

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

To: Appropriations

SENATE BILL NO. 3039

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2007.

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, 2006, and ending June 30, 2007.....
9 \$ 63,498,394.00.

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, 2006, and ending June 30, 2007..... \$ 39,240,071.00.

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 provided for purposes of expenditure and authorized positions:

19 **DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL**

20 FUNDING:

21	General Funds.....	\$	40,284,358.00
22	Special Funds.....		<u>10,836,875.00</u>
23	Total.....	\$	51,121,233.00

24 AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	796
26		Part Time.....	0
27	Time-Limited:	Full Time.....	7

28 Part Time..... 4

29 **DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

30 FUNDING:

31	General Funds.....	\$	578,920.00
32	Special Funds.....		<u>942,059.00</u>
33	Total.....	\$	1,520,979.00

34 AUTHORIZED POSITIONS:

35	Permanent:	Full Time.....	17
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.....	\$	5,326,170.00
50	Special Funds.....		<u>266,002.00</u>
51	Total.....	\$	5,592,172.00

52 AUTHORIZED POSITIONS:

53	Permanent:	Full Time.....	69
54		Part Time.....	0
55	Time-Limited:	Full Time.....	1
56		Part Time.....	1

57 **DIVISION OF CRIME LABORATORIES**

58 FUNDING:

59	General Funds.....	\$	4,647,607.00
60	Special Funds.....		<u>1,358,919.00</u>

61 Total..... \$ 6,006,526.00

62 AUTHORIZED POSITIONS:

63 Permanent: Full Time..... 100

64 Part Time..... 0

65 Time-Limited: Full Time..... 5

66 Part Time..... 0

67 DIVISION OF MEDICAL EXAMINER

68 FUNDING:

69 General Funds..... \$ 165,511.00

70 Special Funds..... 114,589.00

71 Total..... \$ 280,100.00

72 AUTHORIZED POSITIONS:

73 Permanent: Full Time..... 2

74 Part Time..... 0

75 Time-Limited: Full Time..... 0

76 Part Time..... 0

77 DIVISION OF PUBLIC SAFETY PLANNING

78 OFFICE OF PUBLIC SAFETY PLANNING

79 FUNDING:

80 General Funds..... \$ 452,690.00

81 Special Funds..... 20,890,905.00

82 Total..... \$ 21,343,595.00

83 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..... 2,055,477.00

93 Total..... \$ 2,055,477.00

94 AUTHORIZED POSITIONS:

95	Permanent:	Full Time.....	5
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.....		<u>487,959.00</u>
104	Total.....	\$	487,959.00

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.....		<u>543,527.00</u>
115	Total.....	\$	543,527.00

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.....		<u>433,048.00</u>
125	Total.....	\$	433,048.00

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 HOMELAND SECURITY**

132 FUNDING:

133	General Funds.....	\$	191,192.00
134	Special Funds.....		<u>671,139.00</u>
135	Total.....	\$	862,331.00

136 AUTHORIZED POSITIONS:

137	Permanent:	Full Time.....	13
138		Part Time.....	0
139	Time-Limited:	Full Time.....	1
140		Part Time.....	0

141 **BUREAU OF NARCOTICS**

142 FUNDING:

143	General Funds.....	\$	11,740,201.00
144	Special Funds.....		<u>484,528.00</u>
145	Total.....	\$	12,224,729.00

146 AUTHORIZED POSITIONS:

147	Permanent:	Full Time.....	198
148		Part Time.....	0
149	Time-Limited:	Full Time.....	1
150		Part Time.....	0

151 **JUVENILE FACILITY MONITORING UNIT**

152 FUNDING:

153	General Funds.....	\$	111,745.00
154	Special Funds.....		<u>155,044.00</u>
155	Total.....	\$	266,789.00

156 AUTHORIZED POSITIONS:

157	Permanent:	Full Time.....	0
158		Part Time.....	0
159	Time-Limited:	Full Time.....	5

160 Part Time..... 0

161 Funds are provided herein to adjust the Variable Compensation
162 Plan to ensure that all full-time employees receive a pay increase
163 equal to the realignment component of the Variable Compensation
164 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
165 beginning on July 1, 2006.

166 Pursuant to policies established by the State Personnel
167 Board, agency heads may, on a case by case basis and within funds
168 available, recommend equity salary adjustments to Fiscal Year 2006
169 agency appropriation acts where application of limitations result
170 in awarding one employee a salary increase greater than another
171 employee within the same agency, with the same job classification
172 series and greater longevity.

