

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. 3146: 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:

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 \$ 73,379,483.00.

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..... \$ 45,637,230.00.

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..... \$ 48,387,297.00
22 Special Funds..... 14,396,094.00
23 Total..... \$ 62,783,391.00

AUTHORIZED POSITIONS:

25 Permanent: Full Time..... 1,065

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.....	\$	593,289.00
32	Special Funds.....		<u>843,880.00</u>
33	Total.....	\$	1,437,169.00

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.....	\$	4,300,303.00
50	Special Funds.....		<u>266,002.00</u>
51	Total.....	\$	4,566,305.00

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.....	\$ 6,823,658.00
60	Special Funds.....	<u>1,491,519.00</u>
61	Total.....	\$ 8,315,177.00

62 AUTHORIZED POSITIONS:

63	Permanent: Full Time.....	105
64	Part Time.....	0
65	Time-Limited: Full Time.....	11
66	Part Time.....	0

67 **DIVISION OF MEDICAL EXAMINER**

68 FUNDING:

69	General Funds.....	\$ 163,916.00
70	Special Funds.....	<u>114,589.00</u>
71	Total.....	\$ 278,505.00

72 AUTHORIZED POSITIONS:

73	Permanent: Full Time.....	3
74	Part Time.....	0
75	Time-Limited: Full Time.....	3
76	Part Time.....	0

77 **DIVISION OF PUBLIC SAFETY PLANNING**

78 **OFFICE OF PUBLIC SAFETY PLANNING**

79 FUNDING:

80	General Funds.....	\$ 458,975.00
81	Special Funds.....	<u>23,631,627.00</u>
82	Total.....	\$ 24,090,602.00

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..... 1,907,709.00

93 Total..... \$ 1,907,709.00

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..... 475,446.00

104 Total..... \$ 475,446.00

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..... 440,945.00

115 Total..... \$ 440,945.00

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..... 366,152.00

125 Total..... \$ 366,152.00

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..... \$ 206,747.00

134 Special Funds..... 714,844.00

135 Total..... \$ 921,591.00

136 AUTHORIZED POSITIONS:

137 Permanent: Full Time..... 24

138 Part Time..... 0

139 Time-Limited: Full Time..... 6

140 Part Time..... 0

141 BUREAU OF NARCOTICS

142 FUNDING:

143 General Funds..... \$ 12,331,980.00

144 Special Funds..... 691,633.00

145 Total..... \$ 13,023,613.00

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..... \$ 113,318.00

154	Special Funds.....		<u>296,790.00</u>
155	Total.....	\$	410,108.00

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 Five Hundred Dollars (\$1,500.00), whichever
165 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 2008 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 appropriations for "Personal
179 Services" when annualized, with the exception of escalated funds
180 and educational benchmarks. If, at the time the agency takes any
181 action to change "Personal Services", the State Personnel Board
182 determines that the agency has taken an action which would cause
183 the agency to exceed this projected annual cost or the Fiscal Year
184 2008 "Personal Services" appropriated level, when annualized, then
185 only those actions which reduce the projected annual cost and/or

186 the appropriation requirement will be processed by the State
187 Personnel Board until such time as the requirements of this
188 provision are met. On January 1, 2008, the State Personnel Board
189 will make adjustments to the structure side of the compliance
190 report based on data provided by the Legislative Budget Office in
191 order for agencies to award educational benchmarks.

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

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

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

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

216 **SECTION 5.** The Commissioner of Public Safety shall have the
217 authority to transfer both positions and/or State General Funds

218 appropriated herein from any Division within the Department of
219 Public Safety to any other Division within the Department of
220 Public Safety, not to exceed twenty-five percent (25%).

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

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

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

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

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

249 **SECTION 11.** The Commissioner of Public Safety shall have the
 250 authority to transfer Department of Public Safety Special Funds
 251 from any Division within the Department of Public Safety to any
 252 other Division of the Department of Public Safety Special Funds,
 253 including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714,
 254 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Six
 255 Million Dollars (\$6,000,000.00) collectively during Fiscal Year
 256 2008. Further, the Department of Public Safety shall be
 257 authorized to escalate both funds and positions for any special
 258 fund monies received for Homeland Security.

