

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. 3165: Appropriation; Dept. Public Safety - Consol.

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:

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:

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

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	

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	

DIVISION OF PUBLIC SAFETY PLANNING

133

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.....		<u>19,223,695.00</u>
145	Total.....	\$	21,205,883.00

146 FUNDING:

147	General Funds.....	\$	455,400.00
148	Special Funds.....		<u>20,750,483.00</u>
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
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170 Special Funds..... 2,639,486.00
 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..... 325,000.00

189 Total..... \$ 654,885.00

190 FUNDING:

191 General Funds..... \$ 0.00
 192 Special Funds..... 654,885.00
 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.....		<u>500,000.00</u>
211	Total.....	\$	674,692.00

212 FUNDING:

213	General Funds.....	\$	0.00
214	Special Funds.....		<u>674,692.00</u>
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 semi-annual 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.** No funds appropriated herein shall be used for
296 the purpose of holding a Mississippi Highway Patrol Cadet School
297 during Fiscal Year 2003; however, funds may be used to re-employ
298 former Mississippi Highway Safety Patrol Officers or to transfer
299 Mississippi Highway Safety Patrol Officers from the Bureau of
300 Narcotics to the Division of Mississippi Highway Safety Patrol
301 within the Department of Public Safety.

302 **SECTION 6.** The Commissioner of Public Safety shall have the
303 authority to transfer State General Funds appropriated herein from
304 any Division within the Department of Public Safety to any other
305 Division within the Department of Public Safety between any major
306 objects of expenditure, including but not limited to Salaries,
307 Wages, and Fringe Benefits, not to exceed five percent (5%).

308 **SECTION 7.** It is the intent of the Legislature that the
309 local governments pay for part of the computer cost of the
310 Mississippi Justice Information Center by maintaining their
311 contribution to the Department of Public Safety.

312 **SECTION 8.** It is the intention of the Legislature that the
313 Department of Public Safety designate certain employees to aid the

314 Division of Crime Laboratories in the billing and collecting of
315 all fees charged for services rendered by the Division of Crime
316 Laboratories.

317 **SECTION 9.** No part of the funds appropriated herein shall be
318 transferred to, expended by, or used, directly or indirectly, for
319 the benefit of any public relations, publicity or publication
320 activities of any other state agency, department or officer, nor
321 shall any personnel paid with funds appropriated herein be
322 transferred or assigned to any other state agency, department or
323 officer for public relations, publicity, or publication activities
324 of such office.

325 **SECTION 10.** It is the intention of the Legislature that the
326 Department of Public Safety shall have the authority to receive,
327 budget and expend funds from any source in accordance with the
328 rules and regulations of the Department of Finance and
329 Administration in a manner consistent with the escalation of
330 federal funds.

331 **SECTION 11.** It is the intention of the Legislature that the
332 Department of Public Safety shall not issue citations for
333 violations of speed limits on a quota basis. No funds expended
334 under this act shall be used for such quota-based citations for
335 violations of speed limits.

336 **SECTION 12.** In compliance with the "Mississippi Performance
337 Budget and Strategic Planning Act of 1994," it is the intent of
338 the Legislature that the funds provided herein shall be utilized
339 in the most efficient and effective manner possible to achieve the
340 intended mission of this agency. Based on the funding authorized,
341 this agency shall make every effort to attain the targeted
342 performance measures provided below:

	FY2003
<u>Performance Measures</u>	<u>Target</u>
Enforcement	
Increased Enforcement - Citations (%)	0.00
Decreased Fatalies (%)	-0.86
Increased DUI Arrests - Inc Felony DUIs(%)	0.0
Criminal Investigations (Actions)	1,500

350	Driver Services	
351	Driver's Licenses/ID Cards Issued (Items)	663,800
352	Cost per License Document Produced (\$)	9.01
353	Drivers Suspended (Persons)	152,000
354	Accident Reports Processed (Actions)	102,800
355	Motor Veh Inspect Stickers Sold (Items)	1,970,000
356	Support Services	
357	Training of Switch/Repository	
358	Classes (Number of Classes)	35
359	Audit of User Agencies (Number)	100
360	Emerg Telecommunications Tng	
361	Emerg Telecomm Certified (Persons)	450
362	Certification Transactions (Actions)	1,350
363	Training Quality Monitoring (Actions)	50
364	Forensic Analysis	
365	Reports Issued (Cases)	30,000
366	Court Testimonies (Cases)	500
367	Cost per Case Analyzed (\$)	325
368	Cost per Testimony (\$)	500
369	Dna Analysis	
370	Known Sex Offender Samples (Items)	2,500
371	Proficiency Samples (Items)	1,000
372	Casework Samples Examined (Items)	1,500
373	Cost per Sample (\$)	500
374	Training Academy	
375	Basic Students to Graduate (Persons)	240
376	Basic Refresher Students to	
377	Graduate (Persons)	40
378	In-Service & Advanced Students to	
379	Graduate (Persons)	1,000
380	Forensic Pathology	
381	Deaths Investigated (Actions)	16,000
382	Autopsies Performed at SME Office (Actions)	50
383	Cost per Autopsy Performed (\$)	300
384	Jail Officer Training	
385	County Jail Officers Certified (Persons)	250

