

By: Senator(s) Gordon, Thames, Stogner,
Burton, Carlton, Hamilton, Posey, Williamson

To: Appropriations

SENATE BILL NO. 3107

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 YEAR 2002.

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, 2001, and ending June 30, 2002..... \$ 7,187,470.00.

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
16 July 1, 2001, and ending June 30, 2002.....
17 \$ 2,154,104.00.

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..	\$	6,587,867.00
30	Travel and Subsistence.....		54,855.00
31	Contractual Services.....		851,626.00
32	Commodities.....		270,878.00
33	Capital Outlay:		
34	Other Than Equipment.....		0.00
35	Equipment.....		954,983.00
36	Subsidies, Loans and Grants.....		<u>238,690.00</u>
37	Total.....	\$	8,958,899.00
38	FUNDING:		
39	General Funds.....	\$	6,804,795.00
40	Special Funds.....		<u>2,154,104.00</u>
41	Total.....	\$	8,958,899.00
42	AUTHORIZED POSITIONS:		
43	Permanent: Full Time.....		167
44	Part Time.....		5
45	Time-Limited: Full Time.....		4
46	Part Time.....		0
47	GRAIN DIVISION:		
48	MAJOR OBJECTS OF EXPENDITURE:		
49	Personal Services:		
50	Salaries, Wages and Fringe Benefits..	\$	325,247.00
51	Travel and Subsistence.....		6,000.00
52	Contractual Services.....		32,913.00
53	Commodities.....		14,065.00
54	Capital Outlay:		
55	Other Than Equipment.....		0.00
56	Equipment.....		4,200.00
57	Subsidies, Loans and Grants.....		<u>250.00</u>
58	Total.....	\$	382,675.00
59	FUNDING:		
60	General Funds.....	\$	382,675.00

61 Special Funds..... 0.00
 62 Total..... \$ 382,675.00

63 AUTHORIZED POSITIONS:

64 Permanent: Full Time..... 9
 65 Part Time..... 1
 66 Time-Limited: Full Time..... 0
 67 Part Time..... 0

68 With the funds herein appropriated, it is the intention of
 69 the Legislature that it shall be the agency's responsibility to
 70 make certain that funds required to be appropriated for "Personal
 71 Services" for Fiscal Year 2003 do not exceed Fiscal Year 2002
 72 funds appropriated for that purpose, unless programs or positions
 73 are added to the agency's Fiscal Year 2003 budget by the
 74 Mississippi Legislature. Based on data provided by the
 75 Legislative Budget Office, the State Personnel Board shall
 76 determine and publish the projected annual cost to fully fund all
 77 appropriated positions in compliance with the provisions of this
 78 act. It shall be the responsibility of the agency head to insure
 79 that no single personnel action increases this projected annual
 80 cost and/or the Fiscal Year 2002 appropriation for "Personal
 81 Services" when annualized. If, at the end of any calendar month,
 82 the State Personnel Board determines that the agency has taken
 83 action(s) which would cause the agency to exceed this projected
 84 annual cost or the Fiscal Year 2002 "Personal Services"
 85 appropriated level, when annualized, then only those actions which
 86 reduce the projected annual cost and/or the appropriation
 87 requirement will be processed by the State Personnel Board until
 88 such time as the requirements of this provision are met.

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

91 No general funds authorized to be expended herein shall be
 92 used to replace federal funds and/or other special funds which are

93 being used for salaries authorized under the provisions of this
94 act and which are withdrawn and no longer available.

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

113 SECTION 5. The Mississippi Department of Agriculture and
114 Commerce shall from time to time adjust the schedule of fees
115 collected under the grain inspection program so that the revenue
116 therefrom equals or exceeds the operational costs of the grain
117 inspection program and the expenses incurred in complying with the
118 requirements of the United States Grain Standards Act, P.L.
119 94-583.

120 SECTION 6. The Mississippi Department of Agriculture and
121 Commerce, with the assistance of the State Department of Audit and
122 the Department of Finance and Administration, shall establish non-
123 budgeted enterprise funds for all "for profit" activities related
124 to the Mississippi Agriculture and Forestry Museum. The funds
125 shall be maintained in accordance with generally accepted

126 accounting principles and regulations prescribed by the Department
127 of Finance and Administration.

128 SECTION 7. It is the intention of the Legislature that any
129 regulations promulgated by the State Department of Agriculture and
130 Commerce concerning the labeling of liming materials include the
131 actual analysis of said lime. Nothing in the regulations shall
132 prevent any manufacturer from selling his products to any consumer
133 as long as the labeling is accurate.

134 SECTION 8. The following sum, or so much thereof as may be
135 necessary, is hereby appropriated out of any money in the State
136 General Fund not otherwise appropriated, to the Department of
137 Agriculture and Commerce for the support of the Beaver Control
138 Program for the fiscal year beginning July 1, 2001, and ending
139 June 30, 2002..... \$ 500,000.00.

140 SECTION 9. The following sum, or so much thereof as may be
141 necessary, is hereby appropriated out of any money in the State
142 Treasury to the credit of the Beaver Control Program, to the
143 Department of Agriculture and Commerce for the support of the
144 Beaver Control Program for the fiscal year beginning July 1, 2001,
145 and ending June 30, 2002..... \$ 368,000.00.

146 The special funds authorized in this Section for the Beaver
147 Control Program are to be derived from counties and from fees
148 charged private persons/organizations.

149 SECTION 10. It is the intention of the Legislature that the
150 State Department of Agriculture and Commerce is hereby authorized
151 to accept, budget and expend funds from any source in accordance
152 with rules and regulations of the Department of Finance and
153 Administration in a manner consistent with the escalation of
154 federal funds.

155 SECTION 11. The money herein appropriated shall be paid by
156 the State Treasurer out of any money in the State Treasury to the
157 credit of the proper fund or funds as set forth in this act, upon
158 warrants issued by the State Fiscal Officer; and the State Fiscal

159 Officer shall issue his warrants upon requisitions signed by the
160 proper person, officer or officers in the manner provided by law.

161 SECTION 12. This act shall take effect and be in force from
162 and after July 1, 2001.