

By: Senator(s) Hall, Burton, Stogner, Jordan To: Appropriations  
(18th), Kirby, Mettetal, Posey, White (5th)

SENATE BILL NO. 3143  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE,  
3 AND GRAIN DIVISION FOR THE FISCAL YEARS 1999 AND 2000.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated, for the purpose of  
8 defraying the expenses of the State Department of Agriculture and  
9 Commerce Support and Grain Division for the fiscal year beginning  
10 July 1, 1999, and ending June 30, 2000..... \$ 8,637,464.00.

11 SECTION 2. The following sum, or so much thereof as may be  
12 necessary, is hereby authorized for expenditure out of any special  
13 source funds, which are collected by or otherwise become available  
14 for the purpose of defraying the expenses of the State Department  
15 of Agriculture and Commerce, for the fiscal year beginning July 1,  
16 1999, and ending June 30, 2000.....  
17 ..... \$ 2,158,900.00.

18 The funds authorized for expenditure under the provisions of  
19 this section include subscription fees produced from the Market  
20 Bulletin and admission fees produced from the Mississippi  
21 Agriculture and Forestry Museum.

22 SECTION 3. Of the funds appropriated under the provisions of  
23 Sections 1 and 2, not more than the amounts set forth below shall  
24 be expended for the respective major objects or purposes of  
25 expenditure:

26 SUPPORT

27 MAJOR OBJECTS OF EXPENDITURE:

28 Personal Services:

29	Salaries, Wages and Fringe Benefits..	\$	6,809,618.00
30	Travel and Subsistence.....		268,980.00
31	Contractual Services.....		1,124,474.00
32	Commodities.....		380,557.00
33	Capital Outlay:		
34	Other Than Equipment.....		0.00
35	Equipment.....		1,220,292.00
36	Subsidies, Loans and Grants.....		<u>324,947.00</u>
37	Total.....	\$	10,128,868.00

38 FUNDING:

39	General Funds.....	\$	7,969,968.00
40	Special Funds.....		<u>2,158,900.00</u>
41	Total.....	\$	10,128,868.00

42 AUTHORIZED POSITIONS:

43	Permanent:	Full Time. . . . .	174
44		Part Time. . . . .	12
45	Time-Limited:	Full Time. . . . .	16
46		Part Time. . . . .	0

47 GRAIN DIVISION:

48 MAJOR OBJECTS OF EXPENDITURE:

49 Personal Services:

50	Salaries, Wages and Fringe Benefits..	\$	568,343.00
51	Travel and Subsistence.....		12,000.00
52	Contractual Services.....		35,828.00
53	Commodities.....		14,875.00
54	Capital Outlay:		
55	Other Than Equipment.....		0.00
56	Equipment.....		36,200.00
57	Subsidies, Loans and Grants.....		<u>250.00</u>
58	Total.....	\$	667,496.00

59 FUNDING:

60	General Funds.....	\$	667,496.00
61	Special Funds.....		<u>0.00</u>
62	Total.....	\$	667,496.00

63 AUTHORIZED POSITIONS:

64	Permanent:	Full Time. . . . .	24
65		Part Time. . . . .	1
66	Time-Limited:	Full Time. . . . .	0
67		Part Time. . . . .	0

68 From the funds provided in the budget category "Personal  
69 Services: Salaries, Wages and Fringe Benefits," funds may be  
70 expended for the following purposes, in compliance with the  
71 policies established by the State Personnel Board and any  
72 conditions placed on such expenditures:

73 (a) The components of the Variable Compensation Plan  
74 shall be maintained within the constraints of the funds  
75 appropriated herein.

76 (b) Funds are provided to adjust the Variable  
77 Compensation Plan, including realignment, to ensure that all  
78 full-time employees with at least six (6) months of continuous  
79 current service, as of June 30, 1999, receive an increase of One  
80 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to  
81 adjust critical job classes up to an additional One Thousand  
82 Dollars (\$1,000.00).

83 (c) If an employee is currently at or above the end  
84 salary for his or her job classification, then the increase shall  
85 be built into the employee's base salary. To be eligible for any  
86 increase authorized in this section, employees may not have a  
87 current performance rating below "meets expectations" as of the  
88 effective date of the increase. Employees who subsequently  
89 receive a performance rating of "meets expectations" or above  
90 during Fiscal Year 2000 shall receive the salary increase  
91 effective the date of the rating.

92 It is the agency's responsibility to make certain that funds

93 required to be appropriated for "Personal Services" for Fiscal  
94 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for  
95 that purpose unless programs or positions are added to the  
96 agency's budget by the Mississippi Legislature.

