

By: Senator(s) Gordon, Little, Chassaniol, Cuevas, Hyde-Smith, Simmons, Wilemon, Burton, Butler, Carmichael, Clarke, Davis, Dawkins, Dearing, Fillingane, Flowers, Frazier, Harden, Horhn, Jackson (15th), Jordan, King, Kirby, Lee (35th), Mettetal, Morgan, Pickering, Posey, Thomas, Tollison, Walls, White

To: Appropriations

SENATE BILL NO. 3146  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2008.

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, 2007, and ending June 30, 2008.....  
9 ..... \$ 73,379,483.00.

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..... \$ 45,637,230.00.

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:

19 DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL

20 FUNDING:

21	General Funds.....	\$	48,387,297.00
22	Special Funds.....		<u>14,396,094.00</u>
23	Total.....	\$	62,783,391.00

24 AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	1,065
26		Part Time.....	0
27	Time-Limited:	Full Time.....	107



28 Part Time..... 10

29 **DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

30 FUNDING:

31	General Funds.....	\$	593,289.00
32	Special Funds.....		<u>843,880.00</u>
33	Total.....	\$	1,437,169.00

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.....	\$	4,300,303.00
50	Special Funds.....		<u>266,002.00</u>
51	Total.....	\$	4,566,305.00

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.....	\$	6,823,658.00
60	Special Funds.....		<u>1,491,519.00</u>



61 Total..... \$ 8,315,177.00

62 AUTHORIZED POSITIONS:

63 Permanent: Full Time..... 105

64 Part Time..... 0

65 Time-Limited: Full Time..... 11

66 Part Time..... 0

67 DIVISION OF MEDICAL EXAMINER

68 FUNDING:

69 General Funds..... \$ 163,916.00

70 Special Funds..... 114,589.00

71 Total..... \$ 278,505.00

72 AUTHORIZED POSITIONS:

73 Permanent: Full Time..... 3

74 Part Time..... 0

75 Time-Limited: Full Time..... 3

76 Part Time..... 0

77 DIVISION OF PUBLIC SAFETY PLANNING

78 OFFICE OF PUBLIC SAFETY PLANNING

79 FUNDING:

80 General Funds..... \$ 458,975.00

81 Special Funds..... 23,631,627.00

82 Total..... \$ 24,090,602.00

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..... 1,907,709.00

93 Total..... \$ 1,907,709.00



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>475,446.00</u>
104	Total.....	\$	475,446.00

105 AUTHORIZED POSITIONS:

106	Permanent:	Full Time.....	3
107		Part Time.....	0
108	Time-Limited:	Full Time.....	0
109		Part Time.....	0

110 DIVISION OF PUBLIC SAFETY PLANNING

111 COUNCIL ON AGING

112 FUNDING:

113	General Funds.....	\$	0.00
114	Special Funds.....		<u>440,945.00</u>
115	Total.....	\$	440,945.00

116 AUTHORIZED POSITIONS:

117	Permanent:	Full Time.....	2
118		Part Time.....	0
119	Time-Limited:	Full Time.....	0
120		Part Time.....	0

121 COUNTY JAIL OFFICER STANDARDS AND TRAINING BOARD

122 FUNDING:

123	General Funds.....	\$	0.00
124	Special Funds.....		<u>366,152.00</u>
125	Total.....	\$	366,152.00

126 AUTHORIZED POSITIONS:



127	Permanent:	Full Time.....	2
128		Part Time.....	0
129	Time-Limited:	Full Time.....	0
130		Part Time.....	0

131 **OFFICE OF HOMELAND SECURITY**

132 FUNDING:

133	General Funds.....	\$	206,747.00
134	Special Funds.....		<u>714,844.00</u>
135	Total.....	\$	921,591.00

136 AUTHORIZED POSITIONS:

137	Permanent:	Full Time.....	24
138		Part Time.....	0
139	Time-Limited:	Full Time.....	6
140		Part Time.....	0

141 **BUREAU OF NARCOTICS**

142 FUNDING:

143	General Funds.....	\$	12,331,980.00
144	Special Funds.....		<u>691,633.00</u>
145	Total.....	\$	13,023,613.00

146 AUTHORIZED POSITIONS:

147	Permanent:	Full Time.....	228
148		Part Time.....	0
149	Time-Limited:	Full Time.....	1
150		Part Time.....	0

151 **JUVENILE FACILITY MONITORING UNIT**

152 FUNDING:

153	General Funds.....	\$	113,318.00
154	Special Funds.....		<u>296,790.00</u>
155	Total.....	\$	410,108.00

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, to be awarded on July 1, 2007.

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 2008 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 appropriations for "Personal  
179 Services" when annualized, with the exception of escalated funds  
180 and educational benchmarks. If, at the time the agency takes any  
181 action to change "Personal Services," the State Personnel Board  
182 determines that the agency has taken an action which would cause  
183 the agency to exceed this projected annual cost or the Fiscal Year  
184 2008 "Personal Services" appropriated level, when annualized, then  
185 only those actions which reduce the projected annual cost and/or  
186 the appropriation requirement will be processed by the State  
187 Personnel Board until such time as the requirements of this  
188 provision are met. On January 1, 2008, the State Personnel Board  
189 will make adjustments to the structure side of the compliance  
190 report based on data provided by the Legislative Budget Office in  
191 order for agencies to award educational benchmarks.



