

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

To: Appropriations

SENATE BILL NO. 3147
(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 YEAR 2003.

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, including the Divisions of Support, Grain and Plant
10 Industry, for the fiscal year beginning July 1, 2002, and ending
11 June 30, 2003..... \$ 7,541,823.00.

12 **SECTION 2.** The following sum, or so much thereof as may be
13 necessary, is hereby authorized for expenditure out of any special
14 source funds, which are collected by or otherwise become available
15 for the purpose of defraying the expenses of the State Department
16 of Agriculture and Commerce, including the Divisions of Support,
17 Grain and Plant Industry, for the fiscal year beginning
18 July 1, 2002, and ending June 30, 2003.....
19 \$ 5,075,933.00.

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

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



28 MAJOR OBJECTS OF EXPENDITURE:

29 Personal Services:

30	Salaries, Wages and Fringe Benefits...	\$	8,909,163.00
31	Travel and Subsistence.....		144,452.00
32	Contractual Services.....		1,497,172.00
33	Commodities.....		406,816.00
34	Capital Outlay:		
35	Other Than Equipment.....		0.00
36	Equipment.....		1,303,051.00
37	Subsidies, Loans and Grants.....		<u>357,102.00</u>
38	Total.....	\$	12,617,756.00

39 FUNDING:

40	General Funds.....	\$	7,541,823.00
41	Special Funds.....		<u>5,075,933.00</u>
42	Total.....	\$	12,617,756.00

43 AUTHORIZED POSITIONS:

44	Permanent: Full Time.....	206
45	Part Time.....	5
46	Time-Limited: Full Time.....	19
47	Part Time.....	0

48 Funds are provided herein to adjust the Variable Compensation
49 Plan to ensure that all full-time employees receive a pay increase
50 equal to fifty percent (50%) of the realignment component of the
51 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
52 whichever is greater, beginning on January 1, 2003.

53 With the funds herein appropriated, it is the intention of
54 the Legislature that it shall be the agency's responsibility to
55 make certain that funds required to be appropriated for "Personal
56 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
57 funds appropriated for that purpose, unless programs, positions or
58 pay increases are added to the agency's budget by the Mississippi
59 Legislature. Based on data provided by the Legislative Budget
60 Office, the State Personnel Board shall, on July 1, 2002, publish



61 separate annual projection reports, based on July 1, 2002 data,
62 for the period of July 1, 2002, through December 31, 2002, and
63 January 1, 2003, through June 30, 2003, that project the annual
64 cost to fully fund all appropriated positions in compliance with
65 the provisions of this act. It shall be the responsibility of the
66 agency head to ensure that no single personnel action increases
67 this projected cost and/or the Fiscal Year 2003 appropriation for
68 "Personal Services," as annualized on a semiannual basis in
69 accordance with the provisions of this act. If, at the end of any
70 calendar month, the State Personnel Board determines that the
71 agency has taken action(s) which would cause the agency to exceed
72 this projected annual cost or the Fiscal Year 2003 "Personal
73 Services" appropriated level, when annualized in compliance with
74 the provisions of this act, then only those actions which reduce
75 the projected annual cost and/or the appropriation requirement
76 will be processed by the State Personnel Board until such time as
77 the requirements of this provision are met.

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

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

84 **SECTION 4.** The funds appropriated and authorized to be
85 expended under the provisions of this act shall be expended for
86 the purpose of defraying all expenses incurred by the State
87 Department of Agriculture and Commerce in the operation of all
88 programs and activities (except operation of the State Lime
89 Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine
90 Inspection Stations and Fire Ant Program) authorized to be
91 conducted and carried on by said department; including, but not
92 limited to: the administration of the Feed, Fertilizer and Dairy
93 Act; the Weights and Measure Act; the Meat Inspection Act of 1968;



94 the Mississippi Pure Seed Law; and the following additional
95 programs and activities: enforcement of the egg law; publication
96 and distribution of the Mississippi Market Bulletin, agricultural
97 statistics, market news service at Stoneville, Mississippi;
98 operation of the grain laboratory; inspection, grading and
99 certifying of fruits, vegetables, hay, grain, meat and meat
100 products, milk and dairy products, pecans, seed, syrup, and port
101 grain inspection.

