

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. 3141: 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, 2004, and ending June 30, 2005

9	\$ 53,392,886.00.
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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.....

15	\$ 49,164,645.00.
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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:

23 Salaries, Wages and Fringe Benefits ..	\$ 39,650,490.00
24 Travel and Subsistence.....	101,000.00
25 Contractual Services	3,026,800.00

26	Commodities	2,950,750.00
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.....	\$ 46,858,890.00

32 FUNDING:

33	General Funds	\$ 32,186,891.00
34	Special Funds	<u>14,671,999.00</u>
35	Total.....	\$ 46,858,890.00

36 AUTHORIZED POSITIONS:

37	Permanent: Full Time	876
38	Part Time	0
39	Time-Limited: Full Time	1
40	Part Time	10

41 **DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

42 MAJOR OBJECTS OF EXPENDITURE:

43 Personal Services:

44	Salaries, Wages and Fringe Benefits ..	\$ 784,855.00
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>218,000.00</u>
52	Total.....	\$ 1,597,143.00

53 FUNDING:

54	General Funds	\$ 573,164.00
55	Special Funds	<u>1,023,979.00</u>
56	Total.....	\$ 1,597,143.00

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 ...	\$	5,022,782.00
74	Travel and Subsistence.....		34,000.00
75	Contractual Services		3,386,007.00
76	Commodities.....		268,000.00
77	Capital Outlay:		
78	Other Than Equipment		0
79	Equipment		100,000.00
80	Subsidies, Loans and Grants.....		<u>20,000.00</u>
81	Total.....	\$	8,830,789.00

82 FUNDING:

83	General Funds	\$	5,461,834.00
84	Special Funds		<u>3,368,955.00</u>
85	Total.....	\$	8,830,789.00

86 AUTHORIZED POSITIONS:

87	Permanent:	Full Time	115
88		Part Time	0
89	Time-Limited:	Full Time	1

90 Part Time 6

91 **DIVISION OF CRIME LABORATORIES**

92 MAJOR OBJECTS OF EXPENDITURE:

93 Personal Services:

94 Salaries, Wages and Fringe Benefits .. \$ 4,608,319.00

95 Travel and Subsistence..... 46,000.00

96 Contractual Services 866,950.00

97 Commodities..... 309,060.00

98 Capital Outlay:

99 Other Than Equipment 0.00

100 Equipment 140,000.00

101 Subsidies, Loans and Grants..... 20,000.00

102 Total..... \$ 5,990,329.00

103 FUNDING:

104 General Funds \$ 4,223,569.00

105 Special Funds 1,766,760.00

106 Total..... \$ 5,990,329.00

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 .. \$ 79,625.00

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.....	\$	335,454.00
124	FUNDING:		
125	General Funds.....	\$	202,765.00
126	Special Funds.....		<u>132,689.00</u>
127	Total.....	\$	335,454.00
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 ..	\$	1,380,344.00
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.....		<u>19,223,695.00</u>
145	Total.....	\$	21,293,939.00
146	FUNDING:		
147	General Funds.....	\$	453,189.00
148	Special Funds.....		<u>20,840,750.00</u>
149	Total.....	\$	21,293,939.00
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 .. \$ 386,087.00

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..... 1,678,500.00

167 Total..... \$ 2,593,637.00

168 FUNDING:

169 General Funds \$ 0.00

170 Special Funds 2,593,637.00

171 Total..... \$ 2,593,637.00

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 .. \$ 117,979.00

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..... \$	617,929.00

190 FUNDING:

191	General Funds	\$ 0.00
192	Special Funds	<u>617,929.00</u>
193	Total..... \$	617,929.00

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 .. \$	98,064.00
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.....	<u>500,000.00</u>
211	Total..... \$	669,974.00

212 FUNDING:

213	General Funds	\$ 0.00
214	Special Funds	<u>669,974.00</u>
215	Total..... \$	669,974.00

216 AUTHORIZED POSITIONS:

217	Permanent: Full Time	2
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218	Part Time	0
219	Time-Limited: Full Time	0
220	Part Time	0