192 Any transfers or escalations shall be made in accordance with  
193 the terms, conditions and procedures established by law or  
194 allowable under the terms set forth within this act. The State  
195 Personnel Board shall not escalate positions without written  
196 approval from the Department of Finance and Administration. The  
197 Department of Finance and Administration shall not provide written  
198 approval to escalate any funds for salaries and/or positions  
199 without proof of availability of new or additional funds above the  
200 appropriated level.

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

205 **SECTION 4.** The Commissioner of Public Safety may, on a  
206 case-by-case basis, within funds available, recommend that  
207 corrective salary adjustments be made to the compensation of  
208 employees of the Department of Public Safety where an inequity was  
209 created between employees of equivalent capacity by previous  
210 application of the agency appropriation acts. Any such corrective  
211 salary adjustment plan must have prior approval by the State  
212 Personnel Board. Such adjustments will not be retroactive.

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

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

221 **SECTION 6.** It is the intent of the Legislature that the  
222 local governments pay for part of the computer cost of the  
223 Mississippi Justice Information Center by maintaining their  
224 contribution to the Department of Public Safety.



225           **SECTION 7.** It is the intention of the Legislature that the  
226 Department of Public Safety designate certain employees to aid the  
227 Division of Crime Laboratories in the billing and collecting of  
228 all fees charged for services rendered by the Division of Crime  
229 Laboratories.

230           **SECTION 8.** No part of the funds appropriated herein shall be  
231 transferred to, expended by, or used, directly or indirectly, for  
232 the benefit of any public relations, publicity or publication  
233 activities of any other state agency, department or officer, nor  
234 shall any personnel paid with funds appropriated herein be  
235 transferred or assigned to any other state agency, department or  
236 officer for public relations, publicity, or publication activities  
237 of such office.

238           **SECTION 9.** It is the intention of the Legislature that the  
239 Department of Public Safety shall have the authority to receive,  
240 budget and expend funds from any source in accordance with the  
241 rules and regulations of the Department of Finance and  
242 Administration in a manner consistent with the escalation of  
243 federal funds.

244           **SECTION 10.** It is the intention of the Legislature that the  
245 Department of Public Safety shall not issue citations for  
246 violations of speed limits on a quota basis. No funds expended  
247 under this act shall be used for such quota-based citations for  
248 violations of speed limits.

249           **SECTION 11.** The Commissioner of Public Safety shall have the  
250 authority to transfer Department of Public Safety Special Funds  
251 from any Division within the Department of Public Safety to any  
252 other Division of the Department of Public Safety Special Funds,  
253 including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714,  
254 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Six  
255 Million Dollars (\$6,000,000.00) collectively during Fiscal Year  
256 2008. Further, the Department of Public Safety shall be





257 authorized to escalate both funds and positions for any special  
258 fund monies received for Homeland Security.

259 **SECTION 12.** In compliance with the "Mississippi Performance  
260 Budget and Strategic Planning Act of 1994," it is the intent of  
261 the Legislature that the funds provided herein shall be utilized  
262 in the most efficient and effective manner possible to achieve the  
263 intended mission of this agency. Based on the funding authorized,  
264 this agency shall make every effort to attain the targeted  
265 performance measures provided below:

266		FY08
267	<u>Performance Measures</u>	<u>Target</u>
268	Enforcement	
269	Increased Enforcement - Citations (%)	0.50
270	Decreased Fatalities (%)	-0.10
271	Increased DUI Arrests - Inc Felony DUIs (%)	0.50
272	Criminal Investigations (Actions)	10,074
273	Driver Services	
274	Driver's Licenses/ID Cards Issued (Items)	755,000
275	Cost per License Document Produced (\$)	9.15
276	Drivers Suspended (Persons)	185,000
277	Accident Reports Processed (Actions)	110,000
278	Motor Veh Inspect Stickers Sold (Items)	1,970,000
279	Support Services	
280	Training of Switch/Repository	
281	Classes (Number of)	30
282	Audit of User Agencies (Number of)	90
283	Emergency Telecomm Training	
284	Emerg Telecomm Certified (Persons)	350
285	Certification Transactions (Actions)	1,400
286	Training Quality Monitoring (Actions)	20
287	Forensic Analysis	
288	Reports Issued (Cases)	25,000
289	Court Testimonies (Cases)	200



