

By: Senator(s) Gordon, Little, Huggins,
Cuevas, Hyde-Smith, Simmons, Wilemon

To: Appropriations

SENATE BILL NO. 3141

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2005.

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, 2004, and ending June 30, 2005.....
9 \$ 42,901,019.00.

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, 2004, and ending June 30, 2005..... \$ 41,422,790.00.

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.. \$ 38,079,301.00
24 Travel and Subsistence..... 91,000.00
25 Contractual Services..... 2,566,800.00
26 Commodities..... 2,210,750.00

27 Capital Outlay:

28	Other Than Equipment.....		75,000.00
29	Equipment.....		1,000,000.00
30	Subsidies, Loans and Grants.....		<u>54,850.00</u>
31	Total.....	\$	44,077,701.00

32 FUNDING:

33	General Funds.....	\$	32,105,702.00
34	Special Funds.....		<u>11,971,999.00</u>
35	Total.....	\$	44,077,701.00

36 AUTHORIZED POSITIONS:

37	Permanent:	Full Time.....	780
38		Part Time.....	0
39	Time-Limited:	Full Time.....	64
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..	\$	734,247.00
45	Travel and Subsistence.....		4,600.00
46	Contractual Services.....		370,000.00
47	Commodities.....		198,108.00

48 Capital Outlay:

49	Other Than Equipment.....		0.00
50	Equipment.....		21,580.00
51	Subsidies, Loans and Grants.....		<u>200,000.00</u>
52	Total.....	\$	1,528,535.00

53 FUNDING:

54	General Funds.....	\$	567,860.00
55	Special Funds.....		<u>960,675.00</u>
56	Total.....	\$	1,528,535.00

57 AUTHORIZED POSITIONS:

58	Permanent:	Full Time.....	19
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.. \$	4,062,254.00
74	Travel and Subsistence.....	26,000.00
75	Contractual Services.....	2,566,007.00
76	Commodities.....	258,000.00
77	Capital Outlay:	
78	Other Than Equipment.....	0.00
79	Equipment.....	100,000.00
80	Subsidies, Loans and Grants.....	<u>20,000.00</u>
81	Total..... \$	7,032,261.00

82 FUNDING:

83	General Funds..... \$	5,401,306.00
84	Special Funds.....	<u>1,630,955.00</u>
85	Total..... \$	7,032,261.00

86 AUTHORIZED POSITIONS:

87	Permanent: Full Time.....	93
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..	\$	4,357,775.00
95	Travel and Subsistence.....		39,000.00
96	Contractual Services.....		841,950.00
97	Commodities.....		277,060.00
98	Capital Outlay:		
99	Other Than Equipment.....		0.00
100	Equipment.....		140,000.00
101	Subsidies, Loans and Grants.....		<u>20,000.00</u>
102	Total.....	\$	5,675,785.00

103 FUNDING:

104	General Funds.....	\$	4,173,025.00
105	Special Funds.....		<u>1,502,760.00</u>
106	Total.....	\$	5,675,785.00

107 AUTHORIZED POSITIONS:

108	Permanent:	Full Time.....	81
109		Part Time.....	0
110	Time-Limited:	Full Time.....	0
111		Part Time.....	0

112 **DIVISION OF MEDICAL EXAMINER**

113 MAJOR OBJECTS OF EXPENDITURE:

114 Personal Services:

115	Salaries, Wages and Fringe Benefits..	\$	78,377.00
116	Travel and Subsistence.....		4,000.00
117	Contractual Services.....		175,879.00
118	Commodities.....		59,450.00
119	Capital Outlay:		
120	Other Than Equipment.....		0.00
121	Equipment.....		16,500.00
122	Subsidies, Loans and Grants.....		<u>0.00</u>
123	Total.....	\$	334,206.00

