

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

To: Appropriations

SENATE BILL NO. 3165
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEARS 2002 AND 2003.

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

4 **SECTION 1.** The following sum of money, or so much thereof as
5 may be necessary, is hereby appropriated out of any money in the
6 State General Fund not otherwise appropriated, to defray the
7 expenses of the Department of Public Safety for the fiscal year
8 beginning July 1, 2002, and ending June 30, 2003.....
9 \$ 42,842,128.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Department of Public Safety for the
13 purpose of defraying the expenses incurred in the operation of the
14 various divisions of the department for the fiscal year beginning
15 July 1, 2002, and ending June 30, 2003..... \$ 47,360,498.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of
17 Sections 1 and 2, not more than the amounts set forth below shall
18 be expended for the respective major objects or purposes of
19 expenditure:

20 DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL

21 MAJOR OBJECTS OF EXPENDITURE:

22 Personal Services:

23 Salaries, Wages and Fringe Benefits... \$ 36,789,997.00
24 Travel and Subsistence..... 106,000.00
25 Contractual Services..... 4,010,000.00
26 Commodities..... 3,484,385.00

27 Capital Outlay:



28	Other Than Equipment.....	75,000.00
29	Equipment.....	2,992,000.00
30	Subsidies, Loans and Grants.....	<u>54,850.00</u>
31	Total.....	\$ 47,512,232.00

32 FUNDING:

33	General Funds.....	\$ 31,700,643.00
34	Special Funds.....	<u>15,811,589.00</u>
35	Total.....	\$ 47,512,232.00

36 AUTHORIZED POSITIONS:

37	Permanent: Full Time.....	887
38	Part Time.....	0
39	Time-Limited: Full Time.....	0
40	Part Time.....	0

41 DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY

42 MAJOR OBJECTS OF EXPENDITURE:

43 Personal Services:

44	Salaries, Wages and Fringe Benefits... \$	756,732.00
45	Travel and Subsistence.....	7,100.00
46	Contractual Services.....	370,000.00
47	Commodities.....	198,108.00

48 Capital Outlay:

49	Other Than Equipment.....	0.00
50	Equipment.....	35,000.00
51	Subsidies, Loans and Grants.....	<u>242,000.00</u>
52	Total.....	\$ 1,608,940.00

53 FUNDING:

54	General Funds.....	\$ 587,707.00
55	Special Funds.....	<u>1,021,233.00</u>
56	Total.....	\$ 1,608,940.00

57 AUTHORIZED POSITIONS:

58	Permanent: Full Time.....	25
59	Part Time.....	0
60	Time-Limited: Full Time.....	0



61 Part Time..... 0

62 It is the intention of the Legislature that all funds
63 received as tuition fees, grants or donations by the Division of
64 Law Enforcement Training Academy shall be deposited in a special
65 fund in the State Treasury to be designated as "Law Enforcement
66 Officers' Training Academy Fees and Donations Fund." It is
67 further the intention of the Legislature that the Division of Law
68 Enforcement Training Academy may increase fees at any time to
69 offset any increases in operational costs.

70 DIVISION OF SUPPORT SERVICES

71 MAJOR OBJECTS OF EXPENDITURE:

72 Personal Services:

73	Salaries, Wages and Fringe Benefits... \$	4,236,529.00
74	Travel and Subsistence.....	55,000.00
75	Contractual Services.....	3,700,000.00
76	Commodities.....	258,000.00
77	Capital Outlay:	
78	Other Than Equipment.....	0.00
79	Equipment.....	169,806.00
80	Subsidies, Loans and Grants.....	<u>20,000.00</u>
81	Total..... \$	8,439,335.00

82 FUNDING:

83	General Funds..... \$	5,647,093.00
84	Special Funds.....	<u>2,792,242.00</u>
85	Total..... \$	8,439,335.00

86 AUTHORIZED POSITIONS:

87	Permanent: Full Time.....	115
88	Part Time.....	0
89	Time-Limited: Full Time.....	1
90	Part Time.....	0

91 DIVISION OF CRIME LABORATORIES

92 MAJOR OBJECTS OF EXPENDITURE:

93 Personal Services:



94	Salaries, Wages and Fringe Benefits...	\$	4,835,799.00
95	Travel and Subsistence.....		80,400.00
96	Contractual Services.....		884,007.00
97	Commodities.....		277,060.00
98	Capital Outlay:		
99	Other Than Equipment.....		0.00
100	Equipment.....		300,000.00
101	Subsidies, Loans and Grants.....		<u>35,000.00</u>
102	Total.....	\$	6,412,266.00

