

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

To: Appropriations

SENATE BILL NO. 3079

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2006.

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, 2005, and ending June 30, 2006.....  
9 ..... \$ 50,874,087.00.

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, 2005, and ending June 30, 2006..... \$ 40,403,444.00.

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.. \$ 37,417,084.00  
24 Travel and Subsistence..... 55,000.00  
25 Contractual Services..... 2,003,240.00  
26 Commodities..... 1,887,200.00

27 Capital Outlay:

28	Other Than Equipment.....		2,500.00
29	Equipment.....		500,000.00
30	Subsidies, Loans and Grants.....		<u>54,850.00</u>
31	Total.....	\$	41,919,874.00

32 FUNDING:

33	General Funds.....	\$	31,221,284.00
34	Special Funds.....		<u>10,698,590.00</u>
35	Total.....	\$	41,919,874.00

36 AUTHORIZED POSITIONS:

37	Permanent: Full Time.....	799
38	Part Time.....	0
39	Time-Limited: Full Time.....	1
40	Part Time.....	2

41 **DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

42 MAJOR OBJECTS OF EXPENDITURE:

43 Personal Services:

44	Salaries, Wages and Fringe Benefits..	\$	717,782.00
45	Travel and Subsistence.....		4,130.00
46	Contractual Services.....		338,478.00
47	Commodities.....		195,940.00

48 Capital Outlay:

49	Other Than Equipment.....		0.00
50	Equipment.....		14,830.00
51	Subsidies, Loans and Grants.....		<u>217,800.00</u>
52	Total.....	\$	1,488,960.00

53 FUNDING:

54	General Funds.....	\$	549,580.00
55	Special Funds.....		<u>939,380.00</u>
56	Total.....	\$	1,488,960.00

57 AUTHORIZED POSITIONS:

58	Permanent: Full Time.....	18
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.. \$	4,352,000.00
74	Travel and Subsistence.....	24,000.00
75	Contractual Services.....	2,179,155.00
76	Commodities.....	211,000.00
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..... \$	6,786,155.00

82 FUNDING:

83	General Funds..... \$	4,791,052.00
84	Special Funds.....	<u>1,995,103.00</u>
85	Total..... \$	6,786,155.00

86 AUTHORIZED POSITIONS:

87	Permanent: Full Time.....	99
88	Part Time.....	0
89	Time-Limited: Full Time.....	1
90	Part Time.....	1

91 **DIVISION OF CRIME LABORATORIES**

92 MAJOR OBJECTS OF EXPENDITURE:

93 Personal Services:

94	Salaries, Wages and Fringe Benefits..	\$	4,142,095.00
95	Travel and Subsistence.....		31,000.00
96	Contractual Services.....		843,350.00
97	Commodities.....		309,060.00
98	Capital Outlay:		
99	Other Than Equipment.....		0.00
100	Equipment.....		100,000.00
101	Subsidies, Loans and Grants.....		<u>25,000.00</u>
102	Total.....	\$	5,450,505.00

103 FUNDING:

104	General Funds.....	\$	4,096,862.00
105	Special Funds.....		<u>1,353,643.00</u>
106	Total.....	\$	5,450,505.00

107 AUTHORIZED POSITIONS:

108	Permanent:	Full Time.....	76
109		Part Time.....	0
110	Time-Limited:	Full Time.....	4
111		Part Time.....	0

112 **DIVISION OF MEDICAL EXAMINER**

113 MAJOR OBJECTS OF EXPENDITURE:

114 Personal Services:

115	Salaries, Wages and Fringe Benefits..	\$	38,619.00
116	Travel and Subsistence.....		500.00
117	Contractual Services.....		178,679.00
118	Commodities.....		43,550.00
119	Capital Outlay:		
120	Other Than Equipment.....		0.00
121	Equipment.....		15,000.00
122	Subsidies, Loans and Grants.....		<u>0.00</u>
123	Total.....	\$	276,348.00