124 FUNDING:

125	General Funds.....	\$	201,517.00
126	Special Funds.....		<u>132,689.00</u>

127 Total..... \$ 334,206.00

128 AUTHORIZED POSITIONS:

129 Permanent: Full Time..... 3

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.. \$ 1,325,992.00

138 Travel and Subsistence..... 55,000.00

139 Contractual Services..... 560,000.00

140 Commodities..... 61,500.00

141 Capital Outlay:

142 Other Than Equipment..... 0.00

143 Equipment..... 13,400.00

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

145 Total..... \$ 21,239,587.00

146 FUNDING:

147 General Funds..... \$ 451,609.00

148 Special Funds..... 20,787,978.00

149 Total..... \$ 21,239,587.00

150 AUTHORIZED POSITIONS:

151 Permanent: Full Time..... 12

152 Part Time..... 0

153 Time-Limited: Full Time..... 13

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.. \$ 292,985.00

160	Travel and Subsistence.....		6,000.00
161	Contractual Services.....		507,700.00
162	Commodities.....		12,000.00
163	Capital Outlay:		
164	Other Than Equipment.....		0.00
165	Equipment.....		3,350.00
166	Subsidies, Loans and Grants.....		<u>1,678,500.00</u>
167	Total.....	\$	2,500,535.00
168	FUNDING:		
169	General Funds.....	\$	0.00
170	Special Funds.....		<u>2,500,535.00</u>
171	Total.....	\$	2,500,535.00
172	AUTHORIZED POSITIONS:		
173	Permanent: Full Time.....	6	
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..	\$	116,731.00
182	Travel and Subsistence.....		2,100.00
183	Contractual Services.....		163,800.00
184	Commodities.....		6,850.00
185	Capital Outlay:		
186	Other Than Equipment.....		0.00
187	Equipment.....		2,200.00
188	Subsidies, Loans and Grants.....		<u>325,000.00</u>
189	Total.....	\$	616,681.00
190	FUNDING:		
191	General Funds.....	\$	0.00
192	Special Funds.....		<u>616,681.00</u>

193 Total..... \$ 616,681.00

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.. \$ 89,816.00

204 Travel and Subsistence..... 3,400.00

205 Contractual Services..... 48,660.00

206 Commodities..... 17,850.00

207 Capital Outlay:

208 Other Than Equipment..... 0.00

209 Equipment..... 2,000.00

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

211 Total..... \$ 661,726.00

212 FUNDING:

213 General Funds..... \$ 0.00

214 Special Funds..... 661,726.00

215 Total..... \$ 661,726.00

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.. \$ 100,492.00

225 Travel and Subsistence..... 1,000.00

226	Contractual Services.....		260,200.00
227	Commodities.....		8,000.00
228	Capital Outlay:		
229	Other Than Equipment.....		0.00
230	Equipment.....		2,100.00
231	Subsidies, Loans and Grants.....		<u>285,000.00</u>
232	Total.....	\$	656,792.00
233	FUNDING:		
234	General Funds.....	\$	0.00
235	Special Funds.....		<u>656,792.00</u>
236	Total.....	\$	656,792.00

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 2006 do not exceed Fiscal Year 2005
246 funds appropriated for that purpose, unless programs or positions
247 are added to the agency's Fiscal Year 2006 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 2005 appropriation for "Personal
255 Services" when annualized, with the exception of escalated funds.
256 If, at the time the agency takes any action to change "Personal
257 Services," the State Personnel Board determines that the agency
258 has taken an action which would cause the agency to exceed this

259 projected annual cost or the Fiscal Year 2005 "Personal Services"
260 appropriated level, when annualized, then only those actions which
261 reduce the projected annual cost and/or the appropriation
262 requirement will be processed by the State Personnel Board until
263 such time as the requirements of this provision are met.

264 Any transfers or escalations shall be made in accordance with
265 the terms, conditions and procedures established by law or
266 allowable under the terms set forth within this act. The State
267 Personnel Board shall not escalate positions without written
268 approval from the Department of Finance and Administration. The
269 Department of Finance and Administration shall not provide written
270 approval to escalate any funds for salaries and/or positions
271 without proof of availability of new or additional funds above the
272 appropriated level.

