

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 3141**

**BY: Committee**

**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 ..... \$     39,363,200.00.

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..... \$     58,500,001.00.

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 purposes of expenditure:

**DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL**

**FUNDING:**

21       General Funds..... \$     28,754,510.00  
22       Special Funds..... 15,971,999.00

23 Total..... \$ 44,726,509.00

24 AUTHORIZED POSITIONS:

25 Permanent: Full Time..... 843

26 Part Time..... 0

27 Time-Limited: Full Time..... 1

28 Part Time..... 0

29 **DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

30 FUNDING:

31 General Funds..... \$ 556,114.00

32 Special Funds..... 965,979.00

33 Total..... \$ 1,522,093.00

34 AUTHORIZED POSITIONS:

35 Permanent: Full Time..... 19

36 Part Time..... 0

37 Time-Limited: Full Time..... 0

38 Part Time..... 0

39 It is the intention of the Legislature that all funds  
40 received as tuition fees, grants or donations by the Division of  
41 Law Enforcement Training Academy shall be deposited in a special  
42 fund in the State Treasury to be designated as "Law Enforcement  
43 Officers' Training Academy Fees and Donations Fund." It is  
44 further the intention of the Legislature that the Division of Law  
45 Enforcement Training Academy may increase fees at any time to  
46 offset any increases in operational costs.

47 **DIVISION OF SUPPORT SERVICES**

48 FUNDING:

49 General Funds..... \$ 5,299,834.00

50 Special Funds..... 2,630,955.00

51 Total..... \$ 7,930,789.00

52 AUTHORIZED POSITIONS:

53 Permanent: Full Time..... 96

54 Part Time..... 0

55 Time-Limited: Full Time..... 1  
 56 Part Time..... 0

**DIVISION OF CRIME LABORATORIES**

FUNDING:

59 General Funds..... \$ 4,112,206.00  
 60 Special Funds..... 1,502,760.00  
 61 Total..... \$ 5,614,966.00

AUTHORIZED POSITIONS:

63 Permanent: Full Time..... 81  
 64 Part Time..... 0  
 65 Time-Limited: Full Time..... 0  
 66 Part Time..... 0

**DIVISION OF MEDICAL EXAMINER**

FUNDING:

69 General Funds..... \$ 196,208.00  
 70 Special Funds..... 132,689.00  
 71 Total..... \$ 328,897.00

AUTHORIZED POSITIONS:

73 Permanent: Full Time..... 3  
 74 Part Time..... 0  
 75 Time-Limited: Full Time..... 0  
 76 Part Time..... 0

**DIVISION OF PUBLIC SAFETY PLANNING**

**OFFICE OF PUBLIC SAFETY PLANNING**

FUNDING:

80 General Funds..... \$ 444,328.00  
 81 Special Funds..... 20,800,750.00  
 82 Total..... \$ 21,245,078.00

AUTHORIZED POSITIONS:

