

**REPORT OF CONFERENCE COMMITTEE**

**MADAM PRESIDENT AND MR. SPEAKER:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2941: Appropriation; Agriculture & Commerce - Support and Grain Div.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
  
- 2. That the Senate and House adopt the following amendment:

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 State Department of Agriculture and  
9 Commerce, including the Divisions of Support and Plant Industry,  
10 for the fiscal year beginning July 1, 2003, and ending  
11 June 30, 2004..... \$           7,442,485.00.

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 and Plant Industry, for the fiscal year beginning July 1, 2003,  
18 and ending June 30, 2004..... \$           5,208,581.00.

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..	\$	8,924,161.00
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.....	\$	12,651,066.00

38 FUNDING:

39	General Funds.....	\$	7,442,485.00
40	Special Funds.....		<u>5,208,581.00</u>
41	Total.....	\$	12,651,066.00

42 AUTHORIZED POSITIONS:

43	Permanent:	Full Time	207
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; and  
88 inspection, grading and certifying of fruits, vegetables, hay,  
89 grain, meat and meat products, milk and dairy products, pecans,  
90 seed and syrup.

91 **SECTION 5.** The Mississippi Department of Agriculture and  
92 Commerce, with the assistance of the State Department of Audit and  
93 the Department of Finance and Administration, shall establish  
94 nonbudgeted enterprise funds for all "for profit" activities  
95 related to the Mississippi Agriculture and Forestry Museum. The  
96 funds shall be maintained in accordance with generally accepted  
97 accounting principles and regulations prescribed by the Department  
98 of Finance and Administration.

99           **SECTION 6.** It is the intention of the Legislature that any  
100 regulations promulgated by the State Department of Agriculture and  
101 Commerce concerning the labeling of liming materials include the  
102 actual analysis of said lime. Nothing in the regulations shall  
103 prevent any manufacturer from selling his products to any consumer  
104 as long as the labeling is accurate.

105           **SECTION 7.** It is the intention of the Legislature that the  
106 State Department of Agriculture and Commerce is hereby authorized  
107 to accept, budget and expend funds from any source in accordance  
108 with rules and regulations of the Department of Finance and  
109 Administration in a manner consistent with the escalation of  
110 federal funds.

111           **SECTION 8.** The following sum, or so much thereof as may be  
112 necessary, is hereby appropriated out of any money in the State  
113 Treasury to the credit of the Beaver Control Program or from any  
114 other special source funds made available to the Beaver Control  
115 Program, to the Department of Agriculture and Commerce for the  
116 support of the Beaver Control Program for the fiscal year  
117 beginning July 1, 2003, and ending June 30, 2004.....  
118 ..... \$                   718,000.00.

119           Of the special funds authorized in this Section, Two Hundred  
120 Fifty Thousand Dollars (\$250,000.00) shall be derived from funds  
121 received from the Mississippi Department of Transportation, Two  
122 Hundred Sixty-eight Thousand Dollars (\$268,000.00) shall be  
123 derived from counties and from fees charged private  
124 persons/organizations, and Two Hundred Thousand Dollars  
125 (\$200,000.00) shall be derived from the Budget Contingency Fund  
126 created in Section 27-103-301, Mississippi Code of 1972.

127           **SECTION 9.** Of the funds appropriated under the provisions of  
128 this act, Ninety-nine Thousand Eight Hundred Eighty-five Dollars  
129 (\$99,885.00) may be used to reallocate or reclassify existing  
130 positions of this agency.

131           **SECTION 10.** Of the funds appropriated in Section 2, One  
132 Hundred Thousand Dollars (\$100,000.00) may be transferred from the  
133 Mississippi Department of Agriculture and Commerce to the Farmers  
134 Central Market to defray the cost of operations at the Farmers

135 Central Market.

136           **SECTION 11.** Of the funds provided by the provisions of this  
137 act, it is the intent of the Legislature that not more than Thirty  
138 Thousand Dollars (\$30,000.00) shall be expended for the  
139 Mississippi Senior Farmers' Market Nutrition Pilot Program, which  
140 shall be established by the State Department of Agriculture and  
141 Commerce to serve senior citizens above sixty (60) years of age  
142 who fall within one hundred thirty percent (130%) of the poverty  
143 level. The Commissioner of Agriculture may promulgate rules and  
144 regulations necessary to implement the Mississippi Senior Farmers'  
145 Market Nutrition Pilot Program.

146           **SECTION 12.** The money herein appropriated shall be paid by  
147 the State Treasurer out of any money in the State Treasury to the  
148 credit of the proper fund or funds as set forth in this act, upon  
149 warrants issued by the State Fiscal Officer; and the State Fiscal  
150 Officer shall issue his warrants upon requisitions signed by the  
151 proper person, officer or officers in the manner provided by law.

152           **SECTION 13.** This act shall take effect and be in force from  
153 and after July 1, 2003.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

X \_\_\_\_\_

Jack Gordon

X \_\_\_\_\_

Charlie Capps, Jr.

X \_\_\_\_\_

Joseph Stogner

X \_\_\_\_\_

Clayton P. Henderson

X \_\_\_\_\_

E. Glenn Hamilton

X \_\_\_\_\_

Johnny W. Stringer