

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

Senate Bill NO. 2952

By Representative(s) Committee

**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, 2003, and ending June 30, 2004.....
9 \$ 43,223,649.00.

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, 2003, and ending June 30, 2004..... \$ 45,879,109.00.

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 expended for the respective major objects or purposes of
19 expenditure:

20 **DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL**

21 MAJOR OBJECTS OF EXPENDITURE:

22 Personal Services:

23 Salaries, Wages and Fringe Benefits.. \$ 36,920,254.00

24	Travel and Subsistence.....	106,000.00
25	Contractual Services.....	4,010,000.00
26	Commodities.....	3,484,385.00
27	Capital Outlay:	
28	Other Than Equipment.....	75,000.00
29	Equipment.....	2,992,000.00
30	Subsidies, Loans and Grants.....	<u>54,850.00</u>
31	Total.....	\$ 47,642,489.00

32 FUNDING:

33	General Funds.....	\$ 32,105,702.00
34	Special Funds.....	<u>15,536,787.00</u>
35	Total.....	\$ 47,642,489.00

36 AUTHORIZED POSITIONS:

37	Permanent: Full Time.....	793
38	Part Time.....	0
39	Time-Limited: Full Time.....	1
40	Part Time.....	0

41 **DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

42 MAJOR OBJECTS OF EXPENDITURE:

43 Personal Services:

44	Salaries, Wages and Fringe Benefits..	\$ 718,856.00
45	Travel and Subsistence.....	7,100.00
46	Contractual Services.....	370,000.00
47	Commodities.....	198,108.00
48	Capital Outlay:	
49	Other Than Equipment.....	0.00
50	Equipment.....	31,400.00
51	Subsidies, Loans and Grants.....	<u>217,800.00</u>
52	Total.....	\$ 1,543,264.00

53 FUNDING:

54	General Funds.....	\$ 585,175.00
55	Special Funds.....	<u>958,089.00</u>
56	Total.....	\$ 1,543,264.00

57 AUTHORIZED POSITIONS:

58	Permanent: Full Time.....	20
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59	Part Time.....	0
60	Time-Limited: Full Time.....	0
61	Part Time.....	0

62 It is the intention of the Legislature that all funds
63 received as tuition fees, grants or donations by the Division of
64 Law Enforcement Training Academy shall be deposited in a special
65 fund in the State Treasury to be designated as "Law Enforcement
66 Officers' Training Academy Fees and Donations Fund." It is
67 further the intention of the Legislature that the Division of Law
68 Enforcement Training Academy may increase fees at any time to
69 offset any increases in operational costs.

70 **DIVISION OF SUPPORT SERVICES**

71 MAJOR OBJECTS OF EXPENDITURE:

72 Personal Services:

73	Salaries, Wages and Fringe Benefits.. \$	4,216,846.00
74	Travel and Subsistence.....	26,500.00
75	Contractual Services.....	3,700,000.00
76	Commodities.....	190,500.00
77	Capital Outlay:	
78	Other Than Equipment.....	0.00
79	Equipment.....	0.00
80	Subsidies, Loans and Grants.....	<u>20,000.00</u>
81	Total..... \$	8,153,846.00

82 FUNDING:

83	General Funds..... \$	5,637,215.00
84	Special Funds.....	<u>2,516,631.00</u>
85	Total..... \$	8,153,846.00

86 AUTHORIZED POSITIONS:

87	Permanent: Full Time.....	97
88	Part Time.....	0
89	Time-Limited: Full Time.....	1
90	Part Time.....	0

91 **DIVISION OF CRIME LABORATORIES**

92 MAJOR OBJECTS OF EXPENDITURE:

93 Personal Services:

94	Salaries, Wages and Fringe Benefits..	\$	4,290,611.00
95	Travel and Subsistence.....		39,000.00
96	Contractual Services.....		884,007.00
97	Commodities.....		277,060.00
98	Capital Outlay:		
99	Other Than Equipment.....		0.00
100	Equipment.....		185,000.00
101	Subsidies, Loans and Grants.....		<u>35,000.00</u>
102	Total.....	\$	5,710,678.00

