

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. 3164: 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, 2002, and ending June 30, 2003..... \$ 9,536,520.00.

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, 2002, and ending June 30, 2003..... \$ 2,682,249.00.

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.. \$ 8,689,709.00

27	Travel and Subsistence.....	207,937.00
28	Contractual Services.....	1,826,243.00
29	Commodities.....	871,830.00
30	Capital Outlay:	
31	Other Than Equipment.....	0.00
32	Equipment.....	580,065.00
33	Subsidies, Loans and Grants.....	<u>42,985.00</u>
34	Total.....	\$ 12,218,769.00
35	FUNDING:	
36	General Funds.....	\$ 9,536,520.00
37	Special Funds.....	<u>2,682,249.00</u>
38	Total.....	\$ 12,218,769.00

39 AUTHORIZED POSITIONS:

40	Permanent:	Full Time	223
41		Part Time	2
42	Time-Limited:	Full Time	0
43		Part Time	0

44 Funds are provided herein to adjust the Variable Compensation
45 Plan to ensure that all full-time employees receive a pay increase
46 equal to fifty percent (50%) of the realignment component of the
47 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
48 whichever is greater, beginning on January 1, 2003.

49 With the funds herein appropriated, it is the intention of
50 the Legislature that it shall be the agency's responsibility to
51 make certain that funds required to be appropriated for "Personal
52 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
53 funds appropriated for that purpose, unless programs, positions or
54 pay increases are added to the agency's budget by the Mississippi
55 Legislature. Based on data provided by the Legislative Budget
56 Office, the State Personnel Board shall, on July 1, 2002, publish
57 separate annual projection reports, based on July 1, 2002 data,
58 for the period of July 1, 2002 through December 31, 2002, and
59 January 1, 2003 through June 30, 2003, that project the annual
60 cost to fully fund all appropriated positions in compliance with
61 the provisions of this act. It shall be the responsibility of the
62 agency head to ensure that no single personnel action increases

63 this projected cost and/or the Fiscal Year 2003 appropriation for
64 "Personal Services," as annualized on a semi-annual basis in
65 accordance with the provisions of this act. If, at the end of any
66 calendar month, the State Personnel Board determines that the
67 agency has taken action(s) which would cause the agency to exceed
68 this projected annual cost or the Fiscal Year 2003 "Personal
69 Services" appropriated level, when annualized in compliance with
70 the provisions of this act, then only those actions which reduce
71 the projected annual cost and/or the appropriation requirement
72 will be processed by the State Personnel Board until such time as
73 the requirements of this provision are met.

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

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

80 **SECTION 4.** In compliance with the "Mississippi Performance
81 Budget and Strategic Planning Act of 1994," it is the intent of
82 the Legislature that the funds provided herein shall be utilized
83 in the most efficient and effective manner possible to achieve the
84 intended mission of this agency. Based on the funding authorized,
85 this agency shall make every effort to attain the targeted
86 performance measures provided below:

	FY2003
<u>Performance Measures</u>	<u>Target</u>
89 Drug Enforcement	
90 Arrests Made (Persons)	2,600
91 Number of Prosecutions (Actions)	2,300
92 Organizations Disrupted/Dismantled (Actions)	135

93 A reporting of the degree to which the performance targets
94 set above have been or are being achieved shall be provided in the
95 agency's budget request submitted to the Joint Legislative Budget
96 Committee for Fiscal Year 2004.

97 **SECTION 5.** Of the funds appropriated under the provisions of
98 Section 2, funds are included to defray the costs of clothing for

99 sworn law enforcement officers in an amount not to exceed One
100 Thousand Dollars (\$1,000.00) annually per officer.

101 **SECTION 6.** The Director of the Bureau of Narcotics shall
102 have the authority to transfer any funds between any major objects
103 of expenditure, including but not limited to Salaries, Wages, and
104 Fringe Benefits, up to five percent (5%).

105 **SECTION 7.** It is the intention of the Legislature that Fair
106 Labor Standards Act (FLSA) non-exempt sworn officers may
107 accumulate and/or receive monetary compensation for compensatory
108 time not to exceed 300 Hours in any fiscal year. FLSA exempt
109 sworn officers may accumulate and/or receive monetary compensation
110 for compensatory time not to exceed 300 hours in any fiscal year.

111 Further, an FLSA exempt sworn officer having more than 300 hours
112 of compensatory time on record as of passage of this bill shall
113 exhaust through usage the excess compensatory time by December 31,
114 2002. Any compensatory time in excess of 300 hours of exempt
115 sworn officers as of January 1, 2003, shall be forfeited and the
116 balance shall be reduced to 300 hours. However, the Bureau of
117 Narcotics Director shall have the authority to authorize
118 compensatory time in excess of 300 hours for exempt and non-exempt
119 sworn officers to carry out the duties and functions of the
120 Department of Public Safety during times of extraordinary or
121 unusual public safety risks, or for federally funded call back
122 details, or for full or part time assignments to federally funded
123 task forces. However, at no time will compensation of FLSA non-
124 exempt or exempt sworn officers exceed in total the compensation
125 of the agency head pursuant to Section 25-3-39(2), Mississippi
126 Code of 1972.

127 **SECTION 8.** It is the intention of the Legislature that the
128 Mississippi Bureau of Narcotics transfer a Cessna 206 aircraft to
129 Delta State University during Fiscal Year 2002.

130 **SECTION 9.** Of the funds appropriated under the provisions of
131 Section 2, One Hundred Thirteen Thousand Four Hundred Twenty-four
132 Dollars (\$113,424.00) shall be derived from the Budget Contingency
133 Fund created in Section 27-103-301, Mississippi Code of 1972.

134 **SECTION 10.** In addition to all other sums heretofore

135 appropriated, the following sum, or so much thereof as may be
136 necessary, is hereby authorized to be transferred from Board of
137 Law Enforcement Minimum Standards Special Fund No. 3742 to
138 Mississippi Bureau of Narcotics Special Fund No. 3718, for the
139 fiscal year ending June 30, 2002..... \$ 150,000.00.

140 This additional appropriation is made for the purpose of
141 providing funds to defray certain expenses of the operating budget
142 of the Mississippi Bureau of Narcotics.

143 **SECTION 11.** The money herein appropriated shall be paid by
144 the State Treasurer out of any money in the State Treasury to the
145 credit of the proper fund or funds as set forth in this act, upon
146 warrants issued by the State Fiscal Officer; and the State Fiscal
147 Officer shall issue his warrants upon requisitions signed by the
148 proper person, officer or officers, in the manner provided by law.

149 **SECTION 12.** This act shall take effect and be in force from
150 and after July 1, 2002, except for Section 10, which shall take
151 effect and be in force from and after its passage.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FOR SUPPORT OF THE MISSISSIPPI
2 BUREAU OF NARCOTICS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY
3 FOR THE FISCAL YEARS 2002 AND 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