84 Permanent: Full Time..... 12  
 85 Part Time..... 0  
 86 Time-Limited: Full Time..... 13

87 Part Time..... 0

88 **DIVISION OF PUBLIC SAFETY PLANNING**

89 **OFFICE OF LAW ENFORCEMENT STANDARDS AND TRAINING**

90 FUNDING:

91 General Funds..... \$ 0.00

92 Special Funds..... 2,456,465.00

93 Total..... \$ 2,456,465.00

94 AUTHORIZED POSITIONS:

95 Permanent: Full Time..... 8

96 Part Time..... 0

97 Time-Limited: Full Time..... 0

98 Part Time..... 0

99 **DIVISION OF PUBLIC SAFETY PLANNING**

100 **BOARD OF EMERGENCY TELECOMMUNICATIONS**

101 FUNDING:

102 General Funds..... \$ 0.00

103 Special Funds..... 605,829.00

104 Total..... \$ 605,829.00

105 AUTHORIZED POSITIONS:

106 Permanent: Full Time..... 3

107 Part Time..... 0

108 Time-Limited: Full Time..... 0

109 Part Time..... 0

110 **DIVISION OF PUBLIC SAFETY PLANNING**

111 **COUNCIL ON AGING**

112 FUNDING:

113 General Funds..... \$ 0.00

114 Special Funds..... 649,990.00

115 Total..... \$ 649,990.00

116 AUTHORIZED POSITIONS:

117 Permanent: Full Time..... 2

118 Part Time..... 0

119 Time-Limited: Full Time..... 0  
 120 Part Time..... 0

121 **COUNTY JAIL OFFICER STANDARDS AND TRAINING BOARD**

122 FUNDING:

123 General Funds..... \$ 0.00  
 124 Special Funds..... 645,153.00  
 125 Total..... \$ 645,153.00

126 AUTHORIZED POSITIONS:

127 Permanent: Full Time..... 2  
 128 Part Time..... 0  
 129 Time-Limited: Full Time..... 0  
 130 Part Time..... 0

131 **OFFICE OF LAW ENFORCEMENT**

132 FUNDING:

133 General Funds..... \$ 0.00  
 134 Special Funds..... 12,137,432.00  
 135 Total..... \$ 12,137,432.00

136 AUTHORIZED POSITIONS:

137 Permanent: Full Time..... 232  
 138 Part Time..... 0  
 139 Time-Limited: Full Time..... 0  
 140 Part Time..... 0

141 With the funds herein appropriated, it is the intention of  
 142 the Legislature that it shall be the agency's responsibility to  
 143 make certain that funds required to be appropriated for "Personal  
 144 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005  
 145 funds appropriated for that purpose, unless programs or positions  
 146 are added to the agency's Fiscal Year 2006 budget by the  
 147 Mississippi Legislature. Based on data provided by the  
 148 Legislative Budget Office, the State Personnel Board shall  
 149 determine and publish the projected annual cost to fully fund all  
 150 appropriated positions in compliance with the provisions of this

151 act. It shall be the responsibility of the agency head to insure  
152 that no single personnel action increases this projected annual  
153 cost and/or the Fiscal Year 2005 appropriation for "Personal  
154 Services" when annualized, with the exception of escalated funds.  
155 If, at the time the agency takes any action to change "Personal  
156 Services," the State Personnel Board determines that the agency  
157 has taken an action which would cause the agency to exceed this  
158 projected annual cost or the Fiscal Year 2005 "Personal Services"  
159 appropriated level, when annualized, then only those actions which  
160 reduce the projected annual cost and/or the appropriation  
161 requirement will be processed by the State Personnel Board until  
162 such time as the requirements of this provision are met.

163 Any transfers or escalations shall be made in accordance with  
164 the terms, conditions and procedures established by law or  
165 allowable under the terms set forth within this act. The State  
166 Personnel Board shall not escalate positions without written  
167 approval from the Department of Finance and Administration. The  
168 Department of Finance and Administration shall not provide written  
169 approval to escalate any funds for salaries and/or positions  
170 without proof of availability of new or additional funds above the  
171 appropriated level.

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

176 **SECTION 4.** The funds authorized herein shall be used to fund  
177 all operations of the agency with the following prohibitions:

178 (1) The agency shall not fill any current or future vacant  
179 positions;

180 (2) The agency shall not take any action to promote or  
181 otherwise award salary increases through reallocation,  
182 reclassification, realignment, education benchmark, career ladder,

183 or any other means to increase salaries of employees or positions  
184 except as allowed under the provisions set forth in House Bill No.  
185 1279, 2004 Regular Session;

186 (3) The agency shall not expend funds for out-of-state  
187 travel except as allowed under the provisions set forth in House  
188 Bill No. 1279, 2004 Regular Session;

189 (4) The agency shall not expend funds for the purchase of or  
190 contract for cellular phones, two-way radios or pagers, except for  
191 support of employees in the Department of Public Safety and the  
192 Bureau of Narcotics as recommended by Information Technology  
193 Services or as allowed under the provisions set forth in House  
194 Bill No. 1279, 2004 Regular Session;

195 (5) The agency shall not expend funds to publish or  
196 distribute any annual reports or other publications;

197 (6) The agency shall not expend funds for public relation  
198 activities regarding the functions, programs or services of the  
199 agency except as allowed under the provisions set forth in House  
200 Bill No. 1279, 2004 Regular Session;

201 (7) The agency shall not advertise the functions, programs  
202 or services of the agency except that the Mississippi Development  
203 Authority is authorized to expend funds for advertising to carry  
204 out the purposes of key programs administered by the authority;

205 (8) The agency shall not expend funds for staff development  
206 or training services;

207 (9) The agency shall not expend funds for the purchase of  
208 new or replacement equipment or furniture, excluding lease  
209 purchase payments on agreements in effect upon passage of this  
210 appropriation bill, except as allowed under the provisions set  
211 forth in House Bill No. 1279, 2004 Regular Session.

212 **SECTION 5.** It is the intention of the Legislature that none  
213 of the funds appropriated above shall be expended unless members  
214 of the Mississippi House of Representatives and Mississippi Senate

215 are notified at least five (5) days prior to a public ceremony  
216 announcing the award of any grant in their district or any public  
217 announcement or ceremony regarding the groundbreaking or opening  
218 of a facility, roadway or bridge for which the Legislature has  
219 made funds available. Any signage regarding any public event or  
220 any new facility, roadway or bridge shall include the following  
221 language: "Funds were made available for this project by the  
222 Mississippi State Legislature."