103 FUNDING:

104	General Funds.....	\$	4,231,010.00
105	Special Funds.....		<u>1,479,668.00</u>
106	Total.....	\$	5,710,678.00

107 AUTHORIZED POSITIONS:

108	Permanent:	Full Time.....	82
109		Part Time.....	0
110	Time-Limited:	Full Time.....	3
111		Part Time.....	0

112 **DIVISION OF MEDICAL EXAMINER**

113 MAJOR OBJECTS OF EXPENDITURE:

114 Personal Services:

115	Salaries, Wages and Fringe Benefits..	\$	78,287.00
116	Travel and Subsistence.....		5,000.00
117	Contractual Services.....		176,879.00
118	Commodities.....		62,500.00
119	Capital Outlay:		
120	Other Than Equipment.....		0.00
121	Equipment.....		18,900.00
122	Subsidies, Loans and Grants.....		<u>0.00</u>
123	Total.....	\$	341,566.00

124 FUNDING:

125	General Funds.....	\$	208,877.00
126	Special Funds.....		<u>132,689.00</u>
127	Total.....	\$	341,566.00

128 AUTHORIZED POSITIONS:

129	Permanent:	Full Time.....	3
130		Part Time.....	0
131	Time-Limited:	Full Time.....	0
132		Part Time.....	0

DIVISION OF PUBLIC SAFETY PLANNING

OFFICE OF PUBLIC SAFETY PLANNING

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

137	Salaries, Wages and Fringe Benefits..	\$	1,189,203.00
138	Travel and Subsistence.....		65,000.00
139	Contractual Services.....		560,000.00
140	Commodities.....		61,500.00
141	Capital Outlay:		
142	Other Than Equipment.....		0.00
143	Equipment.....		18,500.00
144	Subsidies, Loans and Grants.....		<u>19,223,695.00</u>
145	Total.....	\$	21,117,898.00

FUNDING:

147	General Funds.....	\$	455,670.00
148	Special Funds.....		<u>20,662,228.00</u>
149	Total.....	\$	21,117,898.00

AUTHORIZED POSITIONS:

151	Permanent:	Full Time.....	9
152		Part Time.....	0
153	Time-Limited:	Full Time.....	13
154		Part Time.....	0

DIVISION OF PUBLIC SAFETY PLANNING

OFFICE OF LAW ENFORCEMENT STANDARDS AND TRAINING

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

159	Salaries, Wages and Fringe Benefits..	\$	322,829.00
160	Travel and Subsistence.....		13,500.00
161	Contractual Services.....		582,100.00
162	Commodities.....		14,300.00
163	Capital Outlay:		

164	Other Than Equipment.....	0.00
165	Equipment.....	6,700.00
166	Subsidies, Loans and Grants.....	<u>1,678,500.00</u>
167	Total.....	\$ 2,617,929.00

168 FUNDING:

169	General Funds.....	\$ 0.00
170	Special Funds.....	<u>2,617,929.00</u>
171	Total.....	\$ 2,617,929.00

172 AUTHORIZED POSITIONS:

173	Permanent: Full Time.....	7
174	Part Time.....	0
175	Time-Limited: Full Time.....	0
176	Part Time.....	0

177 **DIVISION OF PUBLIC SAFETY PLANNING**

178 **BOARD OF EMERGENCY TELECOMMUNICATIONS**

179 MAJOR OBJECTS OF EXPENDITURE:

180 Personal Services:

181	Salaries, Wages and Fringe Benefits..	\$ 82,731.00
182	Travel and Subsistence.....	6,000.00
183	Contractual Services.....	202,100.00
184	Commodities.....	6,850.00

185 Capital Outlay:

186	Other Than Equipment.....	0.00
187	Equipment.....	5,000.00
188	Subsidies, Loans and Grants.....	<u>325,000.00</u>
189	Total.....	\$ 627,681.00

