

**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. 3029: 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, Plant Industry and  
10 Farmers Central Market, for the fiscal year beginning  
11 July 1, 2006, and ending June 30, 2007..... \$       7,840,401.00.

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 and Farmers Central Market, for the fiscal year  
18 beginning July 1, 2006, and ending June 30, 2007.....  
19 ..... \$       5,763,585.00.

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.** With the funds appropriated under the provisions  
25 of Sections 1 and 2, the following positions are authorized:

26 AUTHORIZED POSITIONS:

27	Permanent:	Full Time.....	220
28		Part Time.....	2
29	Time-Limited:	Full Time.....	19
30		Part Time.....	0

31 Funds are provided herein to adjust the Variable Compensation  
32 Plan to ensure that all full-time employees receive a pay increase  
33 equal to the realignment component of the Variable Compensation  
34 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
35 with not more than one-half (1/2) to be awarded on July 1, 2006,  
36 with the remainder to be awarded on January 1, 2007.

37 With the funds herein appropriated, it is the intention of  
38 the Legislature that it shall be the agency's responsibility to  
39 make certain that funds required to be appropriated for "Personal  
40 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
41 funds appropriated for that purpose, unless programs or positions  
42 are added to the agency's Fiscal Year 2008 budget by the  
43 Mississippi Legislature. Based on data provided by the  
44 Legislative Budget Office, the State Personnel Board shall  
45 determine and publish the projected annual cost to fully fund all  
46 appropriated positions in compliance with the provisions of this  
47 act. It shall be the responsibility of the agency head to insure  
48 that no single personnel action increases this projected annual  
49 cost and/or the Fiscal Year 2007 appropriation for "Personal  
50 Services" when annualized, with the exception of escalated funds.  
51 If, at the time the agency takes any action to change "Personal  
52 Services," the State Personnel Board determines that the agency  
53 has taken an action which would cause the agency to exceed this  
54 projected annual cost or the Fiscal Year 2007 "Personal Services"  
55 appropriated level, when annualized, then only those actions which  
56 reduce the projected annual cost and/or the appropriation

57 requirement will be processed by the State Personnel Board until  
58 such time as the requirements of this provision are met.

59 Any transfers or escalations shall be made in accordance with  
60 the terms, conditions and procedures established by law or  
61 allowable under the terms set forth within this act. The State  
62 Personnel Board shall not escalate positions without written  
63 approval from the Department of Finance and Administration. The  
64 Department of Finance and Administration shall not provide written  
65 approval to escalate any funds for salaries and/or positions  
66 without proof of availability of new or additional funds above the  
67 appropriated level.

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

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

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

97           **SECTION 6.** It is the intention of the Legislature that the  
98 State Department of Agriculture and Commerce is hereby authorized  
99 to accept, budget and expend funds from any source in accordance  
100 with rules and regulations of the Department of Finance and  
101 Administration in a manner consistent with the escalation of  
102 federal funds.

103           **SECTION 7.** The following sum, or so much thereof as may be  
104 necessary, is hereby appropriated out of any money in the State  
105 Treasury to the credit of the Beaver Control Program or from any  
106 other special source funds made available to the Beaver Control  
107 Program, to the Department of Agriculture and Commerce for the  
108 support of the Beaver Control Program for the fiscal year  
109 beginning July 1, 2006, and ending June 30, 2007.....  
110 ..... \$           700,000.00.

111           Of the special funds authorized in this section, Two Hundred  
112 Fifty Thousand Dollars (\$250,000.00) shall be derived from funds  
113 received from the Mississippi Department of Transportation and Two  
114 Hundred Fifty Thousand Dollars (\$250,000.00) shall be derived from  
115 counties and from fees charged private persons/organizations, and  
116 Two Hundred Thousand Dollars (\$200,000.00) shall be derived from  
117 funds received from the State Forestry Commission.