386	Certification Transactions (Actions)	500
387	Law Enforcement Training	
388	Basic Law Enforc Officers Certified(Persons)	525
389	Certification Transactions (Actions)	2,000
390	Training Quality Monitoring (Actions)	100
391	Public Safety Planning	
392	Statewide Programs Supported (Programs)	282
393	Juvenile Jail Alternatives Dev(Alternatives)	40
394	Narcotics Units Established (Units)	17
395	Drug-Free Programs Impact (Persons)	100,000
396	Council On Aging	
397	Number of Board Meetings (Meetings)	6
398	Establish TRIAD Programs (Programs)	20
399	Conduct Training Programs (Programs)	20
400	Provide On-Site Tech Assistance (Actions)	80

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

405 **SECTION 13.** In addition to all other sums heretofore
406 appropriated, the following sum, or so much thereof as may be
407 necessary, is hereby appropriated and authorized to be transferred
408 from Highway Patrol Special Fund No. 371C to Highway Patrol
409 Special Fund No. 3711, as authorized by the Commissioner of Public
410 Safety for the purpose of defraying the expenses of the
411 Mississippi Highway Safety Patrol in accordance with Section 45-1-
412 2 et seq., Mississippi Code of 1972, for the fiscal year ending
413 June 30, 2002..... \$ 4,000,000.00.

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

417 **SECTION 14.** It is the intention of the legislature that Fair
418 Labor Standards Act (FLSA) non-exempt sworn officers may
419 accumulate and/or receive monetary compensation for compensatory
420 time not to exceed 300 hours in any fiscal year. FLSA exempt
421 sworn officers may accumulate and/or receive monetary compensation

422 for compensatory time not to exceed 300 hours in any fiscal year.

423 Further, any FLSA exempt sworn officer having more than 300 hours
424 of compensatory time on record as of passage of this bill shall
425 exhaust through usage the excess compensatory time by December 31,
426 2002. Any compensatory time in excess of 300 hours of exempt
427 sworn officers as of January 1, 2003, shall be forfeited and the
428 balance shall be reduced to 300 hours. However, the Commissioner
429 shall have the authority to authorize compensatory time in excess
430 of 300 hours for exempt and non-exempt sworn officers to carry out
431 the duties and functions of the Department of Public Safety during
432 times of extraordinary or unusual public safety risks, or for
433 federally funded call back details, or for full or part time
434 assignments to federally funded task forces. However, at no time
435 will compensation of FLSA non-exempt or exempt sworn officers
436 exceed in total the compensation of the agency head pursuant to
437 Section 25-3-39(2), Mississippi Code of 1972.

438 **SECTION 15.** Of the funds appropriated herein the sum of
439 Three Million Nine Hundred Eighty-four Thousand Dollars
440 (\$3,984,000.00) is hereby authorized to be transferred from
441 Special Fund No. 3742, and the sum of Four Million One Hundred One
442 Thousand Dollars (\$4,101,000.00) from Special Fund No. 3744 to
443 Special Fund No. 3711.

444 The Commissioner of Public Safety shall have the authority to
445 transfer Department of Public Safety Special Funds from any
446 Division within the Department of Public Safety to any other
447 Division of the Department of Public Safety Special Funds
448 including Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,
449 3742, 3744, 3747, not to exceed Four Million Dollars
450 (\$4,000,000.00) collectively during the fiscal year ending
451 June 30, 2003.

452 **SECTION 16.** Of the funds appropriated under the provisions
453 of Section 2, Five Hundred Seven Thousand One Hundred Ninety-three
454 Dollars (\$507,193.00) shall be derived from the Budget Contingency
455 Fund created in Section 27-103-301, Mississippi Code of 1972.

456 **SECTION 17.** In addition to all other sums heretofore
457 appropriated, the following sum, or so much thereof as may be

458 necessary, is hereby appropriated and authorized to be transferred
459 from Crime Laboratory Special Fund No. 371E to Crime Laboratory
460 Special Fund No. 3713, as authorized by the Commissioner of Public
461 Safety for the purpose of defraying the expenses of the Crime
462 Laboratory in accordance with Section 45-1-2 et seq., Mississippi
463 Code of 1972, for the fiscal year ending June 30, 2002.....
464 \$ 260,000.00.

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

468 **SECTION 18.** It is the intention of the Legislature that all
469 Fair Labor Standards Act (FLSA) non-exempt sworn officers who are
470 working 171 hours in a twenty-eight (28) day work cycle be
471 compensated at an hourly rate based on 2,087.143 hours per year.
472 This section and its provisions shall be known and cited as the
473 "David R. Huggins Act of 2002".

474 **SECTION 19.** The money herein appropriated shall be paid by
475 the State Treasurer out of any money in the State Treasury to the
476 credit of the proper fund or funds as set forth in this act, upon
477 warrants issued by the State Fiscal Officer; and the State Fiscal
478 Officer shall issue his warrants upon requisitions signed by the
479 proper person, officer or officers, in the manner provided by law.

480 **SECTION 20.** This act shall take effect and be in force from
481 and after July 1, 2002, except for Sections 13 and 17 which shall
482 take effect and be in force from and after its passage.

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