190 FUNDING:

191	General Funds.....	\$ 0.00
192	Special Funds.....	<u>627,681.00</u>
193	Total.....	\$ 627,681.00

194 AUTHORIZED POSITIONS:

195	Permanent: Full Time.....	2
196	Part Time.....	0
197	Time-Limited: Full Time.....	0
198	Part Time.....	0

199	DIVISION OF PUBLIC SAFETY PLANNING	
200	COUNCIL ON AGING	
201	MAJOR OBJECTS OF EXPENDITURE:	
202	Personal Services:	
203	Salaries, Wages and Fringe Benefits.. \$	89,655.00
204	Travel and Subsistence.....	6,000.00
205	Contractual Services.....	53,660.00
206	Commodities.....	17,850.00
207	Capital Outlay:	
208	Other Than Equipment.....	0.00
209	Equipment.....	4,000.00
210	Subsidies, Loans and Grants.....	<u>500,000.00</u>
211	Total..... \$	671,165.00

212	FUNDING:	
213	General Funds..... \$	0.00
214	Special Funds.....	<u>671,165.00</u>
215	Total..... \$	671,165.00

216	AUTHORIZED POSITIONS:	
217	Permanent: Full Time.....	2
218	Part Time.....	0
219	Time-Limited: Full Time.....	0
220	Part Time.....	0

221	COUNTY JAIL OFFICER STANDARDS AND TRAINING BOARD	
222	MAJOR OBJECTS OF EXPENDITURE:	
223	Personal Services:	
224	Salaries, Wages and Fringe Benefits.. \$	100,322.00
225	Travel and Subsistence.....	5,500.00
226	Contractual Services.....	273,220.00
227	Commodities.....	8,000.00
228	Capital Outlay:	
229	Other Than Equipment.....	0.00
230	Equipment.....	4,200.00
231	Subsidies, Loans and Grants.....	<u>285,000.00</u>
232	Total..... \$	676,242.00

233 FUNDING:

234	General Funds.....	\$	0.00
235	Special Funds.....		<u>676,242.00</u>
236	Total.....	\$	676,242.00

237 AUTHORIZED POSITIONS:

238	Permanent:	Full Time.....	2
239		Part Time.....	0
240	Time-Limited:	Full Time.....	0
241		Part Time.....	0

242 With the funds herein appropriated, it is the intention of
243 the Legislature that it shall be the agency's responsibility to
244 make certain that funds required to be appropriated for "Personal
245 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
246 funds appropriated for that purpose, unless programs or positions
247 are added to the agency's Fiscal Year 2005 budget by the
248 Mississippi Legislature. Based on data provided by the
249 Legislative Budget Office, the State Personnel Board shall
250 determine and publish the projected annual cost to fully fund all
251 appropriated positions in compliance with the provisions of this
252 act. It shall be the responsibility of the agency head to insure
253 that no single personnel action increases this projected annual
254 cost and/or the Fiscal Year 2004 appropriation for "Personal
255 Services" when annualized. If, at the end of any calendar month,
256 the State Personnel Board determines that the agency has taken
257 action(s) which would cause the agency to exceed this projected
258 annual cost or the Fiscal Year 2004 "Personal Services"
259 appropriated level, when annualized, then only those actions which
260 reduce the projected annual cost and/or the appropriation
261 requirement will be processed by the State Personnel Board until
262 such time as the requirements of this provision are met.

263 Any transfers within major objects of expenditure within each
264 specific budget or escalations shall be made in accordance with
265 the terms, conditions and procedures established by law.

266 No general funds authorized to be expended herein shall be
267 used to replace federal funds and/or other special funds which are
268 being used for salaries authorized under the provisions of this

269 act and which are withdrawn and no longer available.

270 **SECTION 4.** The Commissioner of Public Safety may, on a case
271 by case basis, within funds available, recommend that corrective
272 salary adjustments be made to the compensation of employees of the
273 Department of Public Safety where an inequity was created between
274 employees of equivalent capacity by previous application of the
275 agency appropriation acts. Any such corrective salary adjustment
276 plan must have prior approval by the State Personnel Board. Such
277 adjustments will not be retroactive.

