

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

## SENATE BILL NO. 3144

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
2 MAINTENANCE OF THE DIVISION OF PLANT INDUSTRY, DEPARTMENT OF  
3 AGRICULTURE AND COMMERCE, FOR FISCAL YEAR 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 Division of Plant Industry,  
9 Department of Agriculture and Commerce, for enforcement of the  
10 Mississippi Plant Act and plant quarantines promulgated  
11 thereunder, such as quarantines involving the white-fringed  
12 beetle, imported fire ant, sweet-potato weevil, and others, and  
13 for the control and eradication of such other serious pests and  
14 plant diseases where they are known to occur or may hereafter be  
15 found in Mississippi; and the administration and enforcement of  
16 the terms and conditions of the Mississippi Commercial Feed Law of  
17 1972; the Mississippi Pure Seed Law of 1964; the Mississippi  
18 Fertilizer Law of 1970; the Mississippi Soil and Plant Amendment  
19 Law of 1978; the Mississippi Agricultural Liming Materials Act of  
20 1993; the Mississippi Bee Disease Law; the Mississippi Pest  
21 Control Law; the Mississippi Economic Poisons Act; and the law  
22 regulating the application of hormone-type herbicides by aircraft,  
23 including payment of the expenses of administering all phases of  
24 the Mississippi Pesticide Application Act of 1975, authorized by  
25 Sections 69-3-1, et seq., 69-23-101, et seq., 69-23-1, et seq.,  
26 69-24-1, et seq., 69-39-1, et seq., 75-45-151, et seq., and 75-47-

27 1, et seq., Mississippi Code of 1972, for the fiscal year  
 28 beginning July 1, 1999, and ending June 30, 2000.....  
 29 ..... \$ 1,589,833.00.

30 SECTION 2. The following sum, or so much thereof as may be  
 31 necessary, is hereby appropriated out of the proceeds derived from  
 32 any special source funds which are collected by or otherwise  
 33 become available for the support and maintenance of the Division  
 34 of Plant Industry of the State Department of Agriculture and  
 35 Commerce for the fiscal year beginning July 1, 1999, and ending  
 36 June 30, 2000..... \$ 1,474,260.00.

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

41 MAJOR OBJECTS OF EXPENDITURE:

42 Personal Services:

43	Salaries, Wages and Fringe Benefits..	\$	2,066,694.00
44	Travel and Subsistence.....		65,000.00
45	Contractual Services.....		589,183.00
46	Commodities.....		125,700.00
47	Capital Outlay:		
48	Other Than Equipment.....		0.00
49	Equipment.....		124,544.00
50	Subsidies, Loans and Grants.....		<u>92,972.00</u>
51	Total.....	\$	3,064,093.00

52 FUNDING:

53	General Funds.....	\$	1,589,833.00
54	Special Funds.....		<u>1,474,260.00</u>
55	Total.....	\$	3,064,093.00

56 AUTHORIZED POSITIONS:

57	Permanent:	Full Time. . . . .	41
58		Part Time. . . . .	4
59	Time-Limited:	Full Time. . . . .	14
60		Part Time. . . . .	2

61 From the funds provided in the budget category "Personal  
 62 Services: Salaries, Wages and Fringe Benefits," funds may be  
 63 expended for the following purposes, in compliance with the

64 policies established by the State Personnel Board and any  
65 conditions placed on such expenditures:

66 (a) The components of the Variable Compensation Plan  
67 shall be maintained within the constraints of the funds  
68 appropriated herein.

69 (b) Funds are provided to adjust the Variable  
70 Compensation Plan, including realignment, to ensure that all  
71 full-time employees with at least six (6) months of continuous  
72 current service, as of June 30, 1999, receive an increase of One  
73 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to  
74 adjust critical job classes up to an additional One Thousand  
75 Dollars (\$1,000.00).

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

85 It is the agency's responsibility to make certain that funds  
86 required to be appropriated for "Personal Services" for Fiscal  
87 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for  
88 that purpose unless programs or positions are added to the  
89 agency's budget by the Mississippi Legislature.

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

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

96 SECTION 4. The money herein appropriated shall be paid by

97 the State Treasurer out of any money in the State Treasury to the  
98 credit of the proper fund or funds as set forth in this act, upon  
99 warrants issued by the State Fiscal Officer; and the State Fiscal  
100 Officer shall issue his warrants upon requisitions signed by the  
101 proper person, officer or officers in the manner provided by law.

102 SECTION 5. This act shall take effect and be in force from  
103 and after July 1, 1999.