

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

To: Appropriations

SENATE BILL NO. 3039  
(As Sent to Governor)

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 ..... \$ 66,418,185.00.

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..... \$ 39,490,819.00.

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.....	\$	41,664,674.00
22	Special Funds.....		<u>10,804,412.00</u>
23	Total.....	\$	52,469,086.00

24 AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	955
26		Part Time.....	0
27	Time-Limited:	Full Time.....	107

28 Part Time..... 10

29 **DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

30 FUNDING:

31	General Funds.....	\$	570,007.00
32	Special Funds.....		<u>933,147.00</u>
33	Total.....	\$	1,503,154.00

34 AUTHORIZED POSITIONS:

35	Permanent:	Full Time.....	25
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.....	\$	5,310,168.00
50	Special Funds.....		<u>266,002.00</u>
51	Total.....	\$	5,576,170.00

52 AUTHORIZED POSITIONS:

53	Permanent:	Full Time.....	91
54		Part Time.....	0
55	Time-Limited:	Full Time.....	1
56		Part Time.....	6

57 **DIVISION OF CRIME LABORATORIES**

58 FUNDING:

59	General Funds.....	\$	6,237,290.00
60	Special Funds.....		<u>1,357,771.00</u>

61 Total..... \$ 7,595,061.00

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..... \$ 164,417.00

70 Special Funds..... 114,589.00

71 Total..... \$ 279,006.00

72 AUTHORIZED POSITIONS:

73 Permanent: Full Time..... 3

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..... \$ 452,239.00

81 Special Funds..... 20,894,379.00

82 Total..... \$ 21,346,618.00

83 AUTHORIZED POSITIONS:

84 Permanent: Full Time..... 12

85 Part Time..... 0

86 Time-Limited: Full Time..... 18

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..... 2,102,399.00

93 Total..... \$ 2,102,399.00

94 AUTHORIZED POSITIONS:

95	Permanent:	Full Time.....	9
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>486,521.00</u>
104	Total.....	\$	486,521.00

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>544,120.00</u>
115	Total.....	\$	544,120.00

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>432,959.00</u>
125	Total.....	\$	432,959.00

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.....	\$	190,655.00
134	Special Funds.....		<u>710,715.00</u>
135	Total.....	\$	901,370.00

136 AUTHORIZED POSITIONS:

137	Permanent:	Full Time.....	20
138		Part Time.....	0
139	Time-Limited:	Full Time.....	2
140		Part Time.....	0

141 **BUREAU OF NARCOTICS**

142 FUNDING:

143	General Funds.....	\$	11,716,990.00
144	Special Funds.....		<u>688,761.00</u>
145	Total.....	\$	12,405,751.00

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 Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
165 with not more than one-half (1/2) to be awarded on July 1, 2006,  
166 with the remainder to be awarded on January 1, 2007.

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

189 Any transfers or escalations shall be made in accordance with  
190 the terms, conditions and procedures established by law or  
191 allowable under the terms set forth within this act. The State  
192 Personnel Board shall not escalate positions without written

193 approval from the Department of Finance and Administration. The  
194 Department of Finance and Administration shall not provide written  
195 approval to escalate any funds for salaries and/or positions  
196 without proof of availability of new or additional funds above the  
197 appropriated level.

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

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

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

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

218 **SECTION 6.** It is the intent of the Legislature that the  
219 local governments pay for part of the computer cost of the  
220 Mississippi Justice Information Center by maintaining their  
221 contribution to the Department of Public Safety.

222 **SECTION 7.** It is the intention of the Legislature that the  
223 Department of Public Safety designate certain employees to aid the  
224 Division of Crime Laboratories in the billing and collecting of

225 all fees charged for services rendered by the Division of Crime  
226 Laboratories.

227       **SECTION 8.** No part of the funds appropriated herein shall be  
228 transferred to, expended by, or used, directly or indirectly, for  
229 the benefit of any public relations, publicity or publication  
230 activities of any other state agency, department or officer, nor  
231 shall any personnel paid with funds appropriated herein be  
232 transferred or assigned to any other state agency, department or  
233 officer for public relations, publicity, or publication activities  
234 of such office.

235       **SECTION 9.** It is the intention of the Legislature that the  
236 Department of Public Safety shall have the authority to receive,  
237 budget and expend funds from any source in accordance with the  
238 rules and regulations of the Department of Finance and  
239 Administration in a manner consistent with the escalation of  
240 federal funds.

241       **SECTION 10.** It is the intention of the Legislature that the  
242 Department of Public Safety shall not issue citations for  
243 violations of speed limits on a quota basis. No funds expended  
244 under this act shall be used for such quota-based citations for  
245 violations of speed limits.

246       **SECTION 11.** The Commissioner of Public Safety shall have the  
247 authority to transfer Department of Public Safety Special Funds  
248 from any Division within the Department of Public Safety to any  
249 other Division of the Department of Public Safety Special Funds,  
250 including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714,  
251 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Five  
252 Million Dollars (\$5,000,000.00) collectively during Fiscal Year  
253 2007. Further, the Department of Public Safety shall be  
254 authorized to escalate both funds and positions for any special  
255 fund monies received for Homeland Security.