COUNTY JAIL OFFICER STANDARDS AND TRAINING BOARD

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

224	Salaries, Wages and Fringe Benefits .. \$	101,740.00
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..... \$	658,040.00

FUNDING:

234	General Funds	\$ 0.00
235	Special Funds	<u>658,040.00</u>
236	Total..... \$	658,040.00

AUTHORIZED POSITIONS:

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

OFFICE OF HOMELAND SECURITY

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

245	Salaries, Wages and Fringe Benefits .. \$	920,847.00
246	Travel and Subsistence.....	25,000.00
247	Contractual Services	35,000.00
248	Commodities.....	50,000.00
249	Capital Outlay:	
250	Other Than Equipment	0.00

251	Equipment	0.00
252	Subsidies, Loans and Grants.....	<u>0.00</u>
253	Total.....	\$ 1,030,847.00

254 FUNDING:

255	General Funds	\$ 423,627.00
256	Special Funds	<u>607,220.00</u>
257	Total.....	\$ 1,030,847.00

258 AUTHORIZED POSITIONS:

259	Permanent: Full Time	20
260	Part Time	0
261	Time-Limited: Full Time	2
262	Part Time	0

BUREAU OF NARCOTICS

264 MAJOR OBJECTS OF EXPENDITURE:

265 Personal Services:

266	Salaries, Wages and Fringe Benefits ..	\$ 8,172,460.00
267	Travel and Subsistence.....	90,000.00
268	Contractual Services	2,694,448.00
269	Commodities.....	321,058.00

270 Capital Outlay:

271	Other Than Equipment	0.00
272	Equipment	780,378.00
273	Subsidies, Loans and Grants.....	<u>22,216.00</u>
274	Total.....	\$ 12,080,560.00

275 FUNDING:

276	General Funds	\$ 9,867,847.00
277	Special Funds	<u>2,212,713.00</u>
278	Total.....	\$ 12,080,560.00

279 AUTHORIZED POSITIONS:

280	Permanent: Full Time	184
281	Part Time	0
282	Time-Limited: Full Time	1

283 Part Time 0

284 With the funds herein appropriated, it is the intention of
285 the Legislature that it shall be the agency's responsibility to
286 make certain that funds required to be appropriated for "Personal
287 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
288 funds appropriated for that purpose, unless programs or positions
289 are added to the agency's Fiscal Year 2006 budget by the
290 Mississippi Legislature. Based on data provided by the
291 Legislative Budget Office, the State Personnel Board shall
292 determine and publish the projected annual cost to fully fund all
293 appropriated positions in compliance with the provisions of this
294 act. It shall be the responsibility of the agency head to insure
295 that no single personnel action increases this projected annual
296 cost and/or the Fiscal Year 2005 appropriation for "Personal
297 Services" when annualized, with the exception of escalated funds.
298 If, at the time the agency takes any action to change "Personal
299 Services," the State Personnel Board determines that the agency
300 has taken an action which would cause the agency to exceed this
301 projected annual cost or the Fiscal Year 2005 "Personal Services"
302 appropriated level, when annualized, then only those actions which
303 reduce the projected annual cost and/or the appropriation
304 requirement will be processed by the State Personnel Board until
305 such time as the requirements of this provision are met.

306 Any transfers or escalations shall be made in accordance with
307 the terms, conditions and procedures established by law or
308 allowable under the terms set forth within this act. The State
309 Personnel Board shall not escalate positions without written
310 approval from the Department of Finance and Administration. The
311 Department of Finance and Administration shall not provide written
312 approval to escalate any funds for salaries and/or positions
313 without proof of availability of new or additional funds above the
314 appropriated level.

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

319 **SECTION 4.** The Commissioner of Public Safety may, on a case
320 by case basis, within funds available, recommend that corrective
321 salary adjustments be made to the compensation of employees of the
322 Department of Public Safety where an inequity was created between
323 employees of equivalent capacity by previous application of the
324 agency appropriation acts. Any such corrective salary adjustment
325 plan must have prior approval by the State Personnel Board. Such
326 adjustments will not be retroactive.

