

**REPORT OF CONFERENCE COMMITTEE**

**MR. PRESIDENT AND MR. SPEAKER:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3124: 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, 2008, and ending June 30, 2009.....  
9 .....\$       73,419,004.00.

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, 2008, and ending June 30, 2009.....\$       47,447,159.00.

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**

19       Of the funds appropriated under the provisions of this act,  
20 not more than the following amount shall be expended for Salaries,  
21 Wages and Fringe Benefits.....\$       52,030,790.00

**FUNDING:**

22       General Funds.....\$       48,440,661.00  
23       Special Funds.....14,873,520.00



26 Total.....\$ 63,314,181.00

27 AUTHORIZED POSITIONS:

28 Permanent: Full Time..... 1,085

29 Part Time..... 0

30 Time-Limited: Full Time..... 23

31 Part Time..... 3

32 **DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

33 Of the funds appropriated under the provisions of this act,  
34 not more than the following amount shall be expended for Salaries,  
35 Wages and Fringe Benefits.....\$ 885,874.00

36 FUNDING:

37 General Funds.....\$ 593,829.00

38 Special Funds..... 738,214.00

39 Total.....\$ 1,332,043.00

40 AUTHORIZED POSITIONS:

41 Permanent: Full Time..... 20

42 Part Time..... 0

43 Time-Limited: Full Time..... 0

44 Part Time..... 0

45 **DIVISION OF SUPPORT SERVICES**

46 Of the funds appropriated under the provisions of this act,  
47 not more than the following amount shall be expended for Salaries,  
48 Wages and Fringe Benefits.....\$ 3,779,020.00

49 FUNDING:

50 General Funds.....\$ 4,304,323.00

51 Special Funds..... 191,002.00

52 Total.....\$ 4,495,325.00

53 AUTHORIZED POSITIONS:

54 Permanent: Full Time..... 89

55 Part Time..... 0

56 Time-Limited: Full Time..... 2

57 Part Time..... 1



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**DIVISION OF CRIME LABORATORIES**

Of the funds appropriated under the provisions of this act,  
not more than the following amount shall be expended for Salaries,  
Wages and Fringe Benefits.....\$ 6,425,436.00

FUNDING:

General Funds.....\$ 6,829,214.00  
Special Funds..... 1,556,222.00  
Total.....\$ 8,385,436.00

AUTHORIZED POSITIONS:

Permanent: Full Time..... 105  
Part Time..... 0  
Time-Limited: Full Time..... 22  
Part Time..... 0

**DIVISION OF MEDICAL EXAMINER**

Of the funds appropriated under the provisions of this act,  
not more than the following amount shall be expended for Salaries,  
Wages and Fringe Benefits.....\$ 590,720.00

FUNDING:

General Funds.....\$ 129,636.00  
Special Funds..... 796,589.00  
Total.....\$ 926,225.00

AUTHORIZED POSITIONS:

Permanent: Full Time..... 6  
Part Time..... 0  
Time-Limited: Full Time..... 3  
Part Time..... 0

**DIVISION OF PUBLIC SAFETY PLANNING**

**OFFICE OF PUBLIC SAFETY PLANNING**

Of the funds appropriated under the provisions of this act,  
not more than the following amount shall be expended for Salaries,  
Wages and Fringe Benefits.....\$ 1,465,228.00

FUNDING:



90	General Funds.....	\$	459,006.00
91	Special Funds.....		<u>23,646,824.00</u>
92	Total.....	\$	24,105,830.00

93 AUTHORIZED POSITIONS:

94	Permanent: Full Time.....	10
95	Part Time.....	0
96	Time-Limited: Full Time.....	17
97	Part Time.....	0

98 **DIVISION OF PUBLIC SAFETY PLANNING**

99 **OFFICE OF LAW ENFORCEMENT STANDARDS AND TRAINING**

100 Of the funds appropriated under the provisions of this act,  
 101 not more than the following amount shall be expended for Salaries,  
 102 Wages and Fringe Benefits.....\$ 359,580.00

