

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

To: Appropriations

SENATE BILL NO. 2952

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2004.

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, 2003, and ending June 30, 2004.....  
9 ..... \$ 43,119,591.00.

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, 2003, and ending June 30, 2004..... \$ 48,475,694.00.

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.. \$ 37,286,662.00  
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.....	\$	48,008,897.00

32 FUNDING:

33	General Funds.....	\$	32,022,110.00
34	Special Funds.....		<u>15,986,787.00</u>
35	Total.....	\$	48,008,897.00

36 AUTHORIZED POSITIONS:

37	Permanent:	Full Time.....	887
38		Part Time.....	0
39	Time-Limited:	Full Time.....	1
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..	\$	755,912.00
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.....		31,400.00
51	Subsidies, Loans and Grants.....		<u>217,800.00</u>
52	Total.....	\$	1,580,320.00

53 FUNDING:

54	General Funds.....	\$	584,203.00
55	Special Funds.....		<u>996,117.00</u>
56	Total.....	\$	1,580,320.00

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.. \$	4,406,262.00
74	Travel and Subsistence.....	26,500.00
75	Contractual Services.....	4,660,000.00
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..... \$	9,540,568.00

82 FUNDING:

83	General Funds..... \$	5,626,631.00
84	Special Funds.....	<u>3,913,937.00</u>
85	Total..... \$	9,540,568.00

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..	\$	4,834,187.00
95	Travel and Subsistence.....		39,000.00
96	Contractual Services.....		884,007.00
97	Commodities.....		277,060.00
98	Capital Outlay:		
99	Other Than Equipment.....		0.00
100	Equipment.....		185,000.00
101	Subsidies, Loans and Grants.....		<u>35,000.00</u>
102	Total.....	\$	6,254,254.00

103 FUNDING:

104	General Funds.....	\$	4,222,586.00
105	Special Funds.....		<u>2,031,668.00</u>
106	Total.....	\$	6,254,254.00

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..	\$	78,071.00
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.....		18,900.00
122	Subsidies, Loans and Grants.....		<u>0.00</u>
123	Total.....	\$	341,350.00

124 FUNDING:

125	General Funds.....	\$	208,661.00
126	Special Funds.....		<u>132,689.00</u>



127 Total..... \$ 341,350.00

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.. \$ 322,073.00



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.....	6,700.00
166	Subsidies, Loans and Grants.....	<u>1,678,500.00</u>
167	Total.....	\$ 2,647,773.00

168 FUNDING:

169	General Funds.....	\$ 0.00
170	Special Funds.....	<u>2,647,773.00</u>
171	Total.....	\$ 2,647,773.00

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.. \$ 89,439.00

204 Travel and Subsistence..... 6,000.00

205 Contractual Services..... 53,660.00

206 Commodities..... 17,850.00

207 Capital Outlay:

208 Other Than Equipment..... 0.00

209 Equipment..... 4,000.00

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

211 Total..... \$ 670,949.00

212 FUNDING:

213 General Funds..... \$ 0.00

214 Special Funds..... 670,949.00

215 Total..... \$ 670,949.00

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.. \$ 100,106.00

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.....	4,200.00
231	Subsidies, Loans and Grants.....	<u>285,000.00</u>
232	Total..... \$	690,406.00
233	FUNDING:	
234	General Funds..... \$	0.00
235	Special Funds.....	<u>690,406.00</u>
236	Total..... \$	690,406.00

237 AUTHORIZED POSITIONS:

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

242 With the funds herein appropriated, it is the intention of  
243 the Legislature that it shall be the agency's responsibility to  
244 make certain that funds required to be appropriated for "Personal  
245 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004  
246 funds appropriated for that purpose, unless programs or positions  
247 are added to the agency's Fiscal Year 2005 budget by the  
248 Mississippi Legislature. Based on data provided by the  
249 Legislative Budget Office, the State Personnel Board shall  
250 determine and publish the projected annual cost to fully fund all  
251 appropriated positions in compliance with the provisions of this  
252 act. It shall be the responsibility of the agency head to insure  
253 that no single personnel action increases this projected annual  
254 cost and/or the Fiscal Year 2004 appropriation for "Personal  
255 Services" when annualized. If, at the end of any calendar month,  
256 the State Personnel Board determines that the agency has taken  
257 action(s) which would cause the agency to exceed this projected  
258 annual cost or the Fiscal Year 2004 "Personal Services"





259 appropriated level, when annualized, then only those actions which  
260 reduce the projected annual cost and/or the appropriation  
261 requirement will be processed by the State Personnel Board until  
262 such time as the requirements of this provision are met.

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

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

270 **SECTION 4.** The Commissioner of Public Safety may, on a case  
271 by case basis, within funds available, recommend that corrective  
272 salary adjustments be made to the compensation of employees of the  
273 Department of Public Safety where an inequity was created between  
274 employees of equivalent capacity by previous application of the  
275 agency appropriation acts. Any such corrective salary adjustment  
276 plan must have prior approval by the State Personnel Board. Such  
277 adjustments will not be retroactive.

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

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

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



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

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

304           **SECTION 9.** It is the intention of the Legislature that the  
305 Department of Public Safety shall have the authority to receive,  
306 budget and expend funds from any source in accordance with the  
307 rules and regulations of the Department of Finance and  
308 Administration in a manner consistent with the escalation of  
309 federal funds.

310           **SECTION 10.** It is the intention of the Legislature that the  
311 Department of Public Safety shall not issue citations for  
312 violations of speed limits on a quota basis. No funds expended  
313 under this act shall be used for such quota-based citations for  
314 violations of speed limits.

