

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

To: Appropriations

SENATE BILL NO. 2952
(As Sent to Governor)

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 \$ 43,223,649.00.

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..... \$ 50,420,885.00.

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.. \$ 38,834,254.00
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.....	\$	49,556,489.00

32 FUNDING:

33	General Funds.....	\$	32,105,702.00
34	Special Funds.....		<u>17,450,787.00</u>
35	Total.....	\$	49,556,489.00

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..	\$	770,656.00
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.....	\$	1,595,064.00

53 FUNDING:

54	General Funds.....	\$	585,175.00
55	Special Funds.....		<u>1,009,889.00</u>
56	Total.....	\$	1,595,064.00

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.. \$	4,589,846.00
74	Travel and Subsistence.....	46,500.00
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..... \$	9,744,152.00

82 FUNDING:

83	General Funds..... \$	5,637,215.00
84	Special Funds.....	<u>4,106,937.00</u>
85	Total..... \$	9,744,152.00

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..	\$	4,842,611.00
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.....	\$	6,262,678.00

103 FUNDING:

104	General Funds.....	\$	4,231,010.00
105	Special Funds.....		<u>2,031,668.00</u>
106	Total.....	\$	6,262,678.00

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..	\$	78,287.00
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.....	\$	341,566.00

124 FUNDING:

125	General Funds.....	\$	208,877.00
126	Special Funds.....		<u>132,689.00</u>



127 Total..... \$ 341,566.00

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.. \$ 1,453,313.00

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..... \$ 21,382,008.00

146 FUNDING:

147 General Funds..... \$ 455,670.00

148 Special Funds..... 20,926,338.00

149 Total..... \$ 21,382,008.00

150 AUTHORIZED POSITIONS:

151 Permanent: Full Time..... 12

152 Part Time..... 0

153 Time-Limited: Full Time..... 18

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.. \$ 419,989.00



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..... \$	2,745,689.00

168 FUNDING:

169	General Funds..... \$	0.00
170	Special Funds.....	<u>2,745,689.00</u>
171	Total..... \$	2,745,689.00

172 AUTHORIZED POSITIONS:

173	Permanent: Full Time.....	9
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.. \$	110,151.00
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..... \$	655,101.00

190 FUNDING:

191	General Funds..... \$	0.00
192	Special Funds.....	<u>655,101.00</u>



193 Total..... \$ 655,101.00

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.. \$ 89,655.00

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..... \$ 671,165.00

212 FUNDING:

213 General Funds..... \$ 0.00

214 Special Funds..... 671,165.00

215 Total..... \$ 671,165.00

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.. \$ 100,322.00

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..... \$	690,622.00
233	FUNDING:	
234	General Funds..... \$	0.00
235	Special Funds.....	<u>690,622.00</u>
236	Total..... \$	690,622.00

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 ten percent (10%).

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.** Of the funds provided under the provisions of
316 this act, One Hundred Sixty Thousand Thirty-eight Dollars
317 (\$160,038.00) may be used to reallocate or reclassify existing
318 positions of this agency.

319 **SECTION 12.** The Commissioner of Public Safety shall have the
320 authority to transfer Department of Public Safety Special Funds
321 from any Division within the Department of Public Safety to any
322 other Division of the Department of Public Safety Special Funds
323 including Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,



324 3742, 3744, 3747, not to exceed Four Million Dollars
325 (\$4,000,000.00) collectively during Fiscal Year 2004.

326 **SECTION 13.** It is the intention of the Legislature that all
327 Fair Labor Standards Act (FLSA) non-exempt sworn officers who are
328 working 171 hours in a 28-day work cycle be compensated at an
329 hourly rate based on 2,087.143 hours per year. This section and
330 its provisions shall be known and cited as the "David R. Huggins
331 Act of 2002".

332 **SECTION 14.** Funds are provided herein for the longevity
333 component of the Variable Compensation Plan in the amount of Two
334 Thousand Five Hundred Dollars (\$2,500.00) for the Commissioner of
335 Public Safety and the Chief of the Highway Safety Patrol pursuant
336 to Section 25-3-37(2), Mississippi Code of 1972, and may be
337 awarded no later than December 31, 2003, unless Section 25-3-33,
338 Mississippi Code of 1972, is repealed effective July 1, 2003.

339 **SECTION 15.** It is the intention of the Legislature that the
340 Department of Public Safety shall provide an annual report to the
341 Mississippi Legislature detailing all legislators who were
342 transported in highway patrol aircraft during the fiscal year.
343 The report shall be provided to each member of the Mississippi
344 Legislature on or before January 15, 2004.

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

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