118           **SECTION 8.** The following sum, or so much thereof as may be  
119 necessary, is hereby appropriated from special source funds for

120 the upgrade and operation of the State Seed Testing Laboratory for  
121 the fiscal year beginning July 1, 2006, and ending  
122 June 30, 2007..... \$ 140,000.00

123 The special funds appropriated in this section shall be  
124 expended in accordance with rules and regulations of the  
125 Department of Finance and Administration in a manner consistent  
126 with the escalation of federal funds for the purpose of defraying  
127 costs of up to three (3) permanent positions and associated  
128 expenses of operating the State Seed Testing Laboratory.

129 **SECTION 9.** Of the funds provided by the provisions of this  
130 act, it is the intent of the Legislature that not more than Thirty  
131 Thousand Dollars (\$30,000.00) shall be expended for the  
132 Mississippi Senior Farmers' Market Nutrition Pilot Program, which  
133 shall be established by the State Department of Agriculture and  
134 Commerce to serve senior citizens above sixty (60) years of age  
135 who fall within one hundred thirty percent (130%) of the poverty  
136 level. The Commissioner of Agriculture may promulgate rules and  
137 regulations necessary to implement the Mississippi Senior Farmers'  
138 Market Nutrition Pilot Program.

139 **SECTION 10.** Of the funds appropriated herein, not more than  
140 Five Hundred Thousand Dollars (\$500,000.00) is provided, for the  
141 purpose of making incentive payments to producers of ethanol  
142 utilizing Mississippi-produced agriculture commodities under the  
143 provisions of Section 69-51-5, Mississippi Code of 1972.

144 **SECTION 11.** Of the funds appropriated under the provisions  
145 of Section 2, Three Hundred Thousand Dollars (\$300,000.00) shall  
146 be derived from the Budget Contingency Fund, as created in Section  
147 27-103-301, Mississippi Code of 1972.

148 **SECTION 12.** It is the intention of the Legislature that  
149 whenever two (2) or more bids are received by this agency for the  
150 purchase of commodities or equipment, and whenever all things  
151 stated in such received bids are equal with respect to price,

152 quality and service, the Mississippi Industries for the Blind  
153 shall be given preference. A similar preference shall be given to  
154 the Mississippi Industries for the Blind whenever purchases are  
155 made without competitive bids.

156 **SECTION 13.** It is legislative intent to ensure beneficial  
157 information reaches as many Mississippians as possible. Further,  
158 it is legislative intent that the expenditure of public funds for  
159 this purpose be accomplished in an efficient and effective manner.

160 Therefore, state agencies as standard procedure, will observe  
161 the following criteria:

162 (1) Develop goals and desired result for a campaign.

163 (2) Evaluate effectiveness through respected advertising  
164 standards, including market reach and cost effectiveness.

165 (3) Seek public service announcements, which would be aired  
166 by media without cost.

167 (4) Itemize and justify professional assistance and related  
168 expenses for creative and production costs outside of the actual  
169 media expenditures.

170 (5) Utilize Mississippi owned media companies when feasible.

171 **SECTION 14.** Of the funds provided under the provisions of  
172 this act, Twenty Thousand Dollars (\$20,000.00) shall be provided  
173 to the Fair Commission County Livestock Shows for prize money.

174 **SECTION 15.** The money herein appropriated shall be paid by  
175 the State Treasurer out of any money in the State Treasury to the  
176 credit of the proper fund or funds as set forth in this act, upon  
177 warrants issued by the State Fiscal Officer; and the State Fiscal  
178 Officer shall issue his warrants upon requisitions signed by the

179 proper person, officer or officers in the manner provided by law.

180         **SECTION 16.** This act shall take effect and be in force from

181 and after July 1, 2006.

CONFEREES FOR THE SENATE

X (SIGNED)  
Gordon

X (SIGNED)  
Jackson (32nd)

X (SIGNED)  
Hyde-Smith

CONFEREES FOR THE HOUSE

X (SIGNED)  
Stringer

X (SIGNED)  
Eaton

X (SIGNED)  
Hudson