124 FUNDING:

125	General Funds.....	\$	161,759.00
126	Special Funds.....		<u>114,589.00</u>

127 Total..... \$ 276,348.00

128 AUTHORIZED POSITIONS:

129 Permanent: Full Time..... 2

130 Part Time..... 0

131 Time-Limited: Full Time..... 0

132 Part Time..... 0

133 DIVISION OF PUBLIC SAFETY PLANNING

134 OFFICE OF PUBLIC SAFETY PLANNING

135 MAJOR OBJECTS OF EXPENDITURE:

136 Personal Services:

137 Salaries, Wages and Fringe Benefits.. \$ 1,258,368.00

138 Travel and Subsistence..... 18,702.00

139 Contractual Services..... 449,214.00

140 Commodities..... 21,700.00

141 Capital Outlay:

142 Other Than Equipment..... 0.00

143 Equipment..... 0.00

144 Subsidies, Loans and Grants..... 19,223,695.00

145 Total..... \$ 20,971,679.00

146 FUNDING:

147 General Funds..... \$ 444,368.00

148 Special Funds..... 20,527,311.00

149 Total..... \$ 20,971,679.00

150 AUTHORIZED POSITIONS:

151 Permanent: Full Time..... 12

152 Part Time..... 0

153 Time-Limited: Full Time..... 13

154 Part Time..... 0

155 DIVISION OF PUBLIC SAFETY PLANNING

156 OFFICE OF LAW ENFORCEMENT STANDARDS AND TRAINING

157 MAJOR OBJECTS OF EXPENDITURE:

158 Personal Services:

159 Salaries, Wages and Fringe Benefits.. \$ 374,358.00

160	Travel and Subsistence.....		4,500.00
161	Contractual Services.....		104,300.00
162	Commodities.....		8,050.00
163	Capital Outlay:		
164	Other Than Equipment.....		0.00
165	Equipment.....		0.00
166	Subsidies, Loans and Grants.....		<u>1,678,500.00</u>
167	Total.....	\$	2,169,708.00
168	FUNDING:		
169	General Funds.....	\$	0.00
170	Special Funds.....		<u>2,169,708.00</u>
171	Total.....	\$	2,169,708.00
172	AUTHORIZED POSITIONS:		
173	Permanent: Full Time.....	8	
174	Part Time.....	0	
175	Time-Limited: Full Time.....	0	
176	Part Time.....	0	
177	<b>DIVISION OF PUBLIC SAFETY PLANNING</b>		
178	<b>BOARD OF EMERGENCY TELECOMMUNICATIONS</b>		
179	MAJOR OBJECTS OF EXPENDITURE:		
180	Personal Services:		
181	Salaries, Wages and Fringe Benefits..	\$	112,159.00
182	Travel and Subsistence.....		700.00
183	Contractual Services.....		45,850.00
184	Commodities.....		1,000.00
185	Capital Outlay:		
186	Other Than Equipment.....		0.00
187	Equipment.....		0.00
188	Subsidies, Loans and Grants.....		<u>325,000.00</u>
189	Total.....	\$	484,709.00
190	FUNDING:		
191	General Funds.....	\$	0.00
192	Special Funds.....		<u>484,709.00</u>

193 Total..... \$ 484,709.00

194 AUTHORIZED POSITIONS:

195 Permanent: Full Time..... 3

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.. \$ 95,045.00

204 Travel and Subsistence..... 1,000.00

205 Contractual Services..... 35,605.00

206 Commodities..... 7,750.00

207 Capital Outlay:

208 Other Than Equipment..... 0.00

209 Equipment..... 0.00

210 Subsidies, Loans and Grants..... 400,000.00

211 Total..... \$ 539,400.00

212 FUNDING:

213 General Funds..... \$ 0.00

214 Special Funds..... 539,400.00

215 Total..... \$ 539,400.00

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.. \$ 98,688.00

225 Travel and Subsistence..... 500.00

226	Contractual Services.....		47,250.00
227	Commodities.....		1,250.00
228	Capital Outlay:		
229	Other Than Equipment.....		0.00
230	Equipment.....		0.00
231	Subsidies, Loans and Grants.....		<u>285,000.00</u>
232	Total.....	\$	432,688.00
233	FUNDING:		
234	General Funds.....	\$	0.00
235	Special Funds.....		<u>432,688.00</u>
236	Total.....	\$	432,688.00
237	AUTHORIZED POSITIONS:		
238	Permanent: Full Time.....	2	
239	Part Time.....	0	
240	Time-Limited: Full Time.....	0	
241	Part Time.....	0	
242	<b>OFFICE OF HOMELAND SECURITY</b>		
243	MAJOR OBJECTS OF EXPENDITURE:		
244	Personal Services:		
245	Salaries, Wages and Fringe Benefits..	\$	527,803.00
246	Travel and Subsistence.....		25,000.00
247	Contractual Services.....		154,000.00
248	Commodities.....		86,300.00
249	Capital Outlay:		
250	Other Than Equipment.....		0.00
251	Equipment.....		24,000.00
252	Subsidies, Loans and Grants.....		<u>0.00</u>
253	Total.....	\$	817,103.00
254	FUNDING:		
255	General Funds.....	\$	175,090.00
256	Special Funds.....		<u>642,013.00</u>
257	Total.....	\$	817,103.00
258	AUTHORIZED POSITIONS:		