223       **SECTION 6.** It is the intention of the Legislature that the  
224 Department of Public Safety shall maintain complete accounting and  
225 personnel records related to the expenditure of all funds  
226 appropriated under this act and that such records shall be in the  
227 same format and level of detail as maintained for Fiscal Year  
228 2004. It is further the intention of the Legislature that the  
229 agency's budget request for Fiscal Year 2006 shall be submitted to  
230 the Joint Legislative Budget Committee in a format and level of  
231 detail comparable to the format and level of detail provided  
232 during the Fiscal Year 2005 budget request process.

233       **SECTION 7.** The Commissioner of Public Safety may, on a case  
234 by case basis, within funds available, recommend that corrective  
235 salary adjustments be made to the compensation of employees of the  
236 Department of Public Safety where an inequity was created between  
237 employees of equivalent capacity by previous application of the  
238 agency appropriation acts. Any such corrective salary adjustment  
239 plan must have prior approval by the State Personnel Board. Such  
240 adjustments will not be retroactive.

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

244       **SECTION 8.** The Commissioner of Public Safety shall have the  
245 authority to transfer State General Funds appropriated herein from  
246 any Division within the Department of Public Safety to any other



247 Division within the Department of Public Safety between any major  
248 objects of expenditure, including but not limited to Salaries,  
249 Wages, and Fringe Benefits, not to exceed ten percent (10%).

250 **SECTION 9.** It is the intent of the Legislature that the  
251 local governments pay for part of the computer cost of the  
252 Mississippi Justice Information Center by maintaining their  
253 contribution to the Department of Public Safety.

254 **SECTION 10.** It is the intention of the Legislature that the  
255 Department of Public Safety designate certain employees to aid the  
256 Division of Crime Laboratories in the billing and collecting of  
257 all fees charged for services rendered by the Division of Crime  
258 Laboratories.

259 **SECTION 11.** No part of the funds appropriated herein shall  
260 be transferred to, expended by, or used, directly or indirectly,  
261 for the benefit of any public relations, publicity or publication  
262 activities of any other state agency, department or officer, nor  
263 shall any personnel paid with funds appropriated herein be  
264 transferred or assigned to any other state agency, department or  
265 officer for public relations, publicity, or publication activities  
266 of such office.

267 **SECTION 12.** It is the intention of the Legislature that the  
268 Department of Public Safety shall have the authority to receive,  
269 budget and expend funds from any source in accordance with the  
270 rules and regulations of the Department of Finance and  
271 Administration in a manner consistent with the escalation of  
272 federal funds.

273 **SECTION 13.** It is the intention of the Legislature that the  
274 Department of Public Safety shall not issue citations for  
275 violations of speed limits on a quota basis. No funds expended  
276 under this act shall be used for such quota-based citations for  
277 violations of speed limits.

278           **SECTION 14.** The Commissioner of Public Safety shall have the  
 279 authority to transfer Department of Public Safety Special Funds  
 280 from any Division within the Department of Public Safety to any  
 281 other Division of the Department of Public Safety Special Funds  
 282 including Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,  
 283 3742, 3744, 3747, 3718, 3811, and 3941, not to exceed Five Million  
 284 Dollars (\$5,000,000.00) collectively during Fiscal Year 2005.

285           **SECTION 15.** In compliance with the "Mississippi Performance  
 286 Budget and Strategic Planning Act of 1994," it is the intent of  
 287 the Legislature that the funds provided herein shall be utilized  
 288 in the most efficient and effective manner possible to achieve the  
 289 intended mission of this agency. Based on the funding authorized,  
 290 this agency shall make every effort to attain the targeted  
 291 performance measures provided below:

	FY2005
<u>Performance Measures</u>	<u>Target</u>
294 Enforcement	
295       Increased Enforcement - Citations (%)	0.00
296       Decreased Fatalities (%)	0.00
297       Increased DUI Arrests - Inc Felony DUIs (%)	0.00
298       Criminal Investigations (Actions)	1,500
299 Driver Services	
300       Driver's Licenses/ID Cards Issued (Items)	667,800
301       Cost per License Document Produced (\$)	9.01
302       Drivers Suspended (Persons)	152,000
303       Accident Reports Processed (Actions)	65,900
304       Motor Veh Inspect Stickers Sold (Items)	1,970,000
305 Support Services	
306       Training of Switch/Repository	
307       Classes (Number of Classes)	24
308       Audit of User Agencies (Number)	100
309 Emergency Telecomm Tng	

