

House Amendments to Senate Bill No. 3079

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, 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..... \$ 40,438,293.00.

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:

DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits..	\$	37,417,084.00
Travel and Subsistence.....		55,000.00
Contractual Services.....		2,003,240.00
Commodities.....		1,887,200.00
Capital Outlay:		
Other Than Equipment.....		2,500.00
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.....		2,214,004.00
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.....	\$	6,821,004.00

82 FUNDING:

83	General Funds.....	\$	4,791,052.00
84	Special Funds.....		<u>2,029,952.00</u>
85	Total.....	\$	6,821,004.00

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.....		<u>19,223,695.00</u>
145	Total.....	\$	20,971,679.00

146 FUNDING:

147	General Funds.....	\$	444,368.00
148	Special Funds.....		<u>20,527,311.00</u>
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
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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 **DIVISION OF PUBLIC SAFETY PLANNING**

178 **BOARD OF EMERGENCY TELECOMMUNICATIONS**

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
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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.....		<u>400,000.00</u>
211	Total.....	\$	539,400.00

212 FUNDING:

213	General Funds.....	\$	0.00
214	Special Funds.....		<u>539,400.00</u>
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	OFFICE OF HOMELAND SECURITY	
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
263	BUREAU OF NARCOTICS	
264	MAJOR OBJECTS OF EXPENDITURE:	
265	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

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

279 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:

382		FY06
383	<u>Performance Measures</u>	<u>Target</u>
384	Enforcement	
385	Increased Enforcement - Citations (%)	0.00
386	Decreased Fatalities (%)	0.00
387	Increased DUI Arrests - Inc Felony DUIs (%)	0.00
388	Criminal Investigations (Actions)	1,500
389	Driver Services	
390	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.

HR05\SB3079A.J

Don Richardson
Clerk of the House of Representatives