259	Permanent:	Full Time.....	8
260		Part Time.....	0
261	Time-Limited:	Full Time.....	2
262		Part Time.....	0

**BUREAU OF NARCOTICS**

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

266	Salaries, Wages and Fringe Benefits..	\$	7,738,705.00
267	Travel and Subsistence.....		80,000.00
268	Contractual Services.....		1,519,447.00
269	Commodities.....		200,000.00
270	Capital Outlay:		
271	Other Than Equipment.....		0.00
272	Equipment.....		400,000.00
273	Subsidies, Loans and Grants.....		<u>2,250.00</u>
274	Total.....	\$	9,940,402.00

FUNDING:

276	General Funds.....	\$	9,434,092.00
277	Special Funds.....		<u>506,310.00</u>
278	Total.....	\$	9,940,402.00

AUTHORIZED POSITIONS:

280	Permanent:	Full Time.....	171
281		Part Time.....	0
282	Time-Limited:	Full Time.....	0
283		Part Time.....	0

284 With the funds herein appropriated, it is the intention of  
 285 the Legislature that it shall be the agency's responsibility to  
 286 make certain that funds required to be appropriated for "Personal  
 287 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006  
 288 funds appropriated for that purpose, unless programs or positions  
 289 are added to the agency's Fiscal Year 2007 budget by the  
 290 Mississippi Legislature. Based on data provided by the  
 291 Legislative Budget Office, the State Personnel Board shall

292 determine and publish the projected annual cost to fully fund all  
293 appropriated positions in compliance with the provisions of this  
294 act. It shall be the responsibility of the agency head to insure  
295 that no single personnel action increases this projected annual  
296 cost and/or the Fiscal Year 2006 appropriation for "Personal  
297 Services" when annualized, with the exception of escalated funds.  
298 If, at the time the agency takes any action to change "Personal  
299 Services," the State Personnel Board determines that the agency  
300 has taken an action which would cause the agency to exceed this  
301 projected annual cost or the Fiscal Year 2006 "Personal Services"  
302 appropriated level, when annualized, then only those actions which  
303 reduce the projected annual cost and/or the appropriation  
304 requirement will be processed by the State Personnel Board until  
305 such time as the requirements of this provision are met.

306 Any transfers or escalations shall be made in accordance with  
307 the terms, conditions and procedures established by law or  
308 allowable under the terms set forth within this act. The State  
309 Personnel Board shall not escalate positions without written  
310 approval from the Department of Finance and Administration. The  
311 Department of Finance and Administration shall not provide written  
312 approval to escalate any funds for salaries and/or positions  
313 without proof of availability of new or additional funds above the  
314 appropriated level.

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

319 **SECTION 4.** The Commissioner of Public Safety may, on a  
320 case-by-case basis, within funds available, recommend that  
321 corrective salary adjustments be made to the compensation of  
322 employees of the Department of Public Safety where an inequity was  
323 created between employees of equivalent capacity by previous  
324 application of the agency appropriation acts. Any such corrective

325 salary adjustment plan must have prior approval by the State  
326 Personnel Board. Such adjustments will not be retroactive.

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

330 **SECTION 5.** The Commissioner of Public Safety shall have the  
331 authority to transfer both positions and/or State General Funds  
332 appropriated herein from any Division within the Department of  
333 Public Safety to any other Division within the Department of  
334 Public Safety between any major objects of expenditure, including  
335 but not limited to Salaries, Wages, and Fringe Benefits, not to  
336 exceed fifteen percent (15%).

337 **SECTION 6.** It is the intent of the Legislature that the  
338 local governments pay for part of the computer cost of the  
339 Mississippi Justice Information Center by maintaining their  
340 contribution to the Department of Public Safety.

341 **SECTION 7.** It is the intention of the Legislature that the  
342 Department of Public Safety designate certain employees to aid the  
343 Division of Crime Laboratories in the billing and collecting of  
344 all fees charged for services rendered by the Division of Crime  
345 Laboratories.

346 **SECTION 8.** No part of the funds appropriated herein shall be  
347 transferred to, expended by, or used, directly or indirectly, for  
348 the benefit of any public relations, publicity or publication  
349 activities of any other state agency, department or officer, nor  
350 shall any personnel paid with funds appropriated herein be  
351 transferred or assigned to any other state agency, department or  
352 officer for public relations, publicity, or publication activities  
353 of such office.

354 **SECTION 9.** It is the intention of the Legislature that the  
355 Department of Public Safety shall have the authority to receive,  
356 budget and expend funds from any source in accordance with the  
357 rules and regulations of the Department of Finance and

358 Administration in a manner consistent with the escalation of  
359 federal funds.

360 **SECTION 10.** It is the intention of the Legislature that the  
361 Department of Public Safety shall not issue citations for  
362 violations of speed limits on a quota basis. No funds expended  
363 under this act shall be used for such quota-based citations for  
364 violations of speed limits.

