

By: Senator(s) Gordon, Thames, Huggins,
Posey, Dearing, Hamilton, Simmons, Walls

To: Appropriations

SENATE BILL NO. 2951

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 YEAR 2004.

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

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..... \$ 9,745,399.00.

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..... \$ 1,538,273.00.

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.. \$ 8,469,525.00
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.....	\$ 11,283,672.00
35	FUNDING:	
36	General Funds.....	\$ 9,745,399.00
37	Special Funds.....	<u>1,538,273.00</u>
38	Total.....	\$ 11,283,672.00

39 AUTHORIZED POSITIONS:

40	Permanent: Full Time.....	223
41	Part Time.....	0
42	Time-Limited: Full Time.....	4
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.** In compliance with the "Mississippi Performance
72 Budget and Strategic Planning Act of 1994," it is the intent of
73 the Legislature that the funds provided herein shall be utilized
74 in the most efficient and effective manner possible to achieve the
75 intended mission of this agency. Based on the funding authorized,
76 this agency shall make every effort to attain the targeted
77 performance measures provided below:

	FY2004
<u>Performance Measures</u>	<u>Target</u>
80 Drug Enforcement	
81 Arrests Made (Persons)	2,644
82 Number of Prosecutions (Actions)	1,709
83 Organizations Disrupted/Dismantled (Actions)	363

84 A reporting of the degree to which the performance targets
85 set above have been or are being achieved shall be provided in the
86 agency's budget request submitted to the Joint Legislative Budget
87 Committee for Fiscal Year 2005.

88 **SECTION 5.** Of the funds appropriated under the provisions of
89 Section 2, funds are included to defray the costs of clothing for
90 sworn law enforcement officers in an amount not to exceed One
91 Thousand Dollars (\$1,000.00) annually per officer.

92 **SECTION 6.** The Director of the Bureau of Narcotics shall
93 have the authority to transfer any funds between any major objects



94 of expenditure, including but not limited to Salaries, Wages, and
95 Fringe Benefits, up to ten percent (10%).

96 **SECTION 7.** It is the intention of the Legislature that Fair
97 Labor Standards Act (FLSA) non-exempt sworn officers may
98 accumulate and/or receive monetary compensation for compensatory
99 time not to exceed 300 Hours in any fiscal year. FLSA exempt
100 sworn officers may accumulate and/or receive monetary compensation
101 for compensatory time not to exceed 300 hours in any fiscal year.
102 Further, an FLSA exempt sworn officer having more than 300 hours
103 of compensatory time on record as of passage of this bill shall
104 exhaust through usage the excess compensatory time by December 31,
105 2003. Any compensatory time in excess of 300 hours of exempt
106 sworn officers as of January 1, 2004, shall be forfeited and the
107 balance shall be reduced to 300 hours. However, the Bureau of
108 Narcotics Director shall have the authority to authorize
109 compensatory time in excess of 300 hours for exempt and non-exempt
110 sworn officers to carry out the duties and functions of the
111 Department of Public Safety during times of extraordinary or
112 unusual public safety risks, or for federally funded call back
113 details, or for full or part time assignments to federally funded
114 task forces. However, at no time will compensation of FLSA non-
115 exempt or exempt sworn officers exceed in total the compensation
116 of the agency head pursuant to Section 25-3-39(2), Mississippi
117 Code of 1972.

118 **SECTION 8.** It is the intention of the Legislature that none
119 of the funds appropriated by this act shall be expended for
120 increased charges for State and School Employees' Health Insurance
121 Plan premium rates assessed by the Department of Finance and
122 Administration in excess of the Fiscal Year 2003 premium rates for
123 the health insurance plan.

124 **SECTION 9.** The money herein appropriated shall be paid by the
125 State Treasurer out of any money in the State Treasury to the
126 credit of the proper fund or funds as set forth in this act, upon



127 warrants issued by the State Fiscal Officer; and the State Fiscal
128 Officer shall issue his warrants upon requisitions signed by the
129 proper person, officer or officers, in the manner provided by law.

130 **SECTION 10.** This act shall take effect and be in force from
131 and after July 1, 2003.