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

281 **SECTION 5.** The Commissioner of Public Safety shall have the
282 authority to transfer State General Funds appropriated herein from
283 any Division within the Department of Public Safety to any other
284 Division within the Department of Public Safety between any major
285 objects of expenditure, including but not limited to Salaries,
286 Wages, and Fringe Benefits, not to exceed five percent (5%).

287 **SECTION 6.** It is the intent of the Legislature that the
288 local governments pay for part of the computer cost of the
289 Mississippi Justice Information Center by maintaining their
290 contribution to the Department of Public Safety.

291 **SECTION 7.** It is the intention of the Legislature that the
292 Department of Public Safety designate certain employees to aid the
293 Division of Crime Laboratories in the billing and collecting of
294 all fees charged for services rendered by the Division of Crime
295 Laboratories.

296 **SECTION 8.** No part of the funds appropriated herein shall be
297 transferred to, expended by, or used, directly or indirectly, for
298 the benefit of any public relations, publicity or publication
299 activities of any other state agency, department or officer, nor
300 shall any personnel paid with funds appropriated herein be
301 transferred or assigned to any other state agency, department or
302 officer for public relations, publicity, or publication activities
303 of such office.

304 **SECTION 9.** It is the intention of the Legislature that the
305 Department of Public Safety shall have the authority to receive,
306 budget and expend funds from any source in accordance with the
307 rules and regulations of the Department of Finance and
308 Administration in a manner consistent with the escalation of
309 federal funds.

310 **SECTION 10.** It is the intention of the Legislature that the
311 Department of Public Safety shall not issue citations for
312 violations of speed limits on a quota basis. No funds expended
313 under this act shall be used for such quota-based citations for
314 violations of speed limits.

315 **SECTION 11.** It is the intention of the legislature that Fair
316 Labor Standards Act (FLSA) non-exempt sworn officers may
317 accumulate and/or receive monetary compensation for compensatory
318 time not to exceed 300 hours in any fiscal year. FLSA exempt
319 sworn officers may accumulate and/or receive monetary compensation
320 for compensatory time not to exceed 300 hours in any fiscal year.

321 Further, any FLSA exempt sworn officer having more than 300 hours
322 of compensatory time on record as of passage of this bill shall
323 exhaust through usage the excess compensatory time by December 31,
324 2003. Any compensatory time in excess of 300 hours of exempt
325 sworn officers as of January 1, 2004, shall be forfeited and the
326 balance shall be reduced to 300 hours. However, the Commissioner
327 shall have the authority to authorize compensatory time in excess
328 of 300 hours for exempt and non-exempt sworn officers to carry out
329 the duties and functions of the Department of Public Safety during
330 times of extraordinary or unusual public safety risks, or for
331 federally funded call back details, or for full- or part-time
332 assignments to federally funded task forces. However, at no time
333 will compensation of FLSA non-exempt or exempt sworn officers
334 exceed in total the compensation of the agency head pursuant to
335 Section 25-3-39(2), Mississippi Code of 1972.

336 **SECTION 12.** The Commissioner of Public Safety shall have the
337 authority to transfer Department of Public Safety Special Funds
338 from any Division within the Department of Public Safety to any

339 other Division of the Department of Public Safety Special Funds
340 including Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,
341 3742, 3744, 3747, not to exceed Four Million Dollars
342 (\$4,000,000.00) collectively during Fiscal Year 2004.

343 **SECTION 13.** It is the intention of the Legislature that all
344 Fair Labor Standards Act (FLSA) non-exempt sworn officers who are
345 working 171 hours in a 28-day work cycle be compensated at an
346 hourly rate based on 2,087.143 hours per year. This section and
347 its provisions shall be known and cited as the "David R. Huggins
348 Act of 2002".

349 **SECTION 14.** The money herein appropriated shall be paid by
350 the State Treasurer out of any money in the State Treasury to the
351 credit of the proper fund or funds as set forth in this act, upon
352 warrants issued by the State Fiscal Officer; and the State Fiscal
353 Officer shall issue his warrants upon requisitions signed by the
354 proper person, officer or officers, in the manner provided by law.

355 **SECTION 15.** This act shall take effect and be in force from
356 and after July 1, 2003.