365 **SECTION 11.** The Commissioner of Public Safety shall have the  
366 authority to transfer Department of Public Safety Special Funds  
367 from any Division within the Department of Public Safety to any  
368 other Division of the Department of Public Safety Special Funds,  
369 including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714,  
370 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Five  
371 Million Dollars (\$5,000,000.00) collectively during Fiscal Year  
372 2006. Further, the Department of Public Safety shall be  
373 authorized to escalate both funds and positions for any special  
374 fund monies received for Homeland Security.

375 **SECTION 12.** In compliance with the "Mississippi Performance  
376 Budget and Strategic Planning Act of 1994," it is the intent of  
377 the Legislature that the funds provided herein shall be utilized  
378 in the most efficient and effective manner possible to achieve the  
379 intended mission of this agency. Based on the funding authorized,  
380 this agency shall make every effort to attain the targeted  
381 performance measures provided below:

	FY06
<u>Performance Measures</u>	<u>Target</u>
Enforcement	
Increased Enforcement - Citations (%)	0.00
Decreased Fatalities (%)	0.00
Increased DUI Arrests - Inc Felony DUIs (%)	0.00
Criminal Investigations (Actions)	1,500
Driver Services	
Driver's Licenses/ID Cards Issued (Items)	755,000

391	Cost per License Document Produced (\$)	9.15
392	Drivers Suspended (Persons)	185,000
393	Accident Reports Processed (Actions)	110,000
394	Motor Veh Inspect Stickers Sold (Items)	1,970,000
395	Support Services	
396	Training of Switch/Repository	
397	Classes (Number of)	24
398	Audit of User Agencies (Number of)	100
399	Emergency Telecomm Training	
400	Emerg Telecomm Certified (Persons)	350
401	Certification Transactions (Actions)	1,050
402	Training Quality Monitoring (Actions)	20
403	Forensic Analysis	
404	Reports Issued (Cases)	30,000
405	Court Testimonies (Cases)	300
406	Cost per Case Analyzed (\$)	300
407	Cost per Testimony (\$)	500
408	Dna Analysis	
409	Known Sex Offender Samples (Items)	10,000
410	Proficiency Samples (Items)	300
411	Casework Samples Examined (Items)	500
412	Cost per Sample (\$)	500
413	Training Academy	
414	Basic Students to Graduate (Persons)	220
415	Basic Refresher Students to	
416	Graduate (Persons)	75
417	In-service & Advanced Students	
418	to Graduate (Persons)	1,400
419	Drug Enforcement	
420	Arrests Made (Persons)	2,908
421	Number of Prosecutions (Actions)	2,063
422	Organizations Disrupted/Dismantled (Actions)	399
423	Forensic Pathology	

424	Deaths Investigated (Actions)	17,000
425	Autopsies Performed at SME Office (Actions)	100
426	Cost per Autopsy Performed (\$)	375
427	Jail Officer Training	
428	County Jail Officers Certified (Persons)	350
429	Certification Transactions (Actions)	700
430	Law Enforcement Training	
431	Basic Law Enforc Officers Certified (Persons)	450
432	Certification Transactions (Actions)	1,800
433	Training Quality Monitoring (Actions)	20
434	Public Safety Planning	
435	Statewide Programs Supported (Programs)	360
436	Juvenile Jail Alternatives Dev (Alternatives)	35
437	Narcotics Units Established (Units)	17
438	Drug-free Programs Impact (Persons)	100,000
439	Council On Aging	
440	Number of Board Meetings (Meetings)	6
441	Establish TRIAD Programs (Programs)	6
442	Conduct Training Programs (Programs)	10
443	Provide On-site Tech Assistance (Actions)	30

444 A reporting of the degree to which the performance targets  
445 set above have been or are being achieved shall be provided in the  
446 agency's budget request submitted to the Joint Legislative Budget  
447 Committee for Fiscal Year 2007.

448 **SECTION 13.** It is the intention of the Legislature that all  
449 divisions within the Mississippi Department of Public Safety shall  
450 maintain complete accounting and personnel records related to the  
451 expenditure of all funds appropriated under this act and that such  
452 records shall be in the same format and level of detail as  
453 maintained for Fiscal Year 2005. It is further the intention of  
454 the Legislature that the agency's budget request for Fiscal Year  
455 2007 shall be submitted to the Joint Legislative Budget Committee  
456 in a format and level of detail comparable to the format and level

457 of detail provided during the Fiscal Year 2006 budget request  
458 process.

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

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

470         **SECTION 16.** The money herein appropriated shall be paid by  
471 the State Treasurer out of any money in the State Treasury to the  
472 credit of the proper fund or funds as set forth in this act, upon  
473 warrants issued by the State Fiscal Officer; and the State Fiscal  
474 Officer shall issue his warrants upon requisitions signed by the  
475 proper person, officer or officers, in the manner provided by law.

476         **SECTION 17.** This act shall take effect and be in force from  
477 and after July 1, 2005.