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

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

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

288 **SECTION 5.** The Commissioner of Public Safety shall have the
289 authority to transfer State General Funds appropriated herein from
290 any Division within the Department of Public Safety to any other
291 Division within the Department of Public Safety between any major

292 objects of expenditure, including but not limited to Salaries,
293 Wages, and Fringe Benefits, not to exceed ten percent (10%).

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

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

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

311 **SECTION 9.** It is the intention of the Legislature that the
312 Department of Public Safety shall have the authority to receive,
313 budget and expend funds from any source in accordance with the
314 rules and regulations of the Department of Finance and
315 Administration in a manner consistent with the escalation of
316 federal funds.

317 **SECTION 10.** It is the intention of the Legislature that the
318 Department of Public Safety shall not issue citations for
319 violations of speed limits on a quota basis. No funds expended
320 under this act shall be used for such quota-based citations for
321 violations of speed limits.

322 **SECTION 11.** The Commissioner of Public Safety shall have the
323 authority to transfer Department of Public Safety Special Funds
324 from any Division within the Department of Public Safety to any

325 other Division of the Department of Public Safety Special Funds
 326 including Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,
 327 3742, 3744, 3747, not to exceed Five Million Dollars
 328 (\$5,000,000.00) collectively during Fiscal Year 2005.

329 **SECTION 12.** 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:

336	FY2005
337 <u>Performance Measures</u>	<u>Target</u>
338 Enforcement	
339 Increased Enforcement - Citations (%)	0.00
340 Decreased Fatalities (%)	0.00
341 Increased DUI Arrests - Inc Felony DUIs (%)	0.00
342 Criminal Investigations (Actions)	1,500
343 Driver Services	
344 Driver's Licenses/ID Cards Issued (Items)	667,800
345 Cost per License Document Produced (\$)	9.01
346 Drivers Suspended (Persons)	152,000
347 Accident Reports Processed (Actions)	65,900
348 Motor Veh Inspect Stickers Sold (Items)	1,970,000
349 Support Services	
350 Training of Switch/Repository	
351 Classes (Number of Classes)	24
352 Audit of User Agencies (Number)	100
353 Emergency Telecomm Tng	
354 Emerg Telecomm Certified (Persons)	400
355 Certification Transactions (Actions)	1,200
356 Training Quality Monitoring (Actions)	30
357 Forensic Analysis	

358	Reports Issued (Cases)	25,000
359	Court Testimonies (Cases)	500
360	Cost per Case Analyzed (\$)	300
361	Cost per Testimony (\$)	500
362	Dna Analysis	
363	Known Sex Offender Samples (Items)	16,000
364	Proficiency Samples (Items)	300
365	Casework Samples Examined (Items)	1,500
366	Cost per Sample (\$)	500
367	Training Academy	
368	Basic Students to Graduate (Persons)	200
369	Basic Refresher Students to	
370	Graduate (Persons)	60
371	In-Service & Advanced Students	
372	to Graduate (Persons)	1,200
373	Forensic Pathology	
374	Deaths Investigated (Actions)	16,300
375	Autopsies Performed at SME Office (Actions)	100
376	Cost per Autopsy Performed (\$)	375
377	Jail Officer Training	
378	County Jail Officers Certified (Persons)	350
379	Certification Transactions (Actions)	700
380	Law Enforcement Training	
381	Basic Law Enforc Officers Certified (Persons)	450
382	Certification Transactions (Actions)	1,800
383	Training Quality Monitoring (Actions)	20
384	Public Safety Planning	
385	Statewide Programs Supported (Programs)	360
386	Juvenile Jail Alternatives Dev (Alternatives)	25
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)	10
392	Conduct Training Programs (Programs)	10
393	Provide On-Site Tech Assistance (Actions)	50

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 2006.

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

404 **SECTION 14.** The money herein appropriated shall be paid by
405 the State Treasurer out of any money in the State Treasury to the
406 credit of the proper fund or funds as set forth in this act, upon
407 warrants issued by the State Fiscal Officer; and the State Fiscal
408 Officer shall issue his warrants upon requisitions signed by the
409 proper person, officer or officers, in the manner provided by law.

410 **SECTION 15.** This act shall take effect and be in force from
411 and after July 1, 2004.