290	Cost per Case Analyzed (\$)	400
291	Cost per Testimony (\$)	500
292	Dna Analysis	
293	Known Sex Offender Samples (Items)	0
294	Proficiency Samples (Items)	300
295	Casework Samples Examined (Items)	0
296	Cost per Sample (\$)	0
297	Training Academy	
298	Basic Students to Graduate (Persons)	225
299	Basic Refresher Students to	
300	Graduate (Persons)	2,100
301	In-service & Advanced Students	
302	to Graduate (Persons)	50
303	Drug Enforcement	
304	Arrests Made (Persons)	2,676
305	Number of Prosecutions (Actions)	2,991
306	Organizations Disrupted/Dismantled (Actions)	109
307	Forensic Pathology	
308	Deaths Investigated (Actions)	17,000
309	Autopsies Performed at SME Office (Actions)	1,500
310	Cost per Autopsy Performed (\$)	380
311	Jail Officer Training	
312	County Jail Officers Certified (Persons)	350
313	Certification Transactions (Actions)	700
314	Law Enforcement Training	
315	Basic Law Enforc Officers Certified (Persons)	450
316	Certification Transactions (Actions)	1,800
317	Training Quality Monitoring (Actions)	20
318	Public Safety Planning	
319	Statewide Programs Supported (Programs)	360
320	Juvenile Jail Alternatives Dev (Alternatives)	35
321	Narcotics Units Established (Units)	17
322	Drug-free Programs Impact (Persons)	100,000



323	Council On Aging	
324	Number of Board Meetings (Meetings)	4
325	Establish TRIAD Programs (Programs)	4
326	Conduct Training Programs (Programs)	10
327	Provide On-site Tech Assistance (Actions)	20
328	Juvenile Fac Monitoring Unit	
329	Number of Facilities Inspected (Items)	40
330	Strategic Plans Implemented (Items)	18
331	Homeland Security	
332	OHS Grants for Jurisdictions (Number of)	120
333	First Responder Classes (Number of)	600
334	A reporting of the degree to which the performance targets	
335	set above have been or are being achieved shall be provided in the	
336	agency's budget request submitted to the Joint Legislative Budget	
337	Committee for Fiscal Year 2009.	

338       **SECTION 13.** It is the intention of the Legislature that all  
339 divisions within the Mississippi Department of Public Safety shall  
340 maintain complete accounting and personnel records related to the  
341 expenditure of all funds appropriated under this act and that such  
342 records shall be in the same format and level of detail as  
343 maintained for Fiscal Year 2007. It is further the intention of  
344 the Legislature that the agency's budget request for Fiscal Year  
345 2009 shall be submitted to the Joint Legislative Budget Committee  
346 in a format and level of detail comparable to the format and level  
347 of detail provided during the Fiscal Year 2008 budget request  
348 process.

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

354       **SECTION 15.** It is the intention of the Legislature that all  
355 Fair Labor Standards Act (FLSA) nonexempt sworn officers who are



356 working 171 hours in a 28-day work cycle be compensated at an  
357 hourly rate based on 2,087.143 hours per year. This section and  
358 its provisions shall be known and cited as the "David R. Huggins  
359 Act of 2002".

360       **SECTION 16.** It is the intention of the Legislature that  
361 whenever two (2) or more bids are received by this agency for the  
362 purchase of commodities or equipment, and whenever all things  
363 stated in such received bids are equal with respect to price,  
364 quality and service, the Mississippi Industries for the Blind  
365 shall be given preference. A similar preference shall be given to  
366 the Mississippi Industries for the Blind whenever purchases are  
367 made without competitive bids.

368       **SECTION 17.** Of the funds provided herein the sworn officers  
369 of the Department of Public Safety shall receive a Two Thousand  
370 Five Hundred Dollar (\$2,500.00) pay raise.

371       **SECTION 18.** The department is authorized to expend available  
372 funds on technology or equipment upgrades or replacements when it  
373 will generate savings through efficiency or when the savings  
374 generated from such upgrades or replacements exceed expenditures  
375 thereof.

376       **SECTION 19.** Of the funds provided herein, and in addition to  
377 the One Hundred Dollars (\$100.00) authorized in Section 45-3-7,  
378 Mississippi Code of 1972, Department of Public Safety Officers who  
379 are licensed commercial pilots shall receive an additional Nine  
380 Hundred Dollars (\$900.00), for a total of One Thousand Dollars  
381 (\$1,000.00), additional compensation for such service.

382       **SECTION 20.** Of the funds provided in Section 2, Two Hundred  
383 Fifty Thousand Dollars (\$250,000.00) shall be derived from the  
384 Tony Gobar Individualized Assessment and Comprehensive Community  
385 Intervention Initiative (IACCII) Program, as provided by the  
386 Department of Human Services, for juvenile justice programs.

387       **SECTION 21.** It is legislative intent to ensure beneficial  
388 information reaches as many Mississippians as possible. Further,



389 it is legislative intent that the expenditure of public funds for  
390 this purpose be accomplished in an efficient and effective manner.

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

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

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

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

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

402 (e) Utilize Mississippi-owned media companies when  
403 feasible.

404 **SECTION 22.** The money herein appropriated shall be paid by  
405 the State Treasurer out of any money in the State Treasury to the  
406 credit of the proper fund or funds as set forth in this act, upon  
407 warrants issued by the State Fiscal Officer; and the State Fiscal  
408 Officer shall issue his warrants upon requisitions signed by the  
409 proper person, officer or officers, in the manner provided by law.

410 **SECTION 23.** This act shall take effect and be in force from  
411 and after July 1, 2007.

