

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

To: Appropriations

SENATE BILL NO. 3146

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEARS 2007 AND 2008.

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, 2007, and ending June 30, 2008.....
9 \$ 72,990,055.00.

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, 2007, and ending June 30, 2008..... \$ 42,659,499.00.

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.....	\$	47,736,571.00
22	Special Funds.....		<u>11,676,471.00</u>
23	Total.....	\$	59,413,042.00

24 AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	1,005
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.....	\$	590,018.00
32	Special Funds.....		<u>840,608.00</u>
33	Total.....	\$	1,430,626.00

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.....	\$	4,755,105.00
50	Special Funds.....		<u>266,002.00</u>
51	Total.....	\$	5,021,107.00

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.....	\$	6,836,108.00
60	Special Funds.....		<u>1,499,381.00</u>

61 Total..... \$ 8,335,489.00

62 AUTHORIZED POSITIONS:

63 Permanent: Full Time..... 105

64 Part Time..... 0

65 Time-Limited: Full Time..... 8

66 Part Time..... 0

67 DIVISION OF MEDICAL EXAMINER

68 FUNDING:

69 General Funds..... \$ 163,916.00

70 Special Funds..... 114,589.00

71 Total..... \$ 278,505.00

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..... \$ 458,049.00

81 Special Funds..... 23,626,481.00

82 Total..... \$ 24,084,530.00

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..... 1,908,037.00

93 Total..... \$ 1,908,037.00

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>473,790.00</u>
104	Total.....	\$	473,790.00

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>440,092.00</u>
115	Total.....	\$	440,092.00

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>365,634.00</u>
125	Total.....	\$	365,634.00

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.....	\$	205,196.00
134	Special Funds.....		<u>710,218.00</u>
135	Total.....	\$	915,414.00

136 AUTHORIZED POSITIONS:

137	Permanent:	Full Time.....	20
138		Part Time.....	0
139	Time-Limited:	Full Time.....	6
140		Part Time.....	0

141 **BUREAU OF NARCOTICS**

142 FUNDING:

143	General Funds.....	\$	12,131,872.00
144	Special Funds.....		<u>691,504.00</u>
145	Total.....	\$	12,823,376.00

146 AUTHORIZED POSITIONS:

147	Permanent:	Full Time.....	228
148		Part Time.....	0
149	Time-Limited:	Full Time.....	1
150		Part Time.....	0

151 **JUVENILE FACILITY MONITORING UNIT**

152 FUNDING:

153	General Funds.....	\$	113,220.00
154	Special Funds.....		<u>46,692.00</u>
155	Total.....	\$	159,912.00

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 One Thousand Dollars (\$1,000.00), or Three Percent (3%)
165 whichever is greater, to be awarded on July 1, 2007.

166 With the funds herein appropriated, it is the intention of
167 the Legislature that it shall be the agency's responsibility to
168 make certain that funds required to be appropriated for "Personal
169 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
170 funds appropriated for that purpose, unless programs or positions
171 are added to the agency's Fiscal Year 2009 budget by the
172 Mississippi Legislature. Based on data provided by the
173 Legislative Budget Office, the State Personnel Board shall
174 determine and publish the projected annual cost to fully fund all
175 appropriated positions in compliance with the provisions of this
176 act. It shall be the responsibility of the agency head to insure
177 that no single personnel action increases this projected annual
178 cost and/or the Fiscal Year 2008 appropriation for "Personal
179 Services" when annualized, with the exception of escalated funds.
180 If, at the time the agency takes any action to change "Personal
181 Services," the State Personnel Board determines that the agency
182 has taken an action which would cause the agency to exceed this
183 projected annual cost or the Fiscal Year 2008 "Personal Services"
184 appropriated level, when annualized, then only those actions which
185 reduce the projected annual cost and/or the appropriation
186 requirement will be processed by the State Personnel Board until
187 such time as the requirements of this provision are met.