256       **SECTION 12.** In compliance with the "Mississippi Performance  
257 Budget and Strategic Planning Act of 1994," it is the intent of



258 the Legislature that the funds provided herein shall be utilized  
 259 in the most efficient and effective manner possible to achieve the  
 260 intended mission of this agency. Based on the funding authorized,  
 261 this agency shall make every effort to attain the targeted  
 262 performance measures provided below:

	FY07
<u>Performance Measures</u>	<u>Target</u>
265 Enforcement	
266       Increased Enforcement - Citations (%)	0.00
267       Decreased Fatalities (%)	0.00
268       Increased DUI Arrests - Inc Felony DUIs (%)	0.00
269       Criminal Investigations (Actions)	10,074
270 Driver Services	
271       Driver's Licenses/ID Cards Issued (Items)	667,800
272       Cost per License Document Produced (\$)	9.15
273       Drivers Suspended (Persons)	1,520,000
274       Accident Reports Processed (Actions)	65,900
275       Motor Veh Inspect Stickers Sold (Items)	1,970,000
276 Support Services	
277       Training of Switch/Repository	
278           Classes (Number of)	20
279       Audit of User Agencies (Number of)	50
280 Emergency Telecomm Training	
281       Emerg Telecomm Certified (Persons)	350
282       Certification Transactions (Actions)	1,400
283       Training Quality Monitoring (Actions)	20
284 Forensic Analysis	
285       Reports Issued (Cases)	25,000
286       Court Testimonies (Cases)	200
287       Cost per Case Analyzed (\$)	350
288       Cost per Testimony (\$)	500
289 Dna Analysis	
290       Known Sex Offender Samples (Items)	500

291	Proficiency Samples (Items)	200
292	Casework Samples Examined (Items)	500
293	Cost per Sample (\$)	500
294	Training Academy	
295	Basic Students to Graduate (Persons)	200
296	Basic Refresher Students to	
297	Graduate (Persons)	50
298	In-service & Advanced Students	
299	to Graduate (Persons)	1,200
300	Drug Enforcement	
301	Arrests Made (Persons)	2,908
302	Number of Prosecutions (Actions)	2,063
303	Organizations Disrupted/Dismantled (Actions)	399
304	Forensic Pathology	
305	Deaths Investigated (Actions)	17,000
306	Autopsies Performed at SME Office (Actions)	100
307	Cost per Autopsy Performed (\$)	400
308	Jail Officer Training	
309	County Jail Officers Certified (Persons)	350
310	Certification Transactions (Actions)	700
311	Law Enforcement Training	
312	Basic Law Enforc Officers Certified (Persons)	450
313	Certification Transactions (Actions)	1,800
314	Training Quality Monitoring (Actions)	20
315	Public Safety Planning	
316	Statewide Programs Supported (Programs)	360
317	Juvenile Jail Alternatives Dev (Alternatives)	35
318	Narcotics Units Established (Units)	17
319	Drug-free Programs Impact (Persons)	100,000
320	Council On Aging	
321	Number of Board Meetings (Meetings)	4
322	Establish TRIAD Programs (Programs)	4
323	Conduct Training Programs (Programs)	10

324	Provide On-site Tech Assistance (Actions)	30
325	Juvenile Fac Monitoring Unit	
326	Number of facilities inspected (Items)	20
327	Strategic plans implemented (Items)	20
328	Homeland Security	
329	OHS grants for jurisdictions (Number of)	83
330	First Responder Classes (Number of)	600
331	A reporting of the degree to which the performance targets	
332	set above have been or are being achieved shall be provided in the	
333	agency's budget request submitted to the Joint Legislative Budget	
334	Committee for Fiscal Year 2008.	

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

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

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

357           **SECTION 16.** It is the intention of the Legislature that  
358 whenever two (2) or more bids are received by this agency for the  
359 purchase of commodities or equipment, and whenever all things  
360 stated in such received bids are equal with respect to price,  
361 quality and service, the Mississippi Industries for the Blind  
362 shall be given preference. A similar preference shall be given to  
363 the Mississippi Industries for the Blind whenever purchases are  
364 made without competitive bids.

365           **SECTION 17.** With the funds provided herein, it is the  
366 intention of the Legislature that the LE-Agents pay be equalized  
367 to the DPS Patrol Officers pay if approved by the State Personnel  
368 Board.

369           **SECTION 18.** Of the funds provided herein the sworn officers  
370 of the Mississippi Highway Patrol shall receive a Five Thousand  
371 Dollar (\$5,000.00) pay raise.

372           **SECTION 19.** The department is authorized to expend available  
373 funds on technology or equipment upgrades or replacements when it  
374 will generate savings through efficiency or when the savings  
375 generated from such upgrades or replacements exceed expenditures  
376 thereof.

377           **SECTION 20.** It is legislative intent to ensure beneficial  
378 information reaches as many Mississippians as possible. Further,  
379 it is legislative intent that the expenditure of public funds for  
380 this purpose be accomplished in an efficient and effective manner.

381           Therefore, state agencies as standard procedure, will observe  
382 the following criteria:

383           (1) Develop goals and desired result for a campaign.

384           (2) Evaluate effectiveness through respected advertising  
385 standards, including market reach and cost effectiveness.

386           (3) Seek public service announcements, which would be aired  
387 by media without cost.

388           (4) Itemize and justify professional assistance and related  
389 expenses for creative and production costs outside of the actual  
390 media expenditures.

391           (5) Utilize Mississippi owned media companies when feasible.

392           **SECTION 21.** The money herein appropriated shall be paid by  
393 the State Treasurer out of any money in the State Treasury to the  
394 credit of the proper fund or funds as set forth in this act, upon  
395 warrants issued by the State Fiscal Officer; and the State Fiscal  
396 Officer shall issue his warrants upon requisitions signed by the  
397 proper person, officer or officers, in the manner provided by law.

398           **SECTION 22.** This act shall take effect and be in force from  
399 and after July 1, 2006.