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

322		FY2004
323	<u>Performance Measures</u>	<u>Target</u>



324	Enforcement	
325	Increased Enforcement - Citations (%)	0.00
326	Decreased Fatalies (%)	12.50
327	Increased DUI Arrests - Inc Felony DUIs (%)	0.00
328	Criminal Investigations (Actions)	1,500
329	Driver Services	
330	Driver's Licenses/ID Cards Issued (Items)	663,800
331	Cost per License Document Produced (\$)	9.01
332	Drivers Suspended (Persons)	152,000
333	Accident Reports Processed (Actions)	102,800
334	Motor Veh Inspect Stickers Sold (Items)	1,970,000
335	Support Services	
336	Training of Switch/Repository	
337	Classes (Number of Classes)	24
338	Audit of User Agencies (Number)	100
339	Emerg Telecommunications Tng	
340	Emerg Telecomm Certified (Persons)	450
341	Certification Transactions (Actions)	1,350
342	Training Quality Monitoring (Actions)	40
343	Forensic Analysis	
344	Reports Issued (Cases)	30,000
345	Court Testimonies (Cases)	400
346	Cost per Case Analyzed (\$)	300
347	Cost per Testimony (\$)	500
348	Dna Analysis	
349	Known Sex Offender Samples (Items)	10,000
350	Proficiency Samples (Items)	1,500
351	Casework Samples Examined (Items)	1,000
352	Cost per Sample (\$)	500
353	Training Academy	
354	Basic Students to Graduate (Persons)	240
355	Basic Refresher Students to	
356	Graduate (Persons)	60



357	In-Service & Advanced Students	
358	to Graduate (Persons)	1,250
359	Forensic Pathology	
360	Deaths Investigated (Actions)	15,700
361	Autopsies Performed at SME Office (Actions)	100
362	Cost per Autopsy Performed (\$)	300
363	Jail Officer Training	
364	County Jail Officers Certified (Persons)	500
365	Certification Transactions (Actions)	1,000
366	Law Enforcement Training	
367	Basic Law Enforc Officers Certified (Persons)	500
368	Certification Transactions (Actions)	2,000
369	Training Quality Monitoring (Actions)	100
370	Public Safety Planning	
371	Statewide Programs Supported (Programs)	360
372	Juvenile Jail Alternatives Dev (Alternatives)	25
373	Narcotics Units Established (Units)	17
374	Drug-Free Programs Impact (Persons)	100,000
375	Council On Aging	
376	Number of Board Meetings (Meetings)	6
377	Establish TRIAD Programs (Programs)	20
378	Conduct Training Programs (Programs)	20
379	Provide On-Site Tech Assistance (Actions)	50
380	A reporting of the degree to which the performance targets	
381	set above have been or are being achieved shall be provided in the	
382	agency's budget request submitted to the Joint Legislative Budget	
383	Committee for Fiscal Year 2005.	
384	<b>SECTION 12.</b> It is the intention of the legislature that Fair	
385	Labor Standards Act (FLSA) non-exempt sworn officers may	
386	accumulate and/or receive monetary compensation for compensatory	
387	time not to exceed 300 hours in any fiscal year. FLSA exempt	
388	sworn officers may accumulate and/or receive monetary compensation	
389	for compensatory time not to exceed 300 hours in any fiscal year.	



390 Further, any FLSA exempt sworn officer having more than 300 hours  
391 of compensatory time on record as of passage of this bill shall  
392 exhaust through usage the excess compensatory time by December 31,  
393 2003. Any compensatory time in excess of 300 hours of exempt  
394 sworn officers as of January 1, 2004, shall be forfeited and the  
395 balance shall be reduced to 300 hours. However, the Commissioner  
396 shall have the authority to authorize compensatory time in excess  
397 of 300 hours for exempt and non-exempt sworn officers to carry out  
398 the duties and functions of the Department of Public Safety during  
399 times of extraordinary or unusual public safety risks, or for  
400 federally funded call back details, or for full- or part-time  
401 assignments to federally funded task forces. However, at no time  
402 will compensation of FLSA non-exempt or exempt sworn officers  
403 exceed in total the compensation of the agency head pursuant to  
404 Section 25-3-39(2), Mississippi Code of 1972.

405       **SECTION 13.** The Commissioner of Public Safety shall have the  
406 authority to transfer Department of Public Safety Special Funds  
407 from any Division within the Department of Public Safety to any  
408 other Division of the Department of Public Safety Special Funds  
409 including Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,  
410 3742, 3744, 3747, not to exceed Four Million Dollars  
411 (\$4,000,000.00) collectively during Fiscal Year 2004.

412       **SECTION 14.** It is the intention of the Legislature that all  
413 Fair Labor Standards Act (FLSA) non-exempt sworn officers who are  
414 working 171 hours in a 28-day work cycle be compensated at an  
415 hourly rate based on 2,087.143 hours per year. This section and  
416 its provisions shall be known and cited as the "David R. Huggins  
417 Act of 2002".

418       **SECTION 15.** It is the intention of the Legislature that none  
419 of the funds appropriated by this act shall be expended for  
420 increased charges for State and School Employees' Health Insurance  
421 Plan premium rates assessed by the Department of Finance and



422 Administration in excess of the Fiscal Year 2003 premium rates for  
423 the health insurance plan.

424         **SECTION 16.** The money herein appropriated shall be paid by  
425 the State Treasurer out of any money in the State Treasury to the  
426 credit of the proper fund or funds as set forth in this act, upon  
427 warrants issued by the State Fiscal Officer; and the State Fiscal  
428 Officer shall issue his warrants upon requisitions signed by the  
429 proper person, officer or officers, in the manner provided by law.

430         **SECTION 17.** This act shall take effect and be in force from  
431 and after July 1, 2003.