103 FUNDING:

104	General Funds.....	\$	4,238,593.00
105	Special Funds.....		<u>2,173,673.00</u>
106	Total.....	\$	6,412,266.00

107 AUTHORIZED POSITIONS:

108	Permanent: Full Time.....	100
109	Part Time.....	0
110	Time-Limited: Full Time.....	4
111	Part Time.....	0

112 DIVISION OF MEDICAL EXAMINER

113 MAJOR OBJECTS OF EXPENDITURE:

114 Personal Services:

115	Salaries, Wages and Fringe Benefits...	\$	78,000.00
116	Travel and Subsistence.....		5,000.00
117	Contractual Services.....		176,879.00
118	Commodities.....		62,500.00
119	Capital Outlay:		
120	Other Than Equipment.....		0.00
121	Equipment.....		44,000.00
122	Subsidies, Loans and Grants.....		<u>0.00</u>
123	Total.....	\$	366,379.00

124 FUNDING:

125	General Funds.....	\$	212,692.00
126	Special Funds.....		<u>153,687.00</u>



127 Total..... \$ 366,379.00

128 AUTHORIZED POSITIONS:

129 Permanent: Full Time..... 5

130 Part Time..... 0

131 Time-Limited: Full Time..... 0

132 Part Time..... 0

133 DIVISION OF PUBLIC SAFETY PLANNING

134 OFFICE OF PUBLIC SAFETY PLANNING

135 MAJOR OBJECTS OF EXPENDITURE:

136 Personal Services:

137 Salaries, Wages and Fringe Benefits... \$ 1,277,188.00

138 Travel and Subsistence..... 65,000.00

139 Contractual Services..... 560,000.00

140 Commodities..... 61,500.00

141 Capital Outlay:

142 Other Than Equipment..... 0.00

143 Equipment..... 18,500.00

144 Subsidies, Loans and Grants..... 19,223,695.00

145 Total..... \$ 21,205,883.00

146 FUNDING:

147 General Funds..... \$ 455,400.00

148 Special Funds..... 20,750,483.00

149 Total..... \$ 21,205,883.00

150 AUTHORIZED POSITIONS:

151 Permanent: Full Time..... 11

152 Part Time..... 0

153 Time-Limited: Full Time..... 19

154 Part Time..... 0

155 DIVISION OF PUBLIC SAFETY PLANNING

156 OFFICE OF LAW ENFORCEMENT STANDARDS AND TRAINING

157 MAJOR OBJECTS OF EXPENDITURE:

158 Personal Services:

159 Salaries, Wages and Fringe Benefits... \$ 307,686.00



160	Travel and Subsistence.....	13,500.00
161	Contractual Services.....	612,700.00
162	Commodities.....	14,300.00
163	Capital Outlay:	
164	Other Than Equipment.....	0.00
165	Equipment.....	12,800.00
166	Subsidies, Loans and Grants.....	<u>1,678,500.00</u>
167	Total.....	\$ 2,639,486.00

168 FUNDING:

169	General Funds.....	\$ 0.00
170	Special Funds.....	<u>2,639,486.00</u>
171	Total.....	\$ 2,639,486.00

172 AUTHORIZED POSITIONS:

173	Permanent: Full Time.....	8
174	Part Time.....	0
175	Time-Limited: Full Time.....	0
176	Part Time.....	0

177 DIVISION OF PUBLIC SAFETY PLANNING

178 BOARD OF EMERGENCY TELECOMMUNICATIONS

179 MAJOR OBJECTS OF EXPENDITURE:

180 Personal Services:

181	Salaries, Wages and Fringe Benefits... \$	109,935.00
182	Travel and Subsistence.....	6,000.00
183	Contractual Services.....	202,100.00
184	Commodities.....	6,850.00
185	Capital Outlay:	
186	Other Than Equipment.....	0.00
187	Equipment.....	5,000.00
188	Subsidies, Loans and Grants.....	<u>325,000.00</u>
189	Total.....	\$ 654,885.00

