

By: Senator(s) Gordon, Little, Huggins,
Cuevas, Hyde-Smith, Simmons, Wilemon

To: Appropriations

SENATE BILL NO. 3140

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 2005.

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, 2004, and ending June 30, 2005..... \$ 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, 2004, and ending June 30, 2005..... \$ 1,211,594.00.

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.....	184
24		Part Time.....	0
25	Time-Limited:	Full Time.....	1
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 2006 do not exceed Fiscal Year 2005
31 funds appropriated for that purpose, unless programs or positions
32 are added to the agency's Fiscal Year 2006 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 2005 appropriation for "Personal
40 Services" when annualized, with the exception of escalated funds.
41 If, at the time the agency takes any action to change "Personal
42 Services," the State Personnel Board determines that the agency
43 has taken an action which would cause the agency to exceed this
44 projected annual cost or the Fiscal Year 2005 "Personal Services"
45 appropriated level, when annualized, then only those actions which
46 reduce the projected annual cost and/or the appropriation
47 requirement will be processed by the State Personnel Board until
48 such time as the requirements of this provision are met.

49 Any transfers or escalations shall be made in accordance with
50 the terms, conditions and procedures established by law or
51 allowable under the terms set forth within this act. The State
52 Personnel Board shall not escalate positions without written
53 approval from the Department of Finance and Administration. The
54 Department of Finance and Administration shall not provide written
55 approval to escalate any funds for salaries and/or positions
56 without proof of availability of new or additional funds above the
57 appropriated level.

58 No general funds authorized to be expended herein shall be
59 used to replace federal funds and/or other special funds which are

60 being used for salaries authorized under the provisions of this
61 act and which are withdrawn and no longer available.

62 **SECTION 4.** In compliance with the "Mississippi Performance
63 Budget and Strategic Planning Act of 1994," it is the intent of
64 the Legislature that the funds provided herein shall be utilized
65 in the most efficient and effective manner possible to achieve the
66 intended mission of this agency. Based on the funding authorized,
67 this agency shall make every effort to attain the targeted
68 performance measures provided below:

69		FY2005
70	<u>Performance Measures</u>	<u>Target</u>
71	Drug Enforcement	
72	Arrests Made (Persons)	2,908
73	Number of Prosecutions (Actions)	2,063
74	Organizations Disrupted/Dismantled (Actions)	399

75 A reporting of the degree to which the performance targets
76 set above have been or are being achieved shall be provided in the
77 agency's budget request submitted to the Joint Legislative Budget
78 Committee for Fiscal Year 2006.

79 **SECTION 5.** Of the funds appropriated under the provisions of
80 Section 2, funds may be expended to defray the costs of clothing
81 for sworn law enforcement officers in an amount not to exceed One
82 Thousand Dollars (\$1,000.00) annually per officer.

83 **SECTION 6.** The money herein appropriated shall be paid by the
84 State Treasurer out of any money in the State Treasury to the
85 credit of the proper fund or funds as set forth in this act, upon
86 warrants issued by the State Fiscal Officer; and the State Fiscal
87 Officer shall issue his warrants upon requisitions signed by the
88 proper person, officer or officers, in the manner provided by law.

89 **SECTION 7.** This act shall take effect and be in force from
90 and after July 1, 2004.