

House Amendments to Senate Bill No. 3146

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, 2007, and ending June 30, 2008.....
9 \$ 72,674,912.00.

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..... \$ 47,809,934.00.

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.....	\$	48,013,954.00
22	Special Funds.....		<u>16,839,245.00</u>
23	Total.....	\$	64,853,199.00

AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	1,005
26		Part Time.....	0
27	Time-Limited:	Full Time.....	107
28		Part Time.....	10

DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY

30	FUNDING:	
31	General Funds.....	\$ 590,950.00
32	Special Funds.....	<u>841,540.00</u>
33	Total.....	\$ 1,432,490.00

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.....	\$ 4,120,920.00
50	Special Funds.....	<u>266,002.00</u>
51	Total.....	\$ 4,386,922.00

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.....	\$ 6,790,045.00
60	Special Funds.....	<u>1,490,288.00</u>
61	Total.....	\$ 8,280,333.00

62 AUTHORIZED POSITIONS:

63	Permanent: Full Time.....	100
64	Part Time.....	0

65 Time-Limited: Full Time..... 8
 66 Part Time..... 0

67 **DIVISION OF MEDICAL EXAMINER**

68 FUNDING:

69 General Funds..... \$ 163,524.00
 70 Special Funds..... 114,589.00
 71 Total..... \$ 278,113.00

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..... \$ 335,818.00
 81 Special Funds..... 23,623,324.00
 82 Total..... \$ 23,959,142.00

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..... 1,905,543.00
 93 Total..... \$ 1,905,543.00

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>474,307.00</u>
104	Total.....	\$	474,307.00

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>440,096.00</u>
115	Total.....	\$	440,096.00
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>365,738.00</u>
125	Total.....	\$	365,738.00
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.....	\$	204,115.00
134	Special Funds.....		<u>711,635.00</u>

135 Total..... \$ 915,750.00

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..... \$ 12,342,494.00

144 Special Funds..... 691,063.00

145 Total..... \$ 13,033,557.00

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..... \$ 113,092.00

154 Special Funds..... 46,564.00

155 Total..... \$ 159,656.00

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.

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 The agency shall not take any action to promote or otherwise
202 award salary increases through reallocation, reclassification,
203 realignment, education benchmark, career ladder, or any other
204 means to increase salaries of employees or positions unless

205 specifically exempted by the following conditions: the award of
206 teacher pay increases, the advancement of a trainee/cadet to the
207 next level of a bona fide career ladder, the award of an
208 educational benchmark for the attainment of Certified Public
209 Accountant License or higher level professional certification as
210 determined by the State Personnel Board, the immediate replacement
211 of a departing employee with an individual from within state
212 service or a new hire at a salary level equivalent to that of the
213 departing employee, and the emergency appointment of nurses,
214 pharmacists or other health care professionals at a salary to be
215 determined by the State Personnel Board, unless otherwise
216 authorized in this act.

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

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

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

233 **SECTION 6.** It is the intent of the Legislature that the
234 local governments pay for part of the computer cost of the
235 Mississippi Justice Information Center by maintaining their
236 contribution to the Department of Public Safety.

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

240 all fees charged for services rendered by the Division of Crime
241 Laboratories.

242 **SECTION 8.** No part of the funds appropriated herein shall be
243 transferred to, expended by, or used, directly or indirectly, for
244 the benefit of any public relations, publicity or publication
245 activities of any other state agency, department or officer, nor
246 shall any personnel paid with funds appropriated herein be
247 transferred or assigned to any other state agency, department or
248 officer for public relations, publicity, or publication activities
249 of such office.

250 **SECTION 9.** It is the intention of the Legislature that the
251 Department of Public Safety shall have the authority to receive,
252 budget and expend funds from any source in accordance with the
253 rules and regulations of the Department of Finance and
254 Administration in a manner consistent with the escalation of
255 federal funds.

256 **SECTION 10.** It is the intention of the Legislature that the
257 Department of Public Safety shall not issue citations for
258 violations of speed limits on a quota basis. No funds expended
259 under this act shall be used for such quota-based citations for
260 violations of speed limits.

261 **SECTION 11.** The Commissioner of Public Safety shall have the
262 authority to transfer Department of Public Safety Special Funds
263 from any Division within the Department of Public Safety to any
264 other Division of the Department of Public Safety Special Funds,
265 including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714,
266 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Six
267 Million Dollars (\$6,000,000.00) collectively during Fiscal Year
268 2008. Further, the Department of Public Safety shall be
269 authorized to escalate both funds and positions for any special
270 fund monies received for Homeland Security.