190 FUNDING:

191	General Funds.....	\$ 0.00
192	Special Funds.....	<u>654,885.00</u>



193 Total..... \$ 654,885.00

194 AUTHORIZED POSITIONS:

195 Permanent: Full Time..... 3

196 Part Time..... 0

197 Time-Limited: Full Time..... 0

198 Part Time..... 0

199 DIVISION OF PUBLIC SAFETY PLANNING

200 COUNCIL ON AGING

201 MAJOR OBJECTS OF EXPENDITURE:

202 Personal Services:

203 Salaries, Wages and Fringe Benefits... \$ 88,682.00

204 Travel and Subsistence..... 9,000.00

205 Contractual Services..... 49,760.00

206 Commodities..... 20,750.00

207 Capital Outlay:

208 Other Than Equipment..... 0.00

209 Equipment..... 6,500.00

210 Subsidies, Loans and Grants..... 500,000.00

211 Total..... \$ 674,692.00

212 FUNDING:

213 General Funds..... \$ 0.00

214 Special Funds..... 674,692.00

215 Total..... \$ 674,692.00

216 AUTHORIZED POSITIONS:

217 Permanent: Full Time..... 2

218 Part Time..... 0

219 Time-Limited: Full Time..... 0

220 Part Time..... 0

221 COUNTY JAIL OFFICER STANDARDS AND TRAINING BOARD

222 MAJOR OBJECTS OF EXPENDITURE:

223 Personal Services:

224 Salaries, Wages and Fringe Benefits... \$ 96,028.00

225 Travel and Subsistence..... 5,500.00



226	Contractual Services.....	287,600.00
227	Commodities.....	8,000.00
228	Capital Outlay:	
229	Other Than Equipment.....	0.00
230	Equipment.....	6,400.00
231	Subsidies, Loans and Grants.....	<u>285,000.00</u>
232	Total.....	\$ 688,528.00
233	FUNDING:	
234	General Funds.....	\$ 0.00
235	Special Funds.....	<u>688,528.00</u>
236	Total.....	\$ 688,528.00

237 AUTHORIZED POSITIONS:

238	Permanent: Full Time.....	2
239	Part Time.....	0
240	Time-Limited: Full Time.....	0
241	Part Time.....	0

242 Funds are provided herein to adjust the Variable Compensation
243 Plan to ensure that all full-time employees receive a pay increase
244 equal to fifty percent (50%) of the realignment component of the
245 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
246 whichever is greater, beginning on January 1, 2003. Additionally,
247 funds are provided for the longevity component of the Variable
248 Compensation Plan in the amount of Two Thousand Five Hundred
249 Dollars (\$2,500.00) for the Commissioner of Public Safety and the
250 Chief of the Highway Safety Patrol pursuant to Section 25-3-37(2),
251 Mississippi Code of 1972.

252 With the funds herein appropriated, it is the intention of
253 the Legislature that it shall be the agency's responsibility to
254 make certain that funds required to be appropriated for "Personal
255 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
256 funds appropriated for that purpose, unless programs, positions or
257 pay increases are added to the agency's budget by the Mississippi
258 Legislature. Based on data provided by the Legislative Budget



259 Office, the State Personnel Board shall, on July 1, 2002, publish
260 separate annual projection reports, based on July 1, 2002 data,
261 for the period of July 1, 2002, through December 31, 2002, and
262 January 1, 2003, through June 30, 2003, that project the annual
263 cost to fully fund all appropriated positions in compliance with
264 the provisions of this act. It shall be the responsibility of the
265 agency head to ensure that no single personnel action increases
266 this projected cost and/or the Fiscal Year 2003 appropriation for
267 "Personal Services," as annualized on a semiannual basis in
268 accordance with the provisions of this act. If, at the end of any
269 calendar month, the State Personnel Board determines that the
270 agency has taken action(s) which would cause the agency to exceed
271 this projected annual cost or the Fiscal Year 2003 "Personal
272 Services" appropriated level, when annualized in compliance with
273 the provisions of this act, then only those actions which reduce
274 the projected annual cost and/or the appropriation requirement
275 will be processed by the State Personnel Board until such time as
276 the requirements of this provision are met.

277 Any transfers within major objects of expenditure within each
278 specific budget or escalations shall be made in accordance with
279 the terms, conditions and procedures established by law.

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

284 **SECTION 4.** The Commissioner of Public Safety may, on a case
285 by case basis, within funds available, recommend that corrective
286 salary adjustments be made to the compensation of employees of the
287 Department of Public Safety where an inequity was created between
288 employees of equivalent capacity by previous application of the
289 agency appropriation acts. Any such corrective salary adjustment
290 plan must have prior approval by the State Personnel Board. Such
291 adjustments will not be retroactive.



292 Any funds in the Salary, Wages and Fringe Benefits major
293 object of expenditure may be used to purchase accumulated
294 compensatory time within funds available.

295 **SECTION 5.** The Commissioner of Public Safety shall have the
296 authority to transfer State General Funds appropriated herein from
297 any Division within the Department of Public Safety to any other
298 Division within the Department of Public Safety between any major
299 objects of expenditure, including but not limited to Salaries,
300 Wages, and Fringe Benefits, not to exceed five percent (5%).