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

330 **SECTION 5.** The Commissioner of Public Safety shall have the
331 authority to transfer both positions and/or State General Funds
332 appropriated herein from any Division within the Department of
333 Public Safety to any other Division within the Department of
334 Public Safety between any major objects of expenditure, including
335 but not limited to Salaries, Wages, and Fringe Benefits, not to
336 exceed fifteen percent (15%).

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

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

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

354 **SECTION 9.** It is the intention of the Legislature that the
355 Department of Public Safety shall have the authority to receive,
356 budget and expend funds from any source in accordance with the
357 rules and regulations of the Department of Finance and
358 Administration in a manner consistent with the escalation of
359 federal funds.

360 **SECTION 10.** It is the intention of the Legislature that the
361 Department of Public Safety shall not issue citations for
362 violations of speed limits on a quota basis. No funds expended
363 under this act shall be used for such quota-based citations for
364 violations of speed limits.

365 **SECTION 11.** The Commissioner of Public Safety shall have the
366 authority to transfer Department of Public Safety Special Funds
367 from any Division within the Department of Public Safety to any
368 other Division of the Department of Public Safety Special Funds,
369 including but not limited to, Funds 3711, 371C, 371E, 3713, 3714,
370 3715, 3740, 3741, 3742, 3744, 3747, and 3718, not to exceed Five
371 Million Dollars (\$5,000,000.00) collectively during Fiscal Year
372 2005. Further, the Department of Public Safety shall be
373 authorized to escalate both funds and positions for any special
374 fund monies received for Homeland Security.

375 **SECTION 12.** In compliance with the "Mississippi Performance
376 Budget and Strategic Planning Act of 1994," it is the intent of
377 the Legislature that the funds provided herein shall be utilized

378 in the most efficient and effective manner possible to achieve the
 379 intended mission of this agency. Based on the funding authorized,
 380 this agency shall make every effort to attain the targeted
 381 performance measures provided below:

	FY2005
<u>Performance Measures</u>	<u>Target</u>
384 Enforcement	
385 Increased Enforcement - Citations (%)	0.00
386 Decreased Fatalities (%)	0.00
387 Increased DUI Arrests - Inc Felony DUIs (%)	0.00
388 Criminal Investigations (Actions)	1,500
389 Driver Services	
390 Driver's Licenses/ID Cards Issued (Items)	667,800
391 Cost per License Document Produced (\$)	9.01
392 Drivers Suspended (Persons)	152,000
393 Accident Reports Processed (Actions)	65,900
394 Motor Veh Inspect Stickers Sold (Items)	1,970,000
395 Support Services	
396 Training of Switch/Repository	
397 Classes (Number of Classes)	24
398 Audit of User Agencies (Number)	100
399 Emergency Telecomm Tng	
400 Emerg Telecomm Certified (Persons)	400
401 Certification Transactions (Actions)	1,200
402 Training Quality Monitoring (Actions)	30
403 Forensic Analysis	
404 Reports Issued (Cases)	25,000
405 Court Testimonies (Cases)	500
406 Cost per Case Analyzed (\$)	300
407 Cost per Testimony (\$)	500
408 Dna Analysis	
409 Known Sex Offender Samples (Items)	16,000

410	Proficiency Samples (Items)	300
411	Casework Samples Examined (Items)	1,500
412	Cost per Sample (\$)	500
413	Training Academy	
414	Basic Students to Graduate (Persons)	200
415	Basic Refresher Students to	
416	Graduate (Persons)	60
417	In-Service & Advanced Students	
418	to Graduate (Persons)	1,200
419	Forensic Pathology	
420	Deaths Investigated (Actions)	16,300
421	Autopsies Performed at SME Office (Actions)	100
422	Cost per Autopsy Performed (\$)	375
423	Jail Officer Training	
424	County Jail Officers Certified (Persons)	350
425	Certification Transactions (Actions)	700
426	Law Enforcement Training	
427	Basic Law Enforc Officers Certified (Persons)	450
428	Certification Transactions (Actions)	1,800
429	Training Quality Monitoring (Actions)	20
430	Public Safety Planning	
431	Statewide Programs Supported (Programs)	360
432	Juvenile Jail Alternatives Dev (Alternatives)	25
433	Narcotics Units Established (Units)	17
434	Drug-Free Programs Impact (Persons)	100,000
435	Council On Aging	
436	Number of Board Meetings (Meetings)	6
437	Establish TRIAD Programs (Programs)	10
438	Conduct Training Programs (Programs)	10
439	Provide On-Site Tech Assistance (Actions)	50
440	Drug Enforcement	
441	Arrests Made (Persons)	2908