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

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

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

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

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

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

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

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

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

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

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

245 **SECTION 11.** The Commissioner of Public Safety shall have the
246 authority to transfer Department of Public Safety Special Funds
247 from any Division within the Department of Public Safety to any
248 other Division of the Department of Public Safety Special Funds,
249 including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714,
250 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Five
251 Million Dollars (\$5,000,000.00) collectively during Fiscal Year
252 2008. Further, the Department of Public Safety shall be
253 authorized to escalate both funds and positions for any special
254 fund monies received for Homeland Security.

255 **SECTION 12.** In compliance with the "Mississippi Performance
256 Budget and Strategic Planning Act of 1994," it is the intent of
257 the Legislature that the funds provided herein shall be utilized
258 in the most efficient and effective manner possible to achieve the

259 intended mission of this agency. Based on the funding authorized,
 260 this agency shall make every effort to attain the targeted
 261 performance measures provided below:

262		FY08
263	<u>Performance Measures</u>	<u>Target</u>
264	Enforcement	
265	Increased Enforcement - Citations (%)	0.50
266	Decreased Fatalities (%)	-0.10
267	Increased DUI Arrests - Inc Felony DUIs (%)	0.50
268	Criminal Investigations (Actions)	10,074
269	Driver Services	
270	Driver's Licenses/ID Cards Issued (Items)	755,000
271	Cost per License Document Produced (\$)	9.15
272	Drivers Suspended (Persons)	185,000
273	Accident Reports Processed (Actions)	110,000
274	Motor Veh Inspect Stickers Sold (Items)	1,970,000
275	Support Services	
276	Training of Switch/Repository	
277	Classes (Number of)	30
278	Audit of User Agencies (Number of)	90
279	Emergency Telecomm Training	
280	Emerg Telecomm Certified (Persons)	350
281	Certification Transactions (Actions)	1,400
282	Training Quality Monitoring (Actions)	20
283	Forensic Analysis	
284	Reports Issued (Cases)	25,000
285	Court Testimonies (Cases)	200
286	Cost per Case Analyzed (\$)	400
287	Cost per Testimony (\$)	500
288	Dna Analysis	
289	Known Sex Offender Samples (Items)	0
290	Proficiency Samples (Items)	300
291	Casework Samples Examined (Items)	0

292	Cost per Sample (\$)	0
293	Training Academy	
294	Basic Students to Graduate (Persons)	225
295	Basic Refresher Students to	
296	Graduate (Persons)	2,100
297	In-service & Advanced Students	
298	to Graduate (Persons)	50
299	Drug Enforcement	
300	Arrests Made (Persons)	2,676
301	Number of Prosecutions (Actions)	2,991
302	Organizations Disrupted/Dismantled (Actions)	109
303	Forensic Pathology	
304	Deaths Investigated (Actions)	17,000
305	Autopsies Performed at SME Office (Actions)	1,500
306	Cost per Autopsy Performed (\$)	380
307	Jail Officer Training	
308	County Jail Officers Certified (Persons)	350
309	Certification Transactions (Actions)	700
310	Law Enforcement Training	
311	Basic Law Enforc Officers Certified (Persons)	450
312	Certification Transactions (Actions)	1,800
313	Training Quality Monitoring (Actions)	20
314	Public Safety Planning	
315	Statewide Programs Supported (Programs)	360
316	Juvenile Jail Alternatives Dev (Alternatives)	35
317	Narcotics Units Established (Units)	17
318	Drug-free Programs Impact (Persons)	100,000
319	Council On Aging	
320	Number of Board Meetings (Meetings)	4
321	Establish TRIAD Programs (Programs)	4
322	Conduct Training Programs (Programs)	10
323	Provide On-site Tech Assistance (Actions)	20
324	Juvenile Fac Monitoring Unit	

325	Number of Facilities Inspected (Items)	40
326	Strategic Plans Implemented (Items)	18
327	Homeland Security	
328	OHS Grants for Jurisdictions (Number of)	120
329	First Responder Classes (Number of)	600

330 A reporting of the degree to which the performance targets
331 set above have been or are being achieved shall be provided in the
332 agency's budget request submitted to the Joint Legislative Budget
333 Committee for Fiscal Year 2009.