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

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

278		FY08
279	<u>Performance Measures</u>	<u>Target</u>
280	Enforcement	
281	Increased Enforcement - Citations (%)	0.50
282	Decreased Fatalities (%)	-0.10
283	Increased DUI Arrests - Inc Felony DUIs (%)	0.50
284	Criminal Investigations (Actions)	10,074
285	Driver Services	
286	Driver's Licenses/ID Cards Issued (Items)	755,000
287	Cost per License Document Produced (\$)	9.15
288	Drivers Suspended (Persons)	185,000
289	Accident Reports Processed (Actions)	110,000
290	Motor Veh Inspect Stickers Sold (Items)	1,970,000
291	Support Services	
292	Training of Switch/Repository	
293	Classes (Number of)	30
294	Audit of User Agencies (Number of)	90
295	Emergency Telecomm Training	
296	Emerg Telecomm Certified (Persons)	350
297	Certification Transactions (Actions)	1,400
298	Training Quality Monitoring (Actions)	20
299	Forensic Analysis	
300	Reports Issued (Cases)	25,000
301	Court Testimonies (Cases)	200
302	Cost per Case Analyzed (\$)	400
303	Cost per Testimony (\$)	500
304	Dna Analysis	
305	Known Sex Offender Samples (Items)	0
306	Proficiency Samples (Items)	300
307	Casework Samples Examined (Items)	0
308	Cost per Sample (\$)	0
309	Training Academy	

310	Basic Students to Graduate (Persons)	225
311	Basic Refresher Students to	
312	Graduate (Persons)	2,100
313	In-service & Advanced Students	
314	to Graduate (Persons)	50
315	Drug Enforcement	
316	Arrests Made (Persons)	2,676
317	Number of Prosecutions (Actions)	2,991
318	Organizations Disrupted/Dismantled (Actions)	109
319	Forensic Pathology	
320	Deaths Investigated (Actions)	17,000
321	Autopsies Performed at SME Office (Actions)	1,500
322	Cost per Autopsy Performed (\$)	380
323	Jail Officer Training	
324	County Jail Officers Certified (Persons)	350
325	Certification Transactions (Actions)	700
326	Law Enforcement Training	
327	Basic Law Enforc Officers Certified (Persons)	450
328	Certification Transactions (Actions)	1,800
329	Training Quality Monitoring (Actions)	20
330	Public Safety Planning	
331	Statewide Programs Supported (Programs)	360
332	Juvenile Jail Alternatives Dev (Alternatives)	35
333	Narcotics Units Established (Units)	17
334	Drug-free Programs Impact (Persons)	100,000
335	Council On Aging	
336	Number of Board Meetings (Meetings)	4
337	Establish TRIAD Programs (Programs)	4
338	Conduct Training Programs (Programs)	10
339	Provide On-site Tech Assistance (Actions)	20
340	Juvenile Fac Monitoring Unit	
341	Number of Facilities Inspected (Items)	40
342	Strategic Plans Implemented (Items)	18
343	Homeland Security	
344	OHS Grants for Jurisdictions (Number of)	120

345 First Responder Classes (Number of) 600

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

350 **SECTION 13.** It is the intention of the Legislature that all
351 divisions within the Mississippi Department of Public Safety shall
352 maintain complete accounting and personnel records related to the
353 expenditure of all funds appropriated under this act and that such
354 records shall be in the same format and level of detail as
355 maintained for Fiscal Year 2007. It is further the intention of
356 the Legislature that the agency's budget request for Fiscal Year
357 2009 shall be submitted to the Joint Legislative Budget Committee
358 in a format and level of detail comparable to the format and level
359 of detail provided during the Fiscal Year 2008 budget request
360 process.

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

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

372 **SECTION 16.** It is the intention of the Legislature that
373 whenever two (2) or more bids are received by this agency for the
374 purchase of commodities or equipment, and whenever all things
375 stated in such received bids are equal with respect to price,
376 quality and service, the Mississippi Industries for the Blind
377 shall be given preference. A similar preference shall be given to
378 the Mississippi Industries for the Blind whenever purchases are
379 made without competitive bids.

380 **SECTION 17.** Of the funds provided herein, the sworn officers
381 of the Department of Public Safety shall receive a Three Thousand
382 Dollar (\$3,000.00) pay raise.

383 **SECTION 18.** The department is authorized to expend available
384 funds on technology or equipment upgrades or replacements when it
385 will generate savings through efficiency or when the savings
386 generated from such upgrades or replacements exceed expenditures
387 thereof.

388 **SECTION 19.** It is legislative intent to ensure beneficial
389 information reaches as many Mississippians as possible. Further,
390 it is legislative intent that the expenditure of public funds for
391 this purpose be accomplished in an efficient and effective manner.

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

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

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

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

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

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

403 **SECTION 20.** Of the funds appropriated under the provisions
404 of Section 2, Five Million Dollars (\$5,000,000.00) shall be
405 derived from the Working Cash-Stabilization Reserve Fund.

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

412 **SECTION 22.** This act shall take effect and be in force from
413 and after July 1, 2007.

HR05\SB3146A.J

Don Richardson
Clerk of the House of Representatives