173 With the funds herein appropriated, it is the intention of
174 the Legislature that it shall be the agency's responsibility to
175 make certain that funds required to be appropriated for "Personal
176 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
177 funds appropriated for that purpose, unless programs or positions
178 are added to the agency's Fiscal Year 2008 budget by the
179 Mississippi Legislature. Based on data provided by the
180 Legislative Budget Office, the State Personnel Board shall
181 determine and publish the projected annual cost to fully fund all
182 appropriated positions in compliance with the provisions of this
183 act. It shall be the responsibility of the agency head to insure
184 that no single personnel action increases this projected annual
185 cost and/or the Fiscal Year 2007 appropriation for "Personal
186 Services" when annualized, with the exception of escalated funds.
187 If, at the time the agency takes any action to change "Personal
188 Services," the State Personnel Board determines that the agency
189 has taken an action which would cause the agency to exceed this
190 projected annual cost or the Fiscal Year 2007 "Personal Services"
191 appropriated level, when annualized, then only those actions which
192 reduce the projected annual cost and/or the appropriation

193 requirement will be processed by the State Personnel Board until
194 such time as the requirements of this provision are met.

195 Any transfers or escalations shall be made in accordance with
196 the terms, conditions and procedures established by law or
197 allowable under the terms set forth within this act. The State
198 Personnel Board shall not escalate positions without written
199 approval from the Department of Finance and Administration. The
200 Department of Finance and Administration shall not provide written
201 approval to escalate any funds for salaries and/or positions
202 without proof of availability of new or additional funds above the
203 appropriated level.

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

208 **SECTION 4.** The Commissioner of Public Safety may, on a
209 case-by-case basis, within funds available, recommend that
210 corrective salary adjustments be made to the compensation of
211 employees of the Department of Public Safety where an inequity was
212 created between employees of equivalent capacity by previous
213 application of the agency appropriation acts. Any such corrective
214 salary adjustment plan must have prior approval by the State
215 Personnel Board. Such adjustments will not be retroactive.

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

219 **SECTION 5.** The Commissioner of Public Safety shall have the
220 authority to transfer both positions and/or State General Funds
221 appropriated herein from any Division within the Department of
222 Public Safety to any other Division within the Department of
223 Public Safety, not to exceed twenty-five percent (25%).

224 **SECTION 6.** It is the intent of the Legislature that the
225 local governments pay for part of the computer cost of the

226 Mississippi Justice Information Center by maintaining their
227 contribution to the Department of Public Safety.

228 **SECTION 7.** It is the intention of the Legislature that the
229 Department of Public Safety designate certain employees to aid the
230 Division of Crime Laboratories in the billing and collecting of
231 all fees charged for services rendered by the Division of Crime
232 Laboratories.

233 **SECTION 8.** No part of the funds appropriated herein shall be
234 transferred to, expended by, or used, directly or indirectly, for
235 the benefit of any public relations, publicity or publication
236 activities of any other state agency, department or officer, nor
237 shall any personnel paid with funds appropriated herein be
238 transferred or assigned to any other state agency, department or
239 officer for public relations, publicity, or publication activities
240 of such office.

241 **SECTION 9.** It is the intention of the Legislature that the
242 Department of Public Safety shall have the authority to receive,
243 budget and expend funds from any source in accordance with the
244 rules and regulations of the Department of Finance and
245 Administration in a manner consistent with the escalation of
246 federal funds.

247 **SECTION 10.** It is the intention of the Legislature that the
248 Department of Public Safety shall not issue citations for
249 violations of speed limits on a quota basis. No funds expended
250 under this act shall be used for such quota-based citations for
251 violations of speed limits.

252 **SECTION 11.** The Commissioner of Public Safety shall have the
253 authority to transfer Department of Public Safety Special Funds
254 from any Division within the Department of Public Safety to any
255 other Division of the Department of Public Safety Special Funds,
256 including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714,
257 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Five
258 Million Dollars (\$5,000,000.00) collectively during Fiscal Year

259 2007. Further, the Department of Public Safety shall be
 260 authorized to escalate both funds and positions for any special
 261 fund monies received for Homeland Security.