301 **SECTION 6.** It is the intent of the Legislature that the
302 local governments pay for part of the computer cost of the
303 Mississippi Justice Information Center by maintaining their
304 contribution to the Department of Public Safety.

305 **SECTION 7.** It is the intention of the Legislature that the
306 Department of Public Safety designate certain employees to aid the
307 Division of Crime Laboratories in the billing and collecting of
308 all fees charged for services rendered by the Division of Crime
309 Laboratories.

310 **SECTION 8.** No part of the funds appropriated herein shall be
311 transferred to, expended by, or used, directly or indirectly, for
312 the benefit of any public relations, publicity or publication
313 activities of any other state agency, department or officer, nor
314 shall any personnel paid with funds appropriated herein be
315 transferred or assigned to any other state agency, department or
316 officer for public relations, publicity, or publication activities
317 of such office.

318 **SECTION 9.** It is the intention of the Legislature that the
319 Department of Public Safety shall have the authority to receive,
320 budget and expend funds from any source in accordance with the
321 rules and regulations of the Department of Finance and
322 Administration in a manner consistent with the escalation of
323 federal funds.



324 **SECTION 10.** It is the intention of the Legislature that the
 325 Department of Public Safety shall not issue citations for
 326 violations of speed limits on a quota basis. No funds expended
 327 under this act shall be used for such quota-based citations for
 328 violations of speed limits.

329 **SECTION 11.** In compliance with the "Mississippi Performance
 330 Budget and Strategic Planning Act of 1994," it is the intent of
 331 the Legislature that the funds provided herein shall be utilized
 332 in the most efficient and effective manner possible to achieve the
 333 intended mission of this agency. Based on the funding authorized,
 334 this agency shall make every effort to attain the targeted
 335 performance measures provided below:

	FY2003
<u>Performance Measures</u>	<u>Target</u>
338 Enforcement	
339 Increased Enforcement - Citations (%)	0.00
340 Decreased Fatalies (%)	-0.86
341 Increased DUI Arrests - Inc Felony DUIs(%)	0.0
342 Criminal Investigations (Actions)	1,500
343 Driver Services	
344 Driver's Licenses/ID Cards Issued (Items)	663,800
345 Cost per License Document Produced (\$)	9.01
346 Drivers Suspended (Persons)	152,000
347 Accident Reports Processed (Actions)	102,800
348 Motor Veh Inspect Stickers Sold (Items)	1,970,000
349 Support Services	
350 Training of Switch/Repository	
351 Classes (Number of Classes)	35
352 Audit of User Agencies (Number)	100
353 Emerg Telecommunications Tng	
354 Emerg Telecomm Certified (Persons)	450
355 Certification Transactions (Actions)	1,350
356 Training Quality Monitoring (Actions)	50



357	Forensic Analysis	
358	Reports Issued (Cases)	30,000
359	Court Testimonies (Cases)	500
360	Cost per Case Analyzed (\$)	325
361	Cost per Testimony (\$)	500
362	Dna Analysis	
363	Known Sex Offender Samples (Items)	2,500
364	Proficiency Samples (Items)	1,000
365	Casework Samples Examined (Items)	1,500
366	Cost per Sample (\$)	500
367	Training Academy	
368	Basic Students to Graduate (Persons)	240
369	Basic Refresher Students to	
370	Graduate (Persons)	40
371	In-Service & Advanced Students to	
372	Graduate (Persons)	1,000
373	Forensic Pathology	
374	Deaths Investigated (Actions)	16,000
375	Autopsies Performed at SME Office (Actions)	50
376	Cost per Autopsy Performed (\$)	300
377	Jail Officer Training	
378	County Jail Officers Certified (Persons)	250
379	Certification Transactions (Actions)	500
380	Law Enforcement Training	
381	Basic Law Enforc Officers Certified (Persons)	525
382	Certification Transactions (Actions)	2,000
383	Training Quality Monitoring (Actions)	100
384	Public Safety Planning	
385	Statewide Programs Supported (Programs)	282
386	Juvenile Jail Alternatives Dev (Alternatives)	40
387	Narcotics Units Established (Units)	17
388	Drug-Free Programs Impact (Persons)	100,000
389	Council On Aging	



390	Number of Board Meetings (Meetings)	6
391	Establish TRIAD Programs (Programs)	20
392	Conduct Training Programs (Programs)	20
393	Provide On-Site Tech Assistance (Actions)	80

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

398 **SECTION 12.** In addition to all other sums heretofore
399 appropriated, the following sum, or so much thereof as may be
400 necessary, is hereby appropriated and authorized to be transferred
401 from Highway Patrol Special Fund No. 371C to Highway Patrol
402 Special Fund No. 3711, as authorized by the Commissioner of Public
403 Safety for the purpose of defraying the expenses of the
404 Mississippi Highway Safety Patrol in accordance with Section
405 45-1-2 et seq., Mississippi Code of 1972, for the fiscal year
406 ending

407 June 30, 2002..... \$ 4,000,000.00.

408 This additional appropriation is made for the purpose of
409 providing funds to defray certain expenses of the operating budget
410 of the Mississippi Highway Patrol.