102 **SECTION 5.** The Mississippi Department of Agriculture and
103 Commerce shall, from time to time, adjust the schedule of fees
104 collected under the grain inspection program so that the revenue
105 therefrom equals or exceeds the operational costs of the grain
106 inspection program and the expenses incurred in complying with the
107 requirements of the United States Grain Standards Act, Public Law
108 94-583.

109 **SECTION 6.** The Mississippi Department of Agriculture and
110 Commerce, with the assistance of the State Department of Audit and
111 the Department of Finance and Administration, shall establish
112 nonbudgeted enterprise funds for all "for profit" activities
113 related to the Mississippi Agriculture and Forestry Museum. The
114 funds shall be maintained in accordance with generally accepted
115 accounting principles and regulations prescribed by the Department
116 of Finance and Administration.

117 **SECTION 7.** It is the intention of the Legislature that any
118 regulations promulgated by the State Department of Agriculture and
119 Commerce concerning the labeling of liming materials include the
120 actual analysis of said lime. Nothing in the regulations shall
121 prevent any manufacturer from selling his products to any consumer
122 as long as the labeling is accurate.

123 **SECTION 8.** It is the intention of the Legislature that the
124 State Department of Agriculture and Commerce is hereby authorized
125 to accept, budget and expend funds from any source in accordance
126 with rules and regulations of the Department of Finance and



127 Administration in a manner consistent with the escalation of
128 federal funds.

129 **SECTION 9.** Of the funds appropriated in Section 2, the
130 amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) shall
131 be used for the purpose of assisting in carrying out the
132 provisions of the economic development efforts, including, but not
133 limited to, Mississippi Land, Water and Timber Resources Act as
134 set out in House Bill No. 1836, 2002 Regular Session.

135 **SECTION 10.** Of the funds appropriated under the provisions
136 of Section 2, Seventy-five Thousand Eight Hundred Forty-seven
137 Dollars (\$75,847.00) shall be derived from the Budget Contingency
138 Fund created in Section 27-103-301, Mississippi Code of 1972.

139 **SECTION 11.** The following sum, or so much thereof as may be
140 necessary, is hereby appropriated out of any money in the State
141 Treasury to the credit of the Beaver Control Program or from any
142 other special source funds made available to the Beaver Control
143 Program, to the Department of Agriculture and Commerce for the
144 support of the Beaver Control Program for the fiscal year
145 beginning July 1, 2002, and ending June 30, 2003.....
146 \$ 718,000.00.

147 Of the special funds authorized in this Section, Two Hundred
148 Thousand Dollars (\$200,000.00) shall be derived from the Budget
149 Contingency Fund, Two Hundred Fifty Thousand Dollars (\$250,000.00)
150 shall be derived from funds received from the Mississippi
151 Department of Transportation, and Two Hundred Sixty-eight Thousand
152 Dollars (\$268,000.00) shall be derived from counties and from fees
153 charged private persons/organizations.

154 **SECTION 12.** The following sum, or so much thereof as may be
155 necessary, is hereby reappropriated out of any money in the Debt
156 Retirement Fund No. 392L not otherwise appropriated, for the
157 purpose of reauthorizing the expenditure of these funds,
158 originally authorized in Senate Bill No. 3069, 1996 Regular
159 Session, to be used for repairs and/or renovations at the Jim Buck



160 Ross Agricultural and Forestry Museum for the fiscal year
161 beginning July 1, 2002, and ending June 30, 2003.....
162 \$ 182,000.00.

163 Notwithstanding the amount reappropriated under the
164 provisions of this section, in no event shall the amount expended
165 exceed the unexpended balance as of June 30, 2002.

166 **SECTION 13.** The money herein appropriated shall be paid by
167 the State Treasurer out of any money in the State Treasury to the
168 credit of the proper fund or funds as set forth in this act, upon
169 warrants issued by the State Fiscal Officer; and the State Fiscal
170 Officer shall issue his warrants upon requisitions signed by the
171 proper person, officer or officers in the manner provided by law.

172 **SECTION 14.** This act shall take effect and be in force from
173 and after July 1, 2002.