103 FUNDING:

104	General Funds.....	\$	0.00
105	Special Funds.....		<u>2,474,206.00</u>
106	Total.....	\$	2,474,206.00

107 AUTHORIZED POSITIONS:

108	Permanent: Full Time.....	7
109	Part Time.....	0
110	Time-Limited: Full Time.....	0
111	Part Time.....	0

112 **DIVISION OF PUBLIC SAFETY PLANNING**

113 **BOARD OF EMERGENCY TELECOMMUNICATIONS**

114 Of the funds appropriated under the provisions of this act,  
 115 not more than the following amount shall be expended for Salaries,  
 116 Wages and Fringe Benefits.....\$ 133,750.00

117 FUNDING:

118	General Funds.....	\$	0.00
119	Special Funds.....		<u>575,870.00</u>
120	Total.....	\$	575,870.00

121 AUTHORIZED POSITIONS:



122 Permanent: Full Time..... 3  
 123 Part Time..... 0  
 124 Time-Limited: Full Time..... 0  
 125 Part Time..... 0

126 **DIVISION OF PUBLIC SAFETY PLANNING**  
 127 **COUNCIL ON AGING**

128 Of the funds appropriated under the provisions of this act,  
 129 not more than the following amount shall be expended for Salaries,  
 130 Wages and Fringe Benefits.....\$ 108,707.00

131 FUNDING:

132 General Funds.....\$ 0.00  
 133 Special Funds..... 415,707.00  
 134 Total.....\$ 415,707.00

135 AUTHORIZED POSITIONS:

136 Permanent: Full Time..... 2  
 137 Part Time..... 0  
 138 Time-Limited: Full Time..... 0  
 139 Part Time..... 0

140 **COUNTY JAIL OFFICER STANDARDS AND TRAINING BOARD**

141 Of the funds appropriated under the provisions of this act,  
 142 not more than the following amount shall be expended for Salaries,  
 143 Wages and Fringe Benefits.....\$ 52,227.00

144 FUNDING:

145 General Funds.....\$ 0.00  
 146 Special Funds..... 367,875.00  
 147 Total.....\$ 367,875.00

148 AUTHORIZED POSITIONS:

149 Permanent: Full Time..... 1  
 150 Part Time..... 0  
 151 Time-Limited: Full Time..... 0  
 152 Part Time..... 0

153 **OFFICE OF HOMELAND SECURITY**



154 Of the funds appropriated under the provisions of this act,  
 155 not more than the following amount shall be expended for Salaries,  
 156 Wages and Fringe Benefits.....\$ 910,352.00

157 FUNDING:

158 General Funds.....\$ 206,919.00  
 159 Special Funds..... 801,433.00  
 160 Total.....\$ 1,008,352.00

161 AUTHORIZED POSITIONS:

162 Permanent: Full Time..... 18  
 163 Part Time..... 0  
 164 Time-Limited: Full Time..... 5  
 165 Part Time..... 0

166 **BUREAU OF NARCOTICS**

167 Of the funds appropriated under the provisions of this act,  
 168 not more than the following amount shall be expended for Salaries,  
 169 Wages and Fringe Benefits.....\$ 11,091,062.00

170 FUNDING:

171 General Funds.....\$ 12,342,038.00  
 172 Special Funds..... 759,637.00  
 173 Total.....\$ 13,101,675.00

174 AUTHORIZED POSITIONS:

175 Permanent: Full Time..... 195  
 176 Part Time..... 0  
 177 Time-Limited: Full Time..... 1  
 178 Part Time..... 0

179 **JUVENILE FACILITY MONITORING UNIT**

180 Of the funds appropriated under the provisions of this act,  
 181 not more than the following amount shall be expended for Salaries,  
 182 Wages and Fringe Benefits.....\$ 160,601.00