334 **SECTION 13.** It is the intention of the Legislature that all
335 divisions within the Mississippi Department of Public Safety shall
336 maintain complete accounting and personnel records related to the
337 expenditure of all funds appropriated under this act and that such
338 records shall be in the same format and level of detail as
339 maintained for Fiscal Year 2007. It is further the intention of
340 the Legislature that the agency's budget request for Fiscal Year
341 2009 shall be submitted to the Joint Legislative Budget Committee
342 in a format and level of detail comparable to the format and level
343 of detail provided during the Fiscal Year 2008 budget request
344 process.

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

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

356 **SECTION 16.** It is the intention of the Legislature that
357 whenever two (2) or more bids are received by this agency for the

358 purchase of commodities or equipment, and whenever all things
359 stated in such received bids are equal with respect to price,
360 quality and service, the Mississippi Industries for the Blind
361 shall be given preference. A similar preference shall be given to
362 the Mississippi Industries for the Blind whenever purchases are
363 made without competitive bids.

364 **SECTION 17.** Of the funds provided herein the sworn officers
365 of the Mississippi Highway Patrol shall receive a Two Thousand
366 Five Hundred Dollar (\$2,500.00) pay raise.

367 **SECTION 18.** The department is authorized to expend available
368 funds on technology or equipment upgrades or replacements when it
369 will generate savings through efficiency or when the savings
370 generated from such upgrades or replacements exceed expenditures
371 thereof.

372 **SECTION 19.** Of the funds provided herein, and in addition to
373 the One Hundred Dollars (\$100.00) authorized in Section 45-3-7,
374 Mississippi Code of 1972, Highway Safety Patrol Officers who are
375 licensed commercial pilots shall receive an additional Nine
376 Hundred Dollars (\$900.00), for a total of One Thousand Dollars
377 (\$1,000.00), additional compensation for such service.

378 **SECTION 20.** In addition to all other sums heretofore
379 appropriated, the following sum, or so much thereof as may be
380 necessary, is hereby appropriated out of any money in the State
381 General Fund, not otherwise appropriated, to the Department of
382 Public Safety for the purpose of defraying the expense of the
383 Department for the period beginning upon passage and through the
384 fiscal year ending June 30, 2008..... \$1,200,000.00.

385 **SECTION 21.** It is legislative intent to ensure beneficial
386 information reaches as many Mississippians as possible. Further,
387 it is legislative intent that the expenditure of public funds for
388 this purpose be accomplished in an efficient and effective manner.

389 Therefore, state agencies as standard procedure, will observe
390 the following criteria:

- 391 (1) Develop goals and desired result for a campaign.
- 392 (2) Evaluate effectiveness through respected advertising
393 standards, including market reach and cost effectiveness.
- 394 (3) Seek public service announcements, which would be aired
395 by media without cost.
- 396 (4) Itemize and justify professional assistance and related
397 expenses for creative and production costs outside of the actual
398 media expenditures.
- 399 (5) Utilize Mississippi owned media companies when feasible.

400 **SECTION 22.** The money herein appropriated shall be paid by
401 the State Treasurer out of any money in the State Treasury to the
402 credit of the proper fund or funds as set forth in this act, upon
403 warrants issued by the State Fiscal Officer; and the State Fiscal
404 Officer shall issue his warrants upon requisitions signed by the
405 proper person, officer or officers, in the manner provided by law.

406 **SECTION 23.** This act shall take effect and be in force from
407 and after July 1, 2007, except for Section 20 which shall take
408 effect and be in force from and after its passage.