97 Any transfers or escalations shall be made in accordance with  
98 the terms, conditions, and procedures established by law.

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

103 SECTION 4. The funds appropriated and authorized to be  
104 expended under the provisions of this act shall be expended for  
105 the purpose of defraying all expenses incurred by the State  
106 Department of Agriculture and Commerce in the operation of all  
107 programs and activities (except operation of the State Lime Plants  
108 and the Division of Plant Industry, Veterinary Laboratory, Pink  
109 Bollworm-Plant Quarantine Inspection Stations and Fire Ant  
110 Program) authorized to be conducted and carried on by said  
111 department; including, but not limited to: the administration of  
112 the Feed, Fertilizer and Dairy Act; the Weights and Measure Act;  
113 the Meat Inspection Act of 1968; the Mississippi Pure Seed Law;  
114 and the following additional programs and activities: enforcement  
115 of the egg law; publication and distribution of the Mississippi  
116 Market Bulletin, agricultural statistics, market news service at  
117 Stoneville, Mississippi; operation of the grain laboratory;  
118 inspection, grading and certifying of fruits, vegetables, hay,  
119 grain, meat and meat products, milk and dairy products, pecans,  
120 seed, syrup, and port grain inspection.

121 SECTION 5. The Mississippi Department of Agriculture and  
122 Commerce shall from time to time adjust the schedule of fees  
123 collected under the grain inspection program so that the revenue  
124 therefrom equals or exceeds the operational costs of the grain  
125 inspection program and the expenses incurred in complying with the

126 requirements of the United States Grain Standards Act, P. L.  
127 94-583.

128 SECTION 6. The Mississippi Department of Agriculture and  
129 Commerce, with the assistance of the State Department of Audit and  
130 the Department of Finance and Administration, shall establish non-  
131 budgeted enterprise funds for all "for profit" activities related  
132 to the Mississippi Agriculture and Forestry Museum. The funds  
133 shall be maintained in accordance with generally accepted  
134 accounting principles and regulations prescribed by the Department  
135 of Finance and Administration.

136 SECTION 7. It is the intention of the Legislature that any  
137 regulations promulgated by the State Department of Agriculture and  
138 Commerce concerning the labeling of liming materials include the  
139 actual analysis of said lime. Nothing in the regulations shall  
140 prevent any manufacturer from selling his products to any consumer  
141 as long as the labeling is accurate.

142 SECTION 8. The following sum, or so much thereof as may be  
143 necessary, is hereby appropriated out of any money in the State  
144 General Fund not otherwise appropriated, to the Department of  
145 Agriculture and Commerce for the support of the Beaver Control  
146 Program for the fiscal year beginning July 1, 1999, and ending  
147 June 30, 2000..... \$ 500,000.00.

148 SECTION 9. The following sum, or so much thereof as may be  
149 necessary, is hereby appropriated out of any money in the State  
150 Treasury to the credit of the Beaver Control Program, to the  
151 Department of Agriculture and Commerce for the support of the  
152 Beaver Control Program for the fiscal year beginning July 1, 1999,  
153 and ending June 30, 2000..... \$ 402,216.00.

154 The special funds authorized in this Section for the Beaver  
155 Control Program are to be derived as follows: Two Hundred  
156 Twenty-seven Thousand Six Hundred Eight Dollars (\$227,608.00) from  
157 counties; One Hundred Seventy-four Thousand Six Hundred Eight  
158 Dollars (\$174,608.00) from fees charged private

159 persons/organizations.

160 SECTION 10. In addition to all other sums heretofore  
161 appropriated, the following sum, or so much thereof as may be  
162 necessary, is hereby appropriated out of any money in the State  
163 General Fund not otherwise appropriated, to the Mississippi  
164 Department of Agriculture and Commerce for the purpose of  
165 defraying the cost of the Boar Goat Show in Bay Springs,  
166 Mississippi, for the fiscal year ending June 30, 1999.....  
167 ..... \$ 7,500.00.

168 SECTION 11. The money herein appropriated shall be paid by  
169 the State Treasurer out of any money in the State Treasury to the  
170 credit of the proper fund or funds as set forth in this act, upon  
171 warrants issued by the State Fiscal Officer; and the State Fiscal  
172 Officer shall issue his warrants upon requisitions signed by the  
173 proper person, officer or officers in the manner provided by law.

174 SECTION 12. This act shall take effect and be in force from  
175 and after July 1, 1999, except for Section 10 which shall take  
176 effect and be in force from and after its passage.