183 FUNDING:

184 General Funds.....\$ 113,378.00  
 185 Special Funds..... 250,060.00



186 Total.....\$ 363,438.00

187 AUTHORIZED POSITIONS:

188	Permanent:	Full Time.....	0
189		Part Time.....	0
190	Time-Limited:	Full Time.....	3
191		Part Time.....	0

192 With the funds herein appropriated, it is the intention of  
193 the Legislature that it shall be the agency's responsibility to  
194 make certain that funds required to be appropriated for "Personal  
195 Services" for Fiscal Year 2010 do not exceed Fiscal Year 2009  
196 funds appropriated for that purpose, unless programs or positions  
197 are added to the agency's Fiscal Year 2009 budget by the  
198 Mississippi Legislature. Based on data provided by the  
199 Legislative Budget Office, the State Personnel Board shall  
200 determine and publish the projected annual cost to fully fund all  
201 appropriated positions in compliance with the provisions of this  
202 act. It shall be the responsibility of the agency head to insure  
203 that no single personnel action increases this projected annual  
204 cost and/or the Fiscal Year 2009 appropriations for "Personal  
205 Services" when annualized, with the exception of escalated funds.  
206 If, at the time the agency takes any action to change "Personal  
207 Services," the State Personnel Board determines that the agency  
208 has taken an action which would cause the agency to exceed this  
209 projected annual cost or the Fiscal Year 2009 "Personal Services"  
210 appropriated level, when annualized, then only those actions which  
211 reduce the projected annual cost and/or the appropriation  
212 requirement will be processed by the State Personnel Board until  
213 such time as the requirements of this provision are met.

214 Any transfers or escalations shall be made in accordance with  
215 the terms, conditions and procedures established by law or  
216 allowable under the terms set forth within this act. The State  
217 Personnel Board shall not escalate positions without written



218 approval from the Department of Finance and Administration. The  
219 Department of Finance and Administration shall not provide written  
220 approval to escalate any funds for salaries and/or positions  
221 without proof of availability of new or additional funds above the  
222 appropriated level.

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

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

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

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

243 **SECTION 6.** It is the intent of the Legislature that the  
244 local governments pay for part of the computer cost of the  
245 Mississippi Justice Information Center by maintaining their  
246 contribution to the Department of Public Safety.

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





250 all fees charged for services rendered by the Division of Crime  
251 Laboratories.

252       **SECTION 8.** No part of the funds appropriated herein shall be  
253 transferred to, expended by, or used, directly or indirectly, for  
254 the benefit of any public relations, publicity or publication  
255 activities of any other state agency, department or officer, nor  
256 shall any personnel paid with funds appropriated herein be  
257 transferred or assigned to any other state agency, department or  
258 officer for public relations, publicity, or publication activities  
259 of such office.

260       **SECTION 9.** It is the intention of the Legislature that the  
261 Department of Public Safety shall have the authority to receive,  
262 budget and expend funds from any source in accordance with the  
263 rules and regulations of the Department of Finance and  
264 Administration in a manner consistent with the escalation of  
265 federal funds.

266       **SECTION 10.** It is the intention of the Legislature that the  
267 Department of Public Safety shall not issue citations for  
268 violations of speed limits on a quota basis. No funds expended  
269 under this act shall be used for such quota-based citations for  
270 violations of speed limits.

271       **SECTION 11.** The Commissioner of Public Safety shall have the  
272 authority to transfer Department of Public Safety Special Funds  
273 from any Division within the Department of Public Safety to any  
274 other Division of the Department of Public Safety Special Funds,  
275 including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714,  
276 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Six  
277 Million Dollars (\$6,000,000.00) collectively during Fiscal Year  
278 2009. Further, the Department of Public Safety shall be  
279 authorized to escalate both funds and positions for any special  
280 fund monies received for Homeland Security.