310	Emerg Telecomm Certified (Persons)	400
311	Certification Transactions (Actions)	1,200
312	Training Quality Monitoring (Actions)	30
313	Forensic Analysis	
314	Reports Issued (Cases)	25,000
315	Court Testimonies (Cases)	500
316	Cost per Case Analyzed (\$)	300
317	Cost per Testimony (\$)	500
318	Dna Analysis	
319	Known Sex Offender Samples (Items)	16,000
320	Proficiency Samples (Items)	300
321	Casework Samples Examined (Items)	1,500
322	Cost per Sample (\$)	500
323	Training Academy	
324	Basic Students to Graduate (Persons)	200
325	Basic Refresher Students to	
326	Graduate (Persons)	60
327	In-Service & Advanced Students	
328	to Graduate (Persons)	1,200
329	Forensic Pathology	
330	Deaths Investigated (Actions)	16,300
331	Autopsies Performed at SME Office (Actions)	100
332	Cost per Autopsy Performed (\$)	375
333	Jail Officer Training	
334	County Jail Officers Certified (Persons)	350
335	Certification Transactions (Actions)	700
336	Law Enforcement Training	
337	Basic Law Enforc Officers Certified (Persons)	450
338	Certification Transactions (Actions)	1,800
339	Training Quality Monitoring (Actions)	20
340	Public Safety Planning	
341	Statewide Programs Supported (Programs)	360

342	Juvenile Jail Alternatives Dev (Alternatives)	25
343	Narcotics Units Established (Units)	17
344	Drug-Free Programs Impact (Persons)	100,000
345	Council On Aging	
346	Number of Board Meetings (Meetings)	6
347	Establish TRIAD Programs (Programs)	10
348	Conduct Training Programs (Programs)	10
349	Provide On-Site Tech Assistance (Actions)	50

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

354 **SECTION 16.** It is the intention of the Legislature that all  
355 Fair Labor Standards Act (FLSA) non-exempt sworn officers who are  
356 working 171 hours in a 28-day work cycle be compensated at an  
357 hourly rate based on 2,087.143 hours per year. This section and  
358 its provisions shall be known and cited as the "David R. Huggins  
359 Act of 2002".

360 **SECTION 17.** In accordance with Section 39 of House Bill No.  
361 1279, 2004 Regular Session, there is created an Office of Law  
362 Enforcement in the Department of Public Safety for the purpose of  
363 enforcing the laws and regulations of the Mississippi Department  
364 of Transportation and Public Service Commission. The law  
365 enforcement duties of the Mississippi Department of Transportation  
366 and the Public Service Commission shall be transferred to the  
367 Department of Public Safety on July 1, 2004.

368 The Public Service Commission shall transfer all employees,  
369 equipment, inventory and resources of the commission employed and  
370 used as law enforcement personnel to the Department of Public  
371 Safety on July 1, 2004. The transfer of personnel shall be  
372 commensurate with the number and classification of positions  
373 allocated to that law enforcement. The transfer also shall

374 include direct support, clerical, data processing and  
375 communications positions allocated to that enforcement.

376 The Mississippi Department of Transportation shall transfer  
377 all employees, equipment, inventory and resources of the  
378 department employed and used as law enforcement personnel to the  
379 Department of Public Safety on July 1, 2004. The transfer of  
380 personnel shall be commensurate with the number and classification  
381 of positions allocated to that law enforcement. The transfer also  
382 shall include direct support, clerical, data processing and  
383 communications positions allocated to that enforcement.

384 **SECTION 18.** Of the funds appropriated in Section 2 and  
385 authorized for expenditure in Section 3 for the Office of Law  
386 Enforcement, Four Million Seventy-three Thousand Fourteen Dollars  
387 (\$4,073,014.00) shall be provided from Fund No. 3811.

388 **SECTION 19.** Of the funds appropriated in Section 2 and  
389 authorized for expenditure in Section 3 for the Office of Law  
390 Enforcement, Eight Million Sixty-four Thousand Four Hundred  
391 Eighteen Dollars (\$8,064,418.00) shall be provided from Fund No.  
392 3941.

393 **SECTION 20.** Of the funds appropriated under the provisions  
394 of Section 2, Five Million Dollars (\$5,000,000.00) shall be  
395 derived from the Budget Contingency Fund, as created in Section  
396 27-103-301, Mississippi Code of 1972, of which Four Million  
397 Dollars (\$4,000,000.00) shall be used to defray the expenses of  
398 the Division of Mississippi Highway Safety Patrol and One Million  
399 Dollars (\$1,000,000.00) shall be used to defray the expenses of  
400 the Division of Support Services.

401 **SECTION 21.** The money herein appropriated shall be paid by  
402 the State Treasurer out of any money in the State Treasury to the  
403 credit of the proper fund or funds as set forth in this act, upon  
404 warrants issued by the State Fiscal Officer; and the State Fiscal

405 Officer shall issue his warrants upon requisitions signed by the  
406 proper person, officer or officers, in the manner provided by law.

407       **SECTION 22.** This act shall take effect and be in force from  
408 and after July 1, 2004.