SENATE BILL NO. 3165
(As Sent to Governor)


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

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2002, and ending June 30, 2003

$42,842,128.00

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

$47,360,498.00

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

DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits... $ 36,789,997.00

Travel and Subsistence................. 106,000.00

Contractual Services.................... 4,010,000.00

Commodities............................. 3,484,385.00

Capital Outlay:
Other Than Equipment............................... 75,000.00
Equipment........................................ 2,992,000.00
Subsidies, Loans and Grants..................... 54,850.00
Total............................................. $ 47,512,232.00

FUNDING:
General Funds....................................... $ 31,700,643.00
Special Funds....................................... 15,811,589.00
Total............................................. $ 47,512,232.00

AUTHORIZED POSITIONS:
Permanent: Full Time....................... 887
Part Time............................. 0
Time-Limited: Full Time..................... 0
Part Time............................. 0

DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:
Salaries, Wages and Fringe Benefits... $ 756,732.00
Travel and Subsistence....................... 7,100.00
Contractual Services.......................... 370,000.00
Commodities.................................. 198,108.00

Capital Outlay:
Other Than Equipment....................... 0.00
Equipment...................................... 35,000.00
Subsidies, Loans and Grants................. 242,000.00
Total............................................. $ 1,608,940.00

FUNDING:
General Funds....................................... $ 587,707.00
Special Funds....................................... 1,021,233.00
Total............................................. $ 1,608,940.00

AUTHORIZED POSITIONS:
Permanent: Full Time....................... 25
Part Time............................. 0
Time-Limited: Full Time..................... 0
Part Time............ 0

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

DIVISION OF SUPPORT SERVICES

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits... $ 4,236,529.00
Travel and Subsistence................. 55,000.00
Contractual Services................... 3,700,000.00
Commodities........................... 258,000.00

Capital Outlay:

Other Than Equipment................. 0.00
Equipment........................... 169,806.00
Subsidies, Loans and Grants........... 20,000.00

Total................................ $ 8,439,335.00

FUNDING:

General Funds.............................. $ 5,647,093.00
Special Funds.............................. 2,792,242.00

Total.................................. $ 8,439,335.00

AUTHORIZED POSITIONS:

Permanent: Full Time............. 115
Part Time............. 0
Time-Limited: Full Time.......... 1
Part Time............. 0

DIVISION OF CRIME LABORATORIES

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages and Fringe Benefits</td>
<td>$4,835,799.00</td>
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<tr>
<td>Travel and Subsistence</td>
<td>$80,400.00</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>$884,007.00</td>
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<td>Commodities</td>
<td>$277,060.00</td>
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<tr>
<td>Capital Outlay:</td>
<td></td>
</tr>
<tr>
<td>Other Than Equipment</td>
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<tr>
<td>Equipment</td>
<td>$300,000.00</td>
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<tr>
<td>Subsidies, Loans and Grants</td>
<td>$35,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$6,412,266.00</strong></td>
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**FUNDING:**

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Funds</td>
<td>$4,238,593.00</td>
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<tr>
<td>Special Funds</td>
<td>$2,173,673.00</td>
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<td><strong>Total</strong></td>
<td><strong>$6,412,266.00</strong></td>
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**AUTHORIZED POSITIONS:**

<table>
<thead>
<tr>
<th>Position</th>
<th>Full Time</th>
<th>Part Time</th>
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<tbody>
<tr>
<td>Permanent:</td>
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<tr>
<td>Time-Limited:</td>
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<td>0</td>
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</table>

**DIVISION OF MEDICAL EXAMINER**

**MAJOR OBJECTS OF EXPENDITURE:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages and Fringe Benefits</td>
<td>$78,000.00</td>
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<tr>
<td>Travel and Subsistence</td>
<td>$5,000.00</td>
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<td>Contractual Services</td>
<td>$176,879.00</td>
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<td>Commodities</td>
<td>$62,500.00</td>
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<td>Capital Outlay:</td>
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<tr>
<td>Other Than Equipment</td>
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<td>Equipment</td>
<td>$44,000.00</td>
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<tr>
<td>Subsidies, Loans and Grants</td>
<td>$0.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$366,379.00</strong></td>
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**FUNDING:**

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>General Funds</td>
<td>$212,692.00</td>
</tr>
<tr>
<td>Special Funds</td>
<td>$153,687.00</td>
</tr>
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</table>
Total........................................ $ 366,379.00

AUTHORIZED POSITIONS:
Permanent: Full Time.................. 5
Part Time.................. 0
Time-Limited: Full Time.................. 0
Part Time.................. 0

DIVISION OF PUBLIC SAFETY PLANNING
OFFICE OF PUBLIC SAFETY PLANNING

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:
Salaries, Wages and Fringe Benefits... $ 1,277,188.00
Travel and Subsistence................. 65,000.00
Contractual Services....................... 560,000.00
Commodities................................. 61,500.00

Capital Outlay:
Other Than Equipment.................... 0.00
Equipment................................. 18,500.00
Subsidies, Loans and Grants............... 19,223,695.00