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

266	FY08
267 <u>Performance Measures</u>	<u>Target</u>
268 Enforcement	
269 Increased Enforcement - Citations (%)	0.50
270 Decreased Fatalities (%)	-0.10
271 Increased DUI Arrests - Inc Felony DUIs (%)	0.50
272 Criminal Investigations (Actions)	10,074
273 Driver Services	
274 Driver's Licenses/ID Cards Issued (Items)	755,000
275 Cost per License Document Produced (\$)	9.15
276 Drivers Suspended (Persons)	185,000
277 Accident Reports Processed (Actions)	110,000
278 Motor Veh Inspect Stickers Sold (Items)	1,970,000
279 Support Services	
280 Training of Switch/Repository	

281	Classes (Number of)	30
282	Audit of User Agencies (Number of)	90
283	Emergency Telecomm Training	
284	Emerg Telecomm Certified (Persons)	350
285	Certification Transactions (Actions)	1,400
286	Training Quality Monitoring (Actions)	20
287	Forensic Analysis	
288	Reports Issued (Cases)	25,000
289	Court Testimonies (Cases)	200
290	Cost per Case Analyzed (\$)	400
291	Cost per Testimony (\$)	500
292	Dna Analysis	
293	Known Sex Offender Samples (Items)	0
294	Proficiency Samples (Items)	300
295	Casework Samples Examined (Items)	0
296	Cost per Sample (\$)	0
297	Training Academy	
298	Basic Students to Graduate (Persons)	225
299	Basic Refresher Students to	
300	Graduate (Persons)	2,100
301	In-service & Advanced Students	
302	to Graduate (Persons)	50
303	Drug Enforcement	
304	Arrests Made (Persons)	2,676
305	Number of Prosecutions (Actions)	2,991
306	Organizations Disrupted/Dismantled (Actions)	109
307	Forensic Pathology	
308	Deaths Investigated (Actions)	17,000
309	Autopsies Performed at SME Office (Actions)	1,500
310	Cost per Autopsy Performed (\$)	380
311	Jail Officer Training	
312	County Jail Officers Certified (Persons)	350

313	Certification Transactions (Actions)	700
314	Law Enforcement Training	
315	Basic Law Enforc Officers Certified (Persons)	450
316	Certification Transactions (Actions)	1,800
317	Training Quality Monitoring (Actions)	20
318	Public Safety Planning	
319	Statewide Programs Supported (Programs)	360
320	Juvenile Jail Alternatives Dev (Alternatives)	35
321	Narcotics Units Established (Units)	17
322	Drug-free Programs Impact (Persons)	100,000
323	Council On Aging	
324	Number of Board Meetings (Meetings)	4
325	Establish TRIAD Programs (Programs)	4
326	Conduct Training Programs (Programs)	10
327	Provide On-site Tech Assistance (Actions)	20
328	Juvenile Fac Monitoring Unit	
329	Number of Facilities Inspected (Items)	40
330	Strategic Plans Implemented (Items)	18
331	Homeland Security	
332	OHS Grants for Jurisdictions (Number of)	120
333	First Responder Classes (Number of)	600
334	A reporting of the degree to which the performance targets	
335	set above have been or are being achieved shall be provided in the	
336	agency's budget request submitted to the Joint Legislative Budget	
337	Committee for Fiscal Year 2009.	

338 **SECTION 13.** It is the intention of the Legislature that all
339 divisions within the Mississippi Department of Public Safety shall
340 maintain complete accounting and personnel records related to the
341 expenditure of all funds appropriated under this act and that such
342 records shall be in the same format and level of detail as
343 maintained for Fiscal Year 2007. It is further the intention of
344 the Legislature that the agency's budget request for Fiscal Year

345 2009 shall be submitted to the Joint Legislative Budget Committee
346 in a format and level of detail comparable to the format and level
347 of detail provided during the Fiscal Year 2008 budget request
348 process.

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

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

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

368 **SECTION 17.** Of the funds provided herein the sworn officers
369 of the Department of Public Safety shall receive a Two Thousand
370 Five Hundred Dollar (\$2,500.00) pay raise.

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

376 **SECTION 19.** Of the funds provided herein, and in addition to
377 the One Hundred Dollars (\$100.00) authorized in Section 45-3-7,
378 Mississippi Code of 1972, Highway Safety Patrol Officers who are
379 licensed commercial pilots shall receive an additional Nine
380 Hundred Dollars (\$900.00), for a total of One Thousand Dollars
381 (\$1,000.00), additional compensation for such service.

382 **SECTION 20.** Of the funds provided in Section 2, Two Hundred
383 Fifty Thousand Dollars (\$250,000.00) shall be derived from the
384 Tony Gobar Individualized Assessment and Comprehensive Community
385 Intervention Initiative (IACCII) Program, as provided by the
386 Department of Human Services, for juvenile justice programs.

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

391 Therefore, state agencies as standard procedure, will observe
392 the following criteria:

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

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

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

398 (4) Itemize and justify professional assistance and related
399 expenses for creative and production costs outside of the actual
400 media expenditures.

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

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

408 **SECTION 23.** This act shall take effect and be in force from
409 and after July 1, 2007.

**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 2008.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

X (SIGNED)
Gordon

X (SIGNED)
Stringer

X (SIGNED)
Little

X (SIGNED)
Gadd

X (SIGNED)
Cuevas

(NOT SIGNED)
Straughter