

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

To: Appropriations

SENATE BILL NO. 2941

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 2004.

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, 2003, and ending  
11 June 30, 2004..... \$ 7,424,095.00.

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, 2003, and ending June 30, 2004..... \$ 5,204,183.00.

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

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

27 MAJOR OBJECTS OF EXPENDITURE:



28	Personal Services:		
29	Salaries, Wages and Fringe Benefits..	\$	8,901,373.00
30	Travel and Subsistence.....		144,452.00
31	Contractual Services.....		1,445,500.00
32	Commodities.....		406,816.00
33	Capital Outlay:		
34	Other Than Equipment.....		0.00
35	Equipment.....		1,273,035.00
36	Subsidies, Loans and Grants.....		<u>457,102.00</u>
37	Total.....	\$	12,628,278.00
38	FUNDING:		
39	General Funds.....	\$	7,424,095.00
40	Special Funds.....		<u>5,204,183.00</u>
41	Total.....	\$	12,628,278.00

42 AUTHORIZED POSITIONS:

43	Permanent:	Full Time.....	197
44		Part Time.....	5
45	Time-Limited:	Full Time.....	18
46		Part Time.....	0

47 With the funds herein appropriated, it is the intention of  
48 the Legislature that it shall be the agency's responsibility to  
49 make certain that funds required to be appropriated for "Personal  
50 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004  
51 funds appropriated for that purpose, unless programs or positions  
52 are added to the agency's Fiscal Year 2005 budget by the  
53 Mississippi Legislature. Based on data provided by the  
54 Legislative Budget Office, the State Personnel Board shall  
55 determine and publish the projected annual cost to fully fund all  
56 appropriated positions in compliance with the provisions of this  
57 act. It shall be the responsibility of the agency head to insure  
58 that no single personnel action increases this projected annual  
59 cost and/or the Fiscal Year 2004 appropriation for "Personal  
60 Services" when annualized. If, at the end of any calendar month,



61 the State Personnel Board determines that the agency has taken  
62 action(s) which would cause the agency to exceed this projected  
63 annual cost or the Fiscal Year 2004 "Personal Services"  
64 appropriated level, when annualized, then only those actions which  
65 reduce the projected annual cost and/or the appropriation  
66 requirement will be processed by the State Personnel Board until  
67 such time as the requirements of this provision are met.

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

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

74 **SECTION 4.** The funds appropriated and authorized to be  
75 expended under the provisions of this act shall be expended for  
76 the purpose of defraying all expenses incurred by the State  
77 Department of Agriculture and Commerce in the operation of all  
78 programs and activities (except operation of the State Lime  
79 Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine  
80 Inspection Stations and Fire Ant Program) authorized to be  
81 conducted and carried on by said department; including, but not  
82 limited to: the administration of the Feed, Fertilizer and Dairy  
83 Act; the Weights and Measure Act; the Meat Inspection Act of 1968;  
84 the Mississippi Pure Seed Law; and the following additional  
85 programs and activities: enforcement of the egg law; publication  
86 and distribution of the Mississippi Market Bulletin, agricultural  
87 statistics, market news service at Stoneville, Mississippi;  
88 operation of the grain laboratory; inspection, grading and  
89 certifying of fruits, vegetables, hay, grain, meat and meat  
90 products, milk and dairy products, pecans, seed, syrup, and port  
91 grain inspection.

92 **SECTION 5.** The Mississippi Department of Agriculture and  
93 Commerce shall, from time to time, adjust the schedule of fees



94 collected under the grain inspection program so that the revenue  
95 therefrom equals or exceeds the operational costs of the grain  
96 inspection program and the expenses incurred in complying with the  
97 requirements of the United States Grain Standards Act, Public Law  
98 94-583.

99       **SECTION 6.** The Mississippi Department of Agriculture and  
100 Commerce, with the assistance of the State Department of Audit and  
101 the Department of Finance and Administration, shall establish  
102 nonbudgeted enterprise funds for all "for profit" activities  
103 related to the Mississippi Agriculture and Forestry Museum. The  
104 funds shall be maintained in accordance with generally accepted  
105 accounting principles and regulations prescribed by the Department  
106 of Finance and Administration.

107       **SECTION 7.** It is the intention of the Legislature that any  
108 regulations promulgated by the State Department of Agriculture and  
109 Commerce concerning the labeling of liming materials include the  
110 actual analysis of said lime. Nothing in the regulations shall  
111 prevent any manufacturer from selling his products to any consumer  
112 as long as the labeling is accurate.

113       **SECTION 8.** It is the intention of the Legislature that the  
114 State Department of Agriculture and Commerce is hereby authorized  
115 to accept, budget and expend funds from any source in accordance  
116 with rules and regulations of the Department of Finance and  
117 Administration in a manner consistent with the escalation of  
118 federal funds.

119       **SECTION 9.** The following sum, or so much thereof as may be  
120 necessary, is hereby appropriated out of any money in the State  
121 Treasury to the credit of the Beaver Control Program or from any  
122 other special source funds made available to the Beaver Control  
123 Program, to the Department of Agriculture and Commerce for the  
124 support of the Beaver Control Program for the fiscal year  
125 beginning July 1, 2003, and ending June 30, 2004.....  
126 ..... \$                   518,000.00.



127           Of the special funds authorized in this Section, Two Hundred  
128 Fifty Thousand Dollars (\$250,000.00) shall be derived from funds  
129 received from the Mississippi Department of Transportation, and  
130 Two Hundred Sixty-eight Thousand Dollars (\$268,000.00) shall be  
131 derived from counties and from fees charged private  
132 persons/organizations.

133           **SECTION 10.** It is the intention of the Legislature that none  
134 of the funds appropriated by this act shall be expended for  
135 increased charges for State and School Employees' Health Insurance  
136 Plan premium rates assessed by the Department of Finance and  
137 Administration in excess of the Fiscal Year 2003 premium rates for  
138 the health insurance plan.

139           **SECTION 11.** Of the funds appropriated under the provisions  
140 of this act, Ninety-nine Thousand Eight Hundred Eighty-five  
141 Dollars (\$99,885.00) may be used to reallocate or reclassify  
142 existing positions of this agency.

143           **SECTION 12.** Of the funds appropriated in Section 2, One  
144 Hundred Thousand Dollars (\$100,000.00) may be transferred from the  
145 Grain Division to the Farmers Central Market to defray the cost of  
146 operations at the Farmers Central Market.

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

153           **SECTION 14.** This act shall take effect and be in force from  
154 and after July 1, 2003.