Total........................................ $ 21,205,883.00

FUNDING:
General Funds.............................. $ 455,400.00
Special Funds.............................. 20,750,483.00

Total........................................ $ 21,205,883.00

AUTHORIZED POSITIONS:
Permanent: Full Time.................. 11
Part Time.................. 0
Time-Limited: Full Time.................. 19
Part Time.................. 0

DIVISION OF PUBLIC SAFETY PLANNING
OFFICE OF LAW ENFORCEMENT STANDARDS AND TRAINING

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:
Salaries, Wages and Fringe Benefits... $ 307,686.00
Travel and Subsistence................ 13,500.00
Contractual Services....................... 612,700.00
Commodities................................ 14,300.00
Capital Outlay:
  Other Than Equipment...................... 0.00
  Equipment.............................. 12,800.00
Subsidies, Loans and Grants............... 1,678,500.00
Total.................................. $ 2,639,486.00

FUNDING:
  General Funds.......................... $ 0.00
  Special Funds.......................... 2,639,486.00
  Total.................................. $ 2,639,486.00

AUTHORIZED POSITIONS:

Permanant: Full Time............ 8
  Part Time............ 0
Time-Limited: Full Time............ 0
  Part Time............ 0

DIVISION OF PUBLIC SAFETY PLANNING
BOARD OF EMERGENCY TELECOMMUNICATIONS

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:
  Salaries, Wages and Fringe Benefits... $ 109,935.00
  Travel and Subsistence................ 6,000.00
  Contractual Services................... 202,100.00
  Commodities............................. 6,850.00
Capital Outlay:
  Other Than Equipment..................... 0.00
  Equipment.............................. 5,000.00
Subsidies, Loans and Grants............... 325,000.00
Total.................................. $ 654,885.00

FUNDING:
  General Funds.......................... $ 0.00
  Special Funds.......................... 654,885.00
### Division of Public Safety Planning

#### Authorized Positions:

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<th>Full Time</th>
<th>Part Time</th>
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<tr>
<td>Time-Limited:</td>
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#### Major Objects of Expenditure:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages and Fringe Benefits</td>
<td>$88,682</td>
</tr>
<tr>
<td>Travel and Subsistence</td>
<td>$9,000</td>
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<tr>
<td>Contractual Services</td>
<td>$49,760</td>
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<tr>
<td>Commodities</td>
<td>$20,750</td>
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<tr>
<td>Other Than Equipment</td>
<td>$0</td>
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<tr>
<td>Equipment</td>
<td>$6,500</td>
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<tr>
<td>Subsidies, Loans and Grants</td>
<td>$500,000</td>
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**Total** $674,692

#### Funding:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>General Funds</td>
<td>$0</td>
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<tr>
<td>Special Funds</td>
<td>$674,692</td>
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</tbody>
</table>

**Total** $674,692

### County Jail Officer Standards and Training Board

#### Authorized Positions:

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<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent:</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Time-Limited:</td>
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<td>0</td>
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#### Major Objects of Expenditure:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages and Fringe Benefits</td>
<td>$96,028</td>
</tr>
<tr>
<td>Travel and Subsistence</td>
<td>$5,500</td>
</tr>
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</table>

**Total** $654,885
Contractual Services.......................... 287,600.00
Commodities................................ 8,000.00
Capital Outlay:
     Other Than Equipment............... 0.00
     Equipment.......................... 6,400.00
Subsidies, Loans and Grants............... 285,000.00
Total................................... $ 688,528.00

FUNDING:
General Funds............................. $ 0.00
Special Funds............................ 688,528.00
Total................................... $ 688,528.00

AUTHORIZED POSITIONS:
Permanent: Full Time............... 2
          Part Time............. 0
Time-Limited: Full Time........... 0
          Part Time........... 0

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

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003 funds appropriated for that purpose, unless programs, positions or pay increases are added to the agency's budget by the Mississippi Legislature. Based on data provided by the Legislative Budget...
Office, the State Personnel Board shall, on July 1, 2002, publish separate annual projection reports, based on July 1, 2002 data, for the period of July 1, 2002, through December 31, 2002, and January 1, 2003, through June 30, 2003, that project the annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected cost and/or the Fiscal Year 2003 appropriation for "Personal Services," as annualized on a semiannual basis in accordance with the provisions of this act. If, at the end of any calendar month, the State Personnel Board determines that the agency has taken action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2003 "Personal Services" appropriated level, when annualized in compliance with the provisions of this act, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

SECTION 4. The Commissioner of Public Safety may, on a case by case basis, within funds available, recommend that corrective salary adjustments be made to the compensation of employees of the Department of Public Safety where an inequity was created between employees of equivalent capacity by previous application of the agency appropriation acts. Any such corrective salary adjustment plan must have prior approval by the State Personnel Board. Such adjustments will not be retroactive.
Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within funds available.

