

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

To: Appropriations

SENATE BILL NO. 3150

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 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 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, 2002, and ending June 30, 2003.....
29 \$ 1,171,112.00.

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, 2002, and ending
36 June 30, 2003..... \$ 1,774,486.00.

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.. \$ 2,016,314.00
44 Travel and Subsistence..... 35,097.00
45 Contractual Services..... 364,675.00
46 Commodities..... 133,851.00

47 Capital Outlay:

48 Other Than Equipment..... 0.00
49 Equipment..... 266,692.00
50 Subsidies, Loans and Grants..... 128,969.00
51 Total..... \$ 2,945,598.00

52 FUNDING:

53 General Funds..... \$ 1,171,112.00
54 Special Funds..... 1,774,486.00
55 Total..... \$ 2,945,598.00

56 AUTHORIZED POSITIONS:

57 Permanent: Full Time..... 36
58 Part Time..... 1
59 Time-Limited: Full Time..... 15



60 Part Time..... 0

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

66 With the funds herein appropriated, it is the intention of
67 the Legislature that it shall be the agency's responsibility to
68 make certain that funds required to be appropriated for "Personal
69 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
70 funds appropriated for that purpose, unless programs, positions or
71 pay increases are added to the agency's budget by the Mississippi
72 Legislature. Based on data provided by the Legislative Budget
73 Office, the State Personnel Board shall, on July 1, 2002, publish
74 separate annual projection reports, based on July 1, 2002 data,
75 for the period of July 1, 2002 through December 31, 2002, and
76 January 1, 2003 through June 30, 2003, that project the annual
77 cost to fully fund all appropriated positions in compliance with
78 the provisions of this act. It shall be the responsibility of the
79 agency head to ensure that no single personnel action increases
80 this projected cost and/or the Fiscal Year 2003 appropriation for
81 "Personal Services," as annualized on a semi-annual basis in
82 accordance with the provisions of this act. If, at the end of any
83 calendar month, the State Personnel Board determines that the
84 agency has taken action(s) which would cause the agency to exceed
85 this projected annual cost or the Fiscal Year 2003 "Personal
86 Services" appropriated level, when annualized in compliance with
87 the provisions of this act, then only those actions which reduce
88 the projected annual cost and/or the appropriation requirement
89 will be processed by the State Personnel Board until such time as
90 the requirements of this provision are met.

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



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

97 **SECTION 4.** The money herein appropriated shall be paid by
98 the State Treasurer out of any money in the State Treasury to the
99 credit of the proper fund or funds as set forth in this act, upon
100 warrants issued by the State Fiscal Officer; and the State Fiscal
101 Officer shall issue his warrants upon requisitions signed by the
102 proper person, officer or officers in the manner provided by law.

103 **SECTION 5.** This act shall take effect and be in force from
104 and after July 1, 2002.

