

House Amendments to Senate Bill No. 3039

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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, 2006, and ending June 30, 2007.....
9 \$ 63,602,409.00.

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..... \$ 46,150,094.00.

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:

DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL

FUNDING:

21	General Funds.....	\$	39,659,026.00
22	Special Funds.....		<u>17,855,275.00</u>
23	Total.....	\$	57,514,301.00

AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	900
26		Part Time.....	0
27	Time-Limited:	Full Time.....	7
28		Part Time.....	10

DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY

30	FUNDING:	
31	General Funds.....	\$ 551,894.00
32	Special Funds.....	<u>915,033.00</u>
33	Total.....	\$ 1,466,927.00

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.....	\$ 5,215,246.00
50	Special Funds.....	<u>266,002.00</u>
51	Total.....	\$ 5,481,248.00

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.....	\$ 5,762,417.00
60	Special Funds.....	<u>1,353,643.00</u>
61	Total.....	\$ 7,116,060.00

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..... \$ 161,457.00
 70 Special Funds..... 114,589.00
 71 Total..... \$ 276,046.00

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..... \$ 447,350.00
 81 Special Funds..... 20,853,475.00
 82 Total..... \$ 21,300,825.00

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..... 2,045,706.00
 93 Total..... \$ 2,045,706.00

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>481,286.00</u>
104	Total.....	\$	481,286.00

105	AUTHORIZED POSITIONS:		
106	Permanent: Full Time.....	3	
107	Part Time.....	0	
108	Time-Limited: Full Time.....	0	
109	Part Time.....	0	

DIVISION OF PUBLIC SAFETY PLANNING

COUNCIL ON AGING

112	FUNDING:		
113	General Funds.....	\$	0.00
114	Special Funds.....		<u>541,039.00</u>
115	Total.....	\$	541,039.00

116	AUTHORIZED POSITIONS:		
117	Permanent: Full Time.....	2	
118	Part Time.....	0	
119	Time-Limited: Full Time.....	0	
120	Part Time.....	0	

COUNTY JAIL OFFICER STANDARDS AND TRAINING BOARD

122	FUNDING:		
123	General Funds.....	\$	0.00
124	Special Funds.....		<u>431,833.00</u>
125	Total.....	\$	431,833.00

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

OFFICE OF HOMELAND SECURITY

132	FUNDING:		
133	General Funds.....	\$	183,637.00
134	Special Funds.....		<u>655,451.00</u>

135 Total..... \$ 839,088.00

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..... \$ 11,509,637.00

144 Special Funds..... 481,718.00

145 Total..... \$ 11,991,355.00

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 For the fiscal year beginning on July 1, 2006, funds are
162 provided herein to adjust the annual compensation of each employee
163 who has been employed for twelve (12) months or longer by an
164 amount equal to One Thousand Dollars (\$1,000.00), effective on
165 July 1, 2006. Additionally for the fiscal year beginning on July
166 1, 2006, funds are provided to address critical law enforcement
167 staffing salary adjustments effective on July 1, 2006.

168 With the funds herein appropriated, it is the intention of
169 the Legislature that it shall be the agency's responsibility to

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

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

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

203 **SECTION 4.** The Commissioner of Public Safety may, on a
204 case-by-case basis, within funds available, recommend that

205 corrective salary adjustments be made to the compensation of
206 employees of the Department of Public Safety where an inequity was
207 created between employees of equivalent capacity by previous
208 application of the agency appropriation acts. Any such corrective
209 salary adjustment plan must have prior approval by the State
210 Personnel Board. Such adjustments will not be retroactive.

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

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

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

223 **SECTION 7.** It is the intention of the Legislature that the
224 Department of Public Safety designate certain employees to aid the
225 Division of Crime Laboratories in the billing and collecting of
226 all fees charged for services rendered by the Division of Crime
227 Laboratories.

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

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

240 Administration in a manner consistent with the escalation of
241 federal funds.

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

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

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

	FY07
<u>Performance Measures</u>	<u>Target</u>
Enforcement	
Increased Enforcement - Citations (%)	0.00
Decreased Fatalities (%)	0.00
Increased DUI Arrests - Inc Felony DUIs (%)	0.00
Criminal Investigations (Actions)	10,074
Driver Services	
Driver's Licenses/ID Cards Issued (Items)	667,800
Cost per License Document Produced (\$)	9.15
Drivers Suspended (Persons)	1,520,000

275	Accident Reports Processed (Actions)	65,900
276	Motor Veh Inspect Stickers Sold (Items)	1,970,000
277	Support Services	
278	Training of Switch/Repository	
279	Classes (Number of)	20
280	Audit of User Agencies (Number of)	50
281	Emergency Telecomm Training	
282	Emerg Telecomm Certified (Persons)	350
283	Certification Transactions (Actions)	1,400
284	Training Quality Monitoring (Actions)	20
285	Forensic Analysis	
286	Reports Issued (Cases)	25,000
287	Court Testimonies (Cases)	200
288	Cost per Case Analyzed (\$)	350
289	Cost per Testimony (\$)	500
290	Dna Analysis	
291	Known Sex Offender Samples (Items)	500
292	Proficiency Samples (Items)	200
293	Casework Samples Examined (Items)	500
294	Cost per Sample (\$)	500
295	Training Academy	
296	Basic Students to Graduate (Persons)	200
297	Basic Refresher Students to	
298	Graduate (Persons)	50
299	In-service & Advanced Students	
300	to Graduate (Persons)	1,200
301	Drug Enforcement	
302	Arrests Made (Persons)	2,908
303	Number of Prosecutions (Actions)	2,063
304	Organizations Disrupted/Dismantled (Actions)	399
305	Forensic Pathology	
306	Deaths Investigated (Actions)	17,000
307	Autopsies Performed at SME Office (Actions)	100
308	Cost per Autopsy Performed (\$)	400
309	Jail Officer Training	