411 **SECTION 13.** It is the intention of the legislature that Fair
412 Labor Standards Act (FLSA) non-exempt sworn officers may
413 accumulate and/or receive monetary compensation for compensatory
414 time not to exceed 300 hours in any fiscal year. FLSA exempt
415 sworn officers may accumulate and/or receive monetary compensation
416 for compensatory time not to exceed 300 hours in any fiscal year.
417 Further, any FLSA exempt sworn officer having more than 300 hours
418 of compensatory time on record as of passage of this bill shall
419 exhaust through usage the excess compensatory time by December 31,
420 2002. Any compensatory time in excess of 300 hours of exempt
421 sworn officers as of January 1, 2003, shall be forfeited and the
422 balance shall be reduced to 300 hours. However, the Commissioner



423 shall have the authority to authorize compensatory time in excess
424 of 300 hours for exempt and non-exempt sworn officers to carry out
425 the duties and functions of the Department of Public Safety during
426 times of extraordinary or unusual public safety risks, or for
427 federally funded call back details, or for full- or part-time
428 assignments to federally funded task forces. However, at no time
429 will compensation of FLSA non-exempt or exempt sworn officers
430 exceed in total the compensation of the agency head pursuant to
431 Section 25-3-39(2), Mississippi Code of 1972.

432 **SECTION 14.** Of the funds appropriated herein the sum of
433 Three Million Nine Hundred Eighty-four Thousand Dollars
434 (\$3,984,000.00) is hereby authorized to be transferred from
435 Special Fund No. 3742, and the sum of Four Million One Hundred One
436 Thousand Dollars (\$4,101,000.00) from Special Fund No. 3744 to
437 Special Fund No. 3711.

438 The Commissioner of Public Safety shall have the authority to
439 transfer Department of Public Safety Special Funds from any
440 Division within the Department of Public Safety to any other
441 Division of the Department of Public Safety Special Funds
442 including Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,
443 3742, 3744, 3747, not to exceed Four Million Dollars
444 (\$4,000,000.00) collectively during the fiscal year ending
445 June 30, 2003.

446 **SECTION 15.** Of the funds appropriated under the provisions
447 of Section 2, Five Hundred Seven Thousand One Hundred Ninety-three
448 Dollars (\$507,193.00) shall be derived from the Budget Contingency
449 Fund created in Section 27-103-301, Mississippi Code of 1972.

450 **SECTION 16.** In addition to all other sums heretofore
451 appropriated, the following sum, or so much thereof as may be
452 necessary, is hereby appropriated and authorized to be transferred
453 from Crime Laboratory Special Fund No. 371E to Crime Laboratory
454 Special Fund No. 3713, as authorized by the Commissioner of Public
455 Safety for the purpose of defraying the expenses of the Crime



456 Laboratory in accordance with Section 45-1-2 et seq., Mississippi
457 Code of 1972, for the fiscal year ending June 30, 2002.....
458 \$ 260,000.00.

459 This additional appropriation is made for the purpose of
460 providing funds to defray certain expenses of the operating budget
461 of the Crime Laboratory.

462 **SECTION 17.** It is the intention of the Legislature that all
463 Fair Labor Standards Act (FLSA) non-exempt sworn officers who are
464 working 171 hours in a 28-day work cycle be compensated at an
465 hourly rate based on 2,087.143 hours per year. This section and
466 its provisions shall be known and cited as the "David R. Huggins
467 Act of 2002".

468 **SECTION 18.** The money herein appropriated shall be paid by
469 the State Treasurer out of any money in the State Treasury to the
470 credit of the proper fund or funds as set forth in this act, upon
471 warrants issued by the State Fiscal Officer; and the State Fiscal
472 Officer shall issue his warrants upon requisitions signed by the
473 proper person, officer or officers, in the manner provided by law.

474 **SECTION 19.** This act shall take effect and be in force from
475 and after July 1, 2002, except for Sections 12 and 16 which shall
476 take effect and be in force from and after its passage.