281           **SECTION 12.** In compliance with the "Mississippi Performance  
 282 Budget and Strategic Planning Act of 1994," it is the intent of  
 283 the Legislature that the funds provided herein shall be utilized  
 284 in the most efficient and effective manner possible to achieve the  
 285 intended mission of this agency. Based on the funding authorized,  
 286 this agency shall make every effort to attain the targeted  
 287 performance measures provided below:

288		FY09
289	<u>Performance Measures</u>	<u>Target</u>
290	Enforcement	
291	Increased Enforcement - Citations (%)	0.50
292	Decreased Fatalities (%)	-0.10
293	Increased DUI Arrests - Inc Felony DUIs (%)	0.50
294	Criminal Investigations (Actions)	10,074
295	Driver Services	
296	Driver's Licenses/ID Cards Issued (Items)	755,000
297	Cost per License Document Produced (\$)	9.15
298	Drivers Suspended (Persons)	185,000
299	Accident Reports Processed (Actions)	110,000
300	Motor Veh Inspect Stickers Sold (Items)	1,970,000
301	Support Services	
302	Training of Switch/Repository	
303	Classes (Number of)	30
304	Audit of User Agencies (Number of)	90
305	Emerg Telecomm Training	
306	Emerg Telecomm Certified (Persons)	550
307	Certification Transactions (Actions)	2,200
308	Training Quality Monitoring (Actions)	1,000
309	Forensic Analysis	
310	Reports Issued (Cases)	25,000
311	Court Testimonies (Cases)	250
312	Cost per Case Analyzed (\$)	480.00



313	Cost per Testimony (\$)	500.00
314	Dna Analysis	
315	Known Sex Offender Samples (Items)	7,200
316	Proficiency Samples (Items)	200
317	Casework Samples Examined (Items)	10,000
318	Cost per Sample (\$)	150.00
319	Training Academy	
320	Basic Students to Graduate (Persons)	150
321	Basic Refresher Students to	
322	Graduate (Persons)	30
323	In-service & Advanced Students	
324	to Graduate (Persons)	1,200
325	Drug Enforcement	
326	Arrests Made (Persons)	2,676
327	Number of Prosecutions (Actions)	2,991
328	Organizations Disrupted/Dismantled (Actions)	109
329	Forensic Pathology	
330	Deaths Investigated (Actions)	17,000
331	Autopsies Performed at SME Office (Actions)	1,700
332	Cost per Autopsy Performed (\$)	380.00
333	Jail Officer Training	
334	County Jail Officers Certified (Persons)	350
335	Certification Transactions (Actions)	700
336	Law Enforcement Training	
337	Basic Law Enforc Officers Certified (Persons)	575
338	Certification Transactions (Actions)	30
339	Training Quality Monitoring (Actions)	1,000
340	Public Safety Planning	
341	Statewide Programs Supported (Programs)	400
342	Juvenile Jail Alternatives Dev (Alternatives)	35
343	Narcotics Units Established (Units)	17
344	Drug-free Programs Impact (Persons)	100,000



345	Council On Aging	
346	Number of Board Meetings (Meetings)	4
347	Establish TRIAD Programs (Programs)	4
348	Conduct Training Programs (Programs)	10
349	Provide On-site Tech Assistance (Actions)	10

350	Juvenile Fac Monitoring Unit	
351	Number of Facilities Inspected (Items)	80
352	Strategic Plans Implemented (Items)	21

353	Homeland Security	
354	OHS Grants for Jurisdictions (Number of)	120
355	First Responder Classes (Number of)	600

356       A reporting of the degree to which the performance targets  
357 set above have been or are being achieved shall be provided in the  
358 agency's budget request submitted to the Joint Legislative Budget  
359 Committee for Fiscal Year 2010.

360       **SECTION 13.** It is the intention of the Legislature that all  
361 divisions within the Mississippi Department of Public Safety shall  
362 maintain complete accounting and personnel records related to the  
363 expenditure of all funds appropriated under this act and that such  
364 records shall be in the same format and level of detail as  
365 maintained for Fiscal Year 2008. It is further the intention of  
366 the Legislature that the agency's budget request for Fiscal Year  
367 2010 shall be submitted to the Joint Legislative Budget Committee  
368 in a format and level of detail comparable to the format and level  
369 of detail provided during the Fiscal Year 2009 budget request  
370 process.