310	County Jail Officers Certified (Persons)	350
311	Certification Transactions (Actions)	700
312	Law Enforcement Training	
313	Basic Law Enforc Officers Certified (Persons)	450
314	Certification Transactions (Actions)	1,800
315	Training Quality Monitoring (Actions)	20
316	Public Safety Planning	
317	Statewide Programs Supported (Programs)	360
318	Juvenile Jail Alternatives Dev (Alternatives)	35
319	Narcotics Units Established (Units)	17
320	Drug-free Programs Impact (Persons)	100,000
321	Council On Aging	
322	Number of Board Meetings (Meetings)	4
323	Establish TRIAD Programs (Programs)	4
324	Conduct Training Programs (Programs)	10
325	Provide On-site Tech Assistance (Actions)	30
326	Juvenile Fac Monitoring Unit	
327	Number of facilities inspected (Items)	20
328	Strategic plans implemented (Items)	20
329	Homeland Security	
330	OHS grants for jurisdictions (Number of)	83
331	First Responder Classes (Number of)	600
332	A reporting of the degree to which the performance targets	
333	set above have been or are being achieved shall be provided in the	
334	agency's budget request submitted to the Joint Legislative Budget	
335	Committee for Fiscal Year 2008.	

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

345 of detail provided during the Fiscal Year 2007 budget request
346 process.

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

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

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

366 **SECTION 17.** Of the funds appropriated under the provisions
367 of Section 2, Seven Million One Hundred Seventy-two Thousand Two
368 Hundred Sixty-three Dollars (\$7,172,263.00) shall be derived from
369 the Budget Contingency Fund, as created in Section 27-103-301,
370 Mississippi Code of 1972.

371 **SECTION 18.** All expenditures of funds appropriated by this
372 act for the purposes of advertising through the media shall comply
373 with the provisions of this section. All notices, advertisements,
374 or announcements designed to accomplish distribution of vital
375 information paid for wholly or in part through funds appropriated
376 by this act and distributed through the media shall be placed
377 according to a formula based upon the following criteria:

378 (a) Outlets of the Mississippi Public Broadcasting
379 System shall receive twenty percent (20%) of all expenditures

380 allotted for any advertising campaign undertaken by the agency to
381 which funds are appropriated by this act. All distribution of
382 information undertaken by the Mississippi Broadcasting System
383 under these requirements shall conform to the accepted standards
384 of information distribution common to public media.

385 (b) Media outlets, other than outlets of the
386 Mississippi Public Broadcasting System, shall receive placement of
387 such notices through the following method of distribution and
388 based upon commonly accepted boundaries of distribution:

389 (i) Newspapers. Newspapers demonstrating
390 established market reach through verifiable and auditable
391 circulation numbers shall receive twenty-five percent (25%) of all
392 expenditures allotted for distribution of vital information, and
393 such expenditures to the individual newspapers shall be determined
394 and prorated based upon the verifiable and auditable share of
395 total circulation within the individual counties. This
396 requirement does not replace the requirements and systems
397 currently in place regarding legal notices in the newspapers.

398 (ii) Radio. Radio stations demonstrating
399 established market reach through verifiable and auditable market
400 share information as recorded through reputable and established
401 rating services shall receive twenty percent (20%) of all
402 expenditures allotted for such distribution of vital information,
403 and such expenditures to the individual stations shall be
404 determined and prorated based upon the verifiable and auditable
405 share of total market reach within the individual counties.

406 (iii) Television. Television stations and
407 television cable outlets demonstrating established market reach
408 through verifiable and auditable market share information as
409 recorded through reputable and established rating services shall
410 receive twenty percent (20%) of all expenditures allotted for such
411 distribution of vital information, and such expenditures to the
412 individual stations shall be determined and prorated based upon
413 the verifiable and auditable share of total market reach within

414 the individual demonstrated market reach area of the station or
415 cable outlet.

416 (iv) Magazines. Magazines demonstrating
417 established market reach through verifiable and auditable
418 circulation numbers shall receive ten percent (10%) of all
419 expenditures allotted for such distribution of vital information,
420 and such expenditures to the individual magazines shall be
421 determined and prorated based upon the verifiable and auditable
422 circulation numbers within the counties. If no magazine exists
423 which meets the criteria stated above, the portion of those funds
424 so allotted shall be distributed among the other media outlets
425 equally.

426 (v) Electronic media. Electronic media
427 demonstrating established market reach through verifiable and
428 auditable circulation numbers shall receive five percent (5%) of
429 all expenditures allotted for such distribution of vital
430 information, and such expenditures to the individual electronic
431 media outlets shall be determined and prorated based upon the
432 verifiable and auditable circulation numbers within the counties.
433 If no electronic media exists which meets the criteria stated
434 above, the portion of those funds so allotted shall be distributed
435 equally among the other media outlets.

436 Provisions of this section do not apply to the placement of
437 advertisements in national media outlets to recruit economic
438 development or to promote tourism in the state.

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

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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

HR40\SB3039PH.J

Don Richardson
Clerk of the House of Representatives