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

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

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

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

SECTION 9. It is the intention of the Legislature that the Department of Public Safety shall have the authority to receive, budget and expend funds from any source in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.
SECTION 10. It is the intention of the Legislature that the Department of Public Safety shall not issue citations for violations of speed limits on a quota basis. No funds expended under this act shall be used for such quota-based citations for violations of speed limits.

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

<table>
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<tr>
<th>FY2003</th>
<th>Performance Measures</th>
<th>Target</th>
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</thead>
<tbody>
<tr>
<td><strong>Enforcement</strong></td>
<td>Increased Enforcement - Citations (%)</td>
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</tr>
<tr>
<td></td>
<td>Decreased Fatalies (%)</td>
<td>-0.86</td>
</tr>
<tr>
<td></td>
<td>Increased DUI Arrests - Inc Felony DUIs(%)</td>
<td>0.0</td>
</tr>
<tr>
<td></td>
<td>Criminal Investigations (Actions)</td>
<td>1,500</td>
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<tr>
<td><strong>Driver Services</strong></td>
<td>Driver's Licenses/ID Cards Issued (Items)</td>
<td>663,800</td>
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<tr>
<td></td>
<td>Cost per License Document Produced ($)</td>
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<tr>
<td></td>
<td>Drivers Suspended (Persons)</td>
<td>152,000</td>
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<tr>
<td></td>
<td>Accident Reports Processed (Actions)</td>
<td>102,800</td>
</tr>
<tr>
<td></td>
<td>Motor Veh Inspect Stickers Sold (Items)</td>
<td>1,970,000</td>
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<tr>
<td><strong>Support Services</strong></td>
<td>Training of Switch/Repository</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Classes (Number of Classes)</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Audit of User Agencies (Number)</td>
<td>100</td>
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<tr>
<td></td>
<td>Emerg Telecommunications Tng</td>
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</tr>
<tr>
<td></td>
<td>Emerg Telecomm Certified (Persons)</td>
<td>450</td>
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<tr>
<td></td>
<td>Certification Transactions (Actions)</td>
<td>1,350</td>
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<tr>
<td></td>
<td>Training Quality Monitoring (Actions)</td>
<td>50</td>
</tr>
</tbody>
</table>
### Forensic Analysis
- **Reports Issued (Cases)**: 30,000
- **Court Testimonies (Cases)**: 500
- **Cost per Case Analyzed ($)**: 325
- **Cost per Testimony ($)**: 500

### DNA Analysis
- **Known Sex Offender Samples (Items)**: 2,500
- **Proficiency Samples (Items)**: 1,000
- **Casework Samples Examined (Items)**: 1,500
- **Cost per Sample ($)**: 500

### Training Academy
- **Basic Students to Graduate (Persons)**: 240
- **Basic Refresher Students to Graduate (Persons)**: 40
- **In-Service & Advanced Students to Graduate (Persons)**: 1,000

### Forensic Pathology
- **Deaths Investigated (Actions)**: 16,000
- **Autopsies Performed at SME Office (Actions)**: 50
- **Cost per Autopsy Performed ($)**: 300

### Jail Officer Training
- **County Jail Officers Certified (Persons)**: 250
- **Certification Transactions (Actions)**: 500

### Law Enforcement Training
- **Basic Law Enforc Officers Certified (Persons)**: 525
- **Certification Transactions (Actions)**: 2,000
- **Training Quality Monitoring (Actions)**: 100

### Public Safety Planning
- **Statewide Programs Supported (Programs)**: 282
- **Juvenile Jail Alternatives Dev (Alternatives)**: 40
- **Narcotics Units Established (Units)**: 17
- **Drug-Free Programs Impact (Persons)**: 100,000

### Council On Aging
Number of Board Meetings (Meetings) 6
Establish TRIAD Programs (Programs) 20
Conduct Training Programs (Programs) 20
Provide On-Site Tech Assistance (Actions) 80

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

SECTION 12. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated and authorized to be transferred from Highway Patrol Special Fund No. 371C to Highway Patrol Special Fund No. 3711, as authorized by the Commissioner of Public Safety for the purpose of defraying the expenses of the Mississippi Highway Safety Patrol in accordance with Section 45-1-2 et seq., Mississippi Code of 1972, for the fiscal year ending June 30, 2002. $4,000,000.00.

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

SECTION 13. It is the intention of the legislature that Fair Labor Standards Act (FLSA) non-exempt sworn officers may accumulate and/or receive monetary compensation for compensatory time not to exceed 300 hours in any fiscal year. FLSA exempt sworn officers may accumulate and/or receive monetary compensation for compensatory time not to exceed 300 hours in any fiscal year.

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

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

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

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

SECTION 16. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated and authorized to be transferred from Crime Laboratory Special Fund No. 371E to Crime Laboratory Special Fund No. 3713, as authorized by the Commissioner of Public Safety for the purpose of defraying the expenses of the Crime
Laboratory in accordance with Section 45-1-2 et seq., Mississippi Code of 1972, for the fiscal year ending June 30, 2002...........

.............................................. $ 260,000.00.

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

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

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

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