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



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

382           **SECTION 16.** It is the intention of the Legislature that  
383 whenever two (2) or more bids are received by this agency for the  
384 purchase of commodities or equipment, and whenever all things  
385 stated in such received bids are equal with respect to price,  
386 quality and service, the Mississippi Industries for the Blind  
387 shall be given preference. A similar preference shall be given to  
388 the Mississippi Industries for the Blind whenever purchases are  
389 made without competitive bids.

390           **SECTION 17.** The department is authorized to expend available  
391 funds on technology or equipment upgrades or replacements when it  
392 will generate savings through efficiency or when the savings  
393 generated from such upgrades or replacements exceed expenditures  
394 thereof.

395           **SECTION 18.** Of the funds provided in Section 2, Two Hundred  
396 Fifty Thousand Dollars (\$250,000.00) shall be derived from the  
397 Tony Gobar Individualized Assessment and Comprehensive Community  
398 Intervention Initiative (IACCII) Program, as provided by the  
399 Department of Human Services, for juvenile justice programs.

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

404           Therefore, state agencies as standard procedure, will observe  
405 the following criteria:

406           (a) Develop goals and desired result for a campaign.



407 (b) Evaluate effectiveness through respected  
408 advertising standards, including market reach and cost  
409 effectiveness.

410 (c) Seek public service announcements, which would be  
411 aired by media without cost.

412 (d) Itemize and justify professional assistance and  
413 related expenses for creative and production costs outside of the  
414 actual media expenditures.

415 (e) Utilize Mississippi-owned media companies when  
416 feasible.

417 **SECTION 20.** It is the intention of the Legislature that  
418 filling the driver license examiner positions shall be a priority  
419 of the department as well as reducing the service time to complete  
420 renewal process. It is the intention of the Legislature that the  
421 Department of Public Safety shall submit a report to the  
422 Legislature on the status of Driver License Examination Stations  
423 in the State of Mississippi on or before December 31, 2008. This  
424 report shall include, but not be limited to, the following items  
425 of information: number of driver license stations in the state,  
426 the locations of the driver license stations, the number of  
427 employees at each station, the average length of time to complete  
428 the renewal process by location, and the hours of operation of  
429 each station. It is further the intention of the Legislature that  
430 said report shall include recommendations on how to reduce the  
431 service time in completing the renewal process and resources  
432 needed to accept debit and credit cards at these locations.

433 **SECTION 21.** It is the intention of the Legislature that the  
434 Department of Public Safety shall submit a cost study report to  
435 the Legislature on the state enforcement of federal immigration  
436 laws by December 31, 2008. This report shall include, but not  
437 limited to, the costs associated with investigation, apprehension,  
438 detention, and transportation of aliens in the state as well as



439 any costs related to any training and certification needed for the  
440 law enforcement officers.

441 **SECTION 22.** Of the funds appropriated in Section 2 and  
442 allocated in Section 3 Five Hundred Thousand Dollars (\$500,000.00)  
443 shall be derived from National Association for Stock Car Auto  
444 Racing (NASCAR) theme license tag fees deposited into the New  
445 Capitol Repair and Renovation Fund as created in Section 27-19-  
446 56.69 (8), Mississippi Code of 1972 to fully fund the staff of the  
447 Division of Medical Examiner.

448 **SECTION 23.** The money herein appropriated shall be paid by  
449 the State Treasurer out of any money in the State Treasury to the  
450 credit of the proper fund or funds as set forth in this act, upon  
451 warrants issued by the State Fiscal Officer; and the State Fiscal  
452 Officer shall issue his warrants upon requisitions signed by the  
453 proper person, officer or officers, in the manner provided by law.

454 **SECTION 24.** This act shall take effect and be in force from  
455 and after July 1, 2008.

CONFEREES FOR THE SENATE

X (SIGNED)  
Nunnelee

X (SIGNED)  
Lee (35th)

X (SIGNED)  
Chassaniol

CONFEREES FOR THE HOUSE

X (SIGNED)  
Stringer

X (SIGNED)  
Flaggs

X (SIGNED)  
Warren