442 Number of Prosecutions (Actions) 2063

443 Organizations Disrupted/Dismantled (Actions) 399

444 A reporting of the degree to which the performance targets
445 set above have been or are being achieved shall be provided in the
446 agency's budget request submitted to the Joint Legislative Budget
447 Committee for Fiscal Year 2006.

448 **SECTION 13.** Of the funds appropriated under the provisions
449 of Section 2, Five Million Eight Hundred Thousand Dollars
450 (\$5,800,000.00) shall be derived from the Budget Contingency Fund
451 created in Section 27-103-301, Mississippi Code of 1972, to defray
452 the expenses for the following:

453	Highway Patrol.....	\$	2,700,000.00
454	Support Services.....	\$	1,738,000.00
455	Crime Lab.....	\$	264,000.00
456	Training Academy.....	\$	58,000.00
457	Narcotics.....	\$	1,000,000.00
458	Planning Division.....	\$	40,000.00

459 **SECTION 14.** It is the intention of the Legislature that all
460 divisions within the Mississippi Department of Public Safety shall
461 maintain complete accounting and personnel records related to the
462 expenditure of all funds appropriated under this act and that such
463 records shall be in the same format and level of detail as
464 maintained for Fiscal Year 2004. It is further the intention of
465 the Legislature that the agency's budget request for Fiscal Year
466 2006 shall be submitted to the Joint Legislative Budget Committee
467 in a format and level of detail comparable to the format and level
468 of detail provided during the Fiscal Year 2005 budget request
469 process.

470 **SECTION 15.** Of the funds appropriated under the provisions
471 of Section 2, funds may be expended to defray the costs of
472 clothing for sworn non-uniform law enforcement officers in an

473 amount not to exceed One Thousand Dollars (\$1,000.00) annually per
474 officer.

475 **SECTION 16.** No funds appropriated herein shall be used for
476 the purpose of holding a Mississippi Highway Patrol Cadet School
477 During Fiscal Year 2005 unless additional special funds are
478 received specifically to cover the costs, both salaries and
479 administrative in nature. However, funds may be used to re-employ
480 former Mississippi Highway Safety Patrol Officers or to transfer
481 Mississippi Highway Safety Patrol Officers from the Bureau of
482 Narcotics to the Division of Mississippi Highway Safety Patrol
483 within the Department of Public Safety. Further, the Mississippi
484 Department of Public Safety shall escalate Cadet positions through
485 the Department of Finance and Administration if funds do become
486 available for a Mississippi Highway Patrol Cadet School During
487 Fiscal Year 2005.

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

494 **SECTION 18.** The money herein appropriated shall be paid by
495 the State Treasurer out of any money in the State Treasury to the
496 credit of the proper fund or funds as set forth in this act, upon
497 warrants issued by the State Fiscal Officer; and the State Fiscal
498 Officer shall issue his warrants upon requisitions signed by the

499 proper person, officer or officers, in the manner provided by law.

500 **SECTION 19.** This act shall take effect and be in force from

501 and after July 1, 2004.

CONFEREES FOR THE SENATE

X (SIGNED)
Jack Gordon

X (SIGNED)
Robert G. Huggins

X (SIGNED)
Scottie R. Cuevas

CONFEREES FOR THE HOUSE

X (SIGNED)
Johnny W. Stringer

X (SIGNED)
Jack Gadd

(NOT SIGNED)
Rufus Straughter