

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

To: Appropriations

SENATE BILL NO. 3110

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 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 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 75-47-1

27 et seq., Mississippi Code of 1972, for the fiscal year beginning  
 28 July 1, 2001, and ending June 30, 2002.....  
 29 ..... \$ 1,484,251.00.

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, 2001, and ending  
 36 June 30, 2002..... \$ 1,391,797.00.

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.. \$ 2,167,297.00  
 44 Travel and Subsistence..... 45,097.00  
 45 Contractual Services..... 369,331.00  
 46 Commodities..... 133,851.00

47 Capital Outlay:

48 Other Than Equipment..... 0.00  
 49 Equipment..... 67,500.00  
 50 Subsidies, Loans and Grants..... 92,972.00  
 51 Total..... \$ 2,876,048.00

52 FUNDING:

53 General Funds..... \$ 1,484,251.00  
 54 Special Funds..... 1,391,797.00  
 55 Total..... \$ 2,876,048.00

56 AUTHORIZED POSITIONS:

57 Permanent: Full Time..... 41  
 58 Part Time..... 4  
 59 Time-Limited: Full Time..... 15

60 Part Time..... 0

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

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

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

88 SECTION 4. The money herein appropriated shall be paid by  
89 the State Treasurer out of any money in the State Treasury to the  
90 credit of the proper fund or funds as set forth in this act, upon  
91 warrants issued by the State Fiscal Officer; and the State Fiscal

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

94 SECTION 5. This act shall take effect and be in force from  
95 and after July 1, 2001.