262 **SECTION 12.** In compliance with the "Mississippi Performance
 263 Budget and Strategic Planning Act of 1994," it is the intent of
 264 the Legislature that the funds provided herein shall be utilized
 265 in the most efficient and effective manner possible to achieve the
 266 intended mission of this agency. Based on the funding authorized,
 267 this agency shall make every effort to attain the targeted
 268 performance measures provided below:

	FY07
<u>Performance Measures</u>	<u>Target</u>
271 Enforcement	
272 Increased Enforcement - Citations (%)	0.00
273 Decreased Fatalities (%)	0.00
274 Increased DUI Arrests - Inc Felony DUIs (%)	0.00
275 Criminal Investigations (Actions)	10,074
276 Driver Services	
277 Driver's Licenses/ID Cards Issued (Items)	667,800
278 Cost per License Document Produced (\$)	9.15
279 Drivers Suspended (Persons)	1,520,000
280 Accident Reports Processed (Actions)	65,900
281 Motor Veh Inspect Stickers Sold (Items)	1,970,000
282 Support Services	
283 Training of Switch/Repository	
284 Classes (Number of)	20
285 Audit of User Agencies (Number of)	50
286 Emergency Telecomm Training	
287 Emerg Telecomm Certified (Persons)	350
288 Certification Transactions (Actions)	1,400
289 Training Quality Monitoring (Actions)	20
290 Forensic Analysis	
291 Reports Issued (Cases)	25,000

292	Court Testimonies (Cases)	200
293	Cost per Case Analyzed (\$)	350
294	Cost per Testimony (\$)	500
295	Dna Analysis	
296	Known Sex Offender Samples (Items)	500
297	Proficiency Samples (Items)	200
298	Casework Samples Examined (Items)	500
299	Cost per Sample (\$)	500
300	Training Academy	
301	Basic Students to Graduate (Persons)	200
302	Basic Refresher Students to	
303	Graduate (Persons)	50
304	In-service & Advanced Students	
305	to Graduate (Persons)	1,200
306	Drug Enforcement	
307	Arrests Made (Persons)	2,908
308	Number of Prosecutions (Actions)	2,063
309	Organizations Disrupted/Dismantled (Actions)	399
310	Forensic Pathology	
311	Deaths Investigated (Actions)	17,000
312	Autopsies Performed at SME Office (Actions)	100
313	Cost per Autopsy Performed (\$)	400
314	Jail Officer Training	
315	County Jail Officers Certified (Persons)	350
316	Certification Transactions (Actions)	700
317	Law Enforcement Training	
318	Basic Law Enforc Officers Certified (Persons)	450
319	Certification Transactions (Actions)	1,800
320	Training Quality Monitoring (Actions)	20
321	Public Safety Planning	
322	Statewide Programs Supported (Programs)	360
323	Juvenile Jail Alternatives Dev (Alternatives)	35
324	Narcotics Units Established (Units)	17

325	Drug-free Programs Impact (Persons)	100,000
326	Council On Aging	
327	Number of Board Meetings (Meetings)	4
328	Establish TRIAD Programs (Programs)	4
329	Conduct Training Programs (Programs)	10
330	Provide On-site Tech Assistance (Actions)	30
331	Juvenile Fac Monitoring Unit	
332	Number of facilities inspected (Items)	20
333	Strategic plans implemented (Items)	20
334	Homeland Security	
335	OHS grants for jurisdictions (Number of)	83
336	First Responder Classes (Number of)	600

337 A reporting of the degree to which the performance targets
338 set above have been or are being achieved shall be provided in the
339 agency's budget request submitted to the Joint Legislative Budget
340 Committee for Fiscal Year 2008.

341 **SECTION 13.** It is the intention of the Legislature that all
342 divisions within the Mississippi Department of Public Safety shall
343 maintain complete accounting and personnel records related to the
344 expenditure of all funds appropriated under this act and that such
345 records shall be in the same format and level of detail as
346 maintained for Fiscal Year 2006. It is further the intention of
347 the Legislature that the agency's budget request for Fiscal Year
348 2008 shall be submitted to the Joint Legislative Budget Committee
349 in a format and level of detail comparable to the format and level
350 of detail provided during the Fiscal Year 2007 budget request
351 process.

352 **SECTION 14.** Of the funds appropriated under the provisions
353 of Section 2, funds may be expended to defray the costs of
354 clothing for sworn nonuniform law enforcement officers in an
355 amount not to exceed One Thousand Dollars (\$1,000.00) annually per
356 officer.

357 **SECTION 15.** It is the intention of the Legislature that all
358 Fair Labor Standards Act (FLSA) nonexempt sworn officers who are
359 working 171 hours in a 28-day work cycle be compensated at an
360 hourly rate based on 2,087.143 hours per year. This section and
361 its provisions shall be known and cited as the "David R. Huggins
362 Act of 2002".

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

369 **SECTION 17.** This act shall take effect and be in force from
370 and after July 1, 2006.