

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**Senate Bill NO. 3150**

**By Representative(s) Committee**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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 ..... \$ 1,184,925.00.

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..... \$ 1,760,673.00.

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..... \$ 1,184,925.00  
 54 Special Funds..... 1,760,673.00  
 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.