDITURE:

25	Personal Services:		
26	Salaries, Wages and Fringe Benefits..	\$	8,489,937.00
27	Travel and Subsistence.....		175,000.00
28	Contractual Services.....		1,527,453.00
29	Commodities.....		753,000.00
30	Capital Outlay:		
31	Other Than Equipment.....		0.00
32	Equipment.....		326,593.00
33	Subsidies, Loans and Grants.....		<u>32,101.00</u>
34	Total.....	\$	11,304,084.00

35	FUNDING:		
36	General Funds.....	\$	9,765,382.00
37	Special Funds.....		<u>1,538,702.00</u>
38	Total.....	\$	11,304,084.00

39	AUTHORIZED POSITIONS:		
40	Permanent: Full Time.....		202
41	Part Time.....		0
42	Time-Limited: Full Time.....		1
43	Part Time.....		0

44 With the funds herein appropriated, it is the intention of
45 the Legislature that it shall be the agency's responsibility to
46 make certain that funds required to be appropriated for "Personal
47 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
48 funds appropriated for that purpose, unless programs or positions
49 are added to the agency's Fiscal Year 2005 budget by the
50 Mississippi Legislature. Based on data provided by the
51 Legislative Budget Office, the State Personnel Board shall
52 determine and publish the projected annual cost to fully fund all
53 appropriated positions in compliance with the provisions of this
54 act. It shall be the responsibility of the agency head to insure
55 that no single personnel action increases this projected annual
56 cost and/or the Fiscal Year 2004 appropriation for "Personal
57 Services" when annualized. If, at the end of any calendar month,
58 the State Personnel Board determines that the agency has taken
59 action(s) which would cause the agency to exceed this projected

60 annual cost or the Fiscal Year 2004 "Personal Services"
61 appropriated level, when annualized, then only those actions which
62 reduce the projected annual cost and/or the appropriation
63 requirement will be processed by the State Personnel Board until
64 such time as the requirements of this provision are met.

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

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

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

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

79 **SECTION 6.** It is the intention of the Legislature that Fair
80 Labor Standards Act (FLSA) non-exempt sworn officers may
81 accumulate and/or receive monetary compensation for compensatory
82 time not to exceed 300 Hours in any fiscal year. FLSA exempt
83 sworn officers may accumulate and/or receive monetary compensation
84 for compensatory time not to exceed 300 hours in any fiscal year.

85 Further, an FLSA exempt sworn officer having more than 300 hours
86 of compensatory time on record as of passage of this bill shall
87 exhaust through usage the excess compensatory time by December 31,
88 2003. Any compensatory time in excess of 300 hours of exempt
89 sworn officers as of January 1, 2004, shall be forfeited and the
90 balance shall be reduced to 300 hours. However, the Bureau of
91 Narcotics Director shall have the authority to authorize
92 compensatory time in excess of 300 hours for exempt and non-exempt
93 sworn officers to carry out the duties and functions of the
94 Department of Public Safety during times of extraordinary or

95 unusual public safety risks, or for federally funded call back
96 details, or for full or part time assignments to federally funded
97 task forces. However, at no time will compensation of FLSA non-
98 exempt or exempt sworn officers exceed in total the compensation
99 of the agency head pursuant to Section 25-3-39(2), Mississippi
100 Code of 1972.

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

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