

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. 3039: 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:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2006, and ending June 30, 2007.....
..... \$ 65,996,881.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Department of Public Safety for the purpose of defraying the expenses incurred in the operation of the various divisions of the department for the fiscal year beginning July 1, 2006, and ending June 30, 2007..... \$ 39,446,495.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be provided for purposes of expenditure and authorized positions:

DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL

FUNDING:

General Funds.....	\$	41,243,370.00
Special Funds.....		<u>10,804,412.00</u>
Total.....	\$	52,047,782.00

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	955
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26	Part Time.....	0
27	Time-Limited: Full Time.....	107
28	Part Time.....	10

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DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY

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FUNDING:

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

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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

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received as tuition fees, grants or donations by the Division of

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Law Enforcement Training Academy shall be deposited in a special

42

fund in the State Treasury to be designated as "Law Enforcement

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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..... 1,357,771.00

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..... 486,521.00

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..... 544,120.00

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>644,437.00</u>
145	Total.....	\$	12,361,427.00
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..... 155,044.00
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

reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

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

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

SECTION 5. The Commissioner of Public Safety shall have the authority to transfer both positions and/or State General Funds appropriated herein from any Division within the Department of Public Safety to any other Division within the Department of 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:

263		FY07
264	<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.** The department is authorized to expend available
366 funds on technology or equipment upgrades or replacements when it
367 will generate savings through efficiency or when the savings
368 generated from such upgrades or replacements exceed expenditures
369 thereof.

370 **SECTION 18.** It is legislative intent to ensure beneficial
371 information reaches as many Mississippians as possible. Further,
372 it is legislative intent that the expenditure of public funds for
373 this purpose be accomplished in an efficient and effective manner.

374 Therefore, state agencies as standard procedure, will observe
375 the following criteria:

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

- 377 (2) Evaluate effectiveness through respected advertising
378 standards, including market reach and cost effectiveness.
- 379 (3) Seek public service announcements, which would be aired
380 by media without cost.
- 381 (4) Itemize and justify professional assistance and related
382 expenses for creative and production costs outside of the actual
383 media expenditures.
- 384 (5) Utilize Mississippi owned media companies when feasible.

385 **SECTION 19.** The money herein appropriated shall be paid by
386 the State Treasurer out of any money in the State Treasury to the
387 credit of the proper fund or funds as set forth in this act, upon
388 warrants issued by the State Fiscal Officer; and the State Fiscal
389 Officer shall issue his warrants upon requisitions signed by the
390 proper person, officer or officers, in the manner provided by law.

391 **SECTION 20.** This act shall take effect and be in force from
392 and after July 1, 2006.

CONFEREES FOR THE SENATE

X (SIGNED)
Gordon

X (SIGNED)
Huggins

X (SIGNED)
Little

CONFEREES FOR THE HOUSE

X (SIGNED)
Stringer

(NOT SIGNED)
Gadd

X (SIGNED)
Straughter