

By: Representative Holland

To: Agriculture;
Appropriations

HOUSE BILL NO. 1165
(As Passed the House)

1 AN ACT TO AMEND SECTION 69-1-203, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE MARKETING, AGRICULTURAL DEVELOPMENT AND FINANCE
3 OFFICE IN THE DEPARTMENT OF AGRICULTURE AND COMMERCE TO ESTABLISH
4 AND COORDINATE THE MISSISSIPPI AGRICULTURAL PROMOTIONS PROGRAM FOR
5 THE PURPOSE OF EXPANDING THE MARKET FOR MISSISSIPPI'S AGRICULTURAL
6 PRODUCTS; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE
7 DESIGNATED AS THE "MISSISSIPPI AGRICULTURAL PROMOTIONS FUND"; AND
8 FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 SECTION 1. Section 69-1-203, Mississippi Code of 1972, is
11 amended as follows:

12 69-1-203. (1) The Department of Agriculture and Commerce
13 shall promote the development of agriculture and aquaculture for
14 both native and nonnative species. The department shall be
15 organized into the Administration Office, the Regulatory Office,
16 and the Marketing, Agricultural Development and Finance Office.
17 Each office shall have the duties hereinafter specified in
18 addition to any other duties assigned to it by the commissioner.

19 (2) The Administration Office shall consist of such
20 employees as may be assigned to it by the commissioner and shall
21 have exclusive responsibility for the following functions of the
22 department:

- 23 (a) Accounting;
- 24 (b) Payroll;
- 25 (c) Purchasing;
- 26 (d) Data processing;
- 27 (e) Personnel;
- 28 (f) Motor pool and vehicles;
- 29 (g) Maintenance; and

30 (h) Printing and records.

31 (3) The Regulatory Office shall administer those laws
32 relating to the regulation of the labels of syrup containers; the
33 regulation of the sale of planting seed; the regulation of the
34 sale of livestock by weight; the protection of the health of
35 swine; the inspection of grain crops; the testing of the accuracy
36 of petroleum pumps; the inspection of milk manufacturing plants
37 and producers; the establishment of standards for frozen desserts
38 sold in Mississippi; the licensing of exotic bird dealers; the
39 regulation of the disposition of animal and poultry inedible
40 waste; the regulation of the labeling of catfish; the adoption of
41 systems of weights and measures for all commercial purposes in
42 Mississippi; the inspection of meat and poultry and the licensing
43 of facilities used for the processing thereof; and the regulation
44 of the measurement and receiving of pulpwood.

45 (4) (a) The Marketing, Agricultural Development and Finance
46 Office shall develop direct contact with potential buyers
47 worldwide for the Mississippi agricultural community to expand
48 domestic and international markets; develop and regulate
49 aquaculture production as provided in the Mississippi Aquaculture
50 Act of 1988; and operate and administer the Mississippi Market
51 Bulletin, the Market News Service, the Mississippi Agricultural
52 Heritage Museum and the Centennial Farm Family Program. This
53 office shall also be responsible for the collection, analysis and
54 dissemination of statistical data concerning the production,
55 supply, price and other aspects of the state's agricultural
56 economy.

57 (b) The department, in its discretion, may establish a
58 program of grants, loans and subsidies to be matched by
59 agricultural entities in the state to finance and promote
60 agricultural economic development.

61 (c) The Marketing, Agricultural Development and Finance
62 Office may establish and coordinate a program known as the

63 "Mississippi Agricultural Promotions Program." The duties of this
64 office include, but are not limited to:

65 (i) Developing a logo and authorizing the use of
66 that logo.

67 (ii) Developing a program for loans, grants and
68 subsidies.

69 (iii) Registering participants.

70 (iv) Requesting and collecting reimbursements from
71 program participants.

72 (v) Promoting and advertising Mississippi and its
73 agricultural products through the purchase of promotional items.

74 (vi) Developing in-kind advertising programs and
75 promotional materials.

76 (vii) Contracting with media representatives for
77 the purpose of dispersing promotional materials.

78 The Department of Economic and Community Development shall
79 cooperate with the Department of Agriculture and Commerce in
80 fulfilling the duties of this act.

81 The commissioner shall promulgate rules necessary to
82 implement the provisions of this section.

83 (d) Any person who participates in the Mississippi
84 Agricultural Promotions Program shall register annually with the
85 department in a form and manner as required by the department.
86 Each person shall renew his registration by July 1 of each year.

87 (e) There is created a special fund to be designated as
88 the "Mississippi Agricultural Promotions Fund" within the State
89 Treasury to receive all monies related to the Mississippi
90 Agricultural Promotions Program. Monies deposited in the fund
91 shall be expended, upon legislative appropriations, and upon
92 requisition therefor by the Commissioner of Agriculture, for the
93 sole purpose of implementing the Mississippi Agricultural
94 Promotions Program. Unexpended amounts remaining in the fund at
95 the end of the fiscal year shall not lapse into the State General

96 Fund, and any interest earned on amounts in the fund shall be
97 deposited to the credit of the fund.

98 (f) It is unlawful for any person to use, reproduce or
99 distribute the logo of the Mississippi Agricultural Promotions
100 Program without being registered with the department or to
101 otherwise violate the provisions of this subsection or any rules
102 adopted under this subsection. Any person who violates any of the
103 provisions of this subsection or any rule promulgated under this
104 subsection revokes his rights for logo use or any funding
105 hereunder. For purposes of this paragraph, the term "reproduce"
106 means to stencil, emboss, print, engrave, impress, imprint,
107 lithograph or duplicate in any manner or to cause any such acts to
108 be done.

109 (g) For purposes of this subsection, the term
110 "agricultural product" means any product that is at least
111 fifty-one percent (51%) grown, processed or manufactured in
112 Mississippi.

113 SECTION 2. This act shall take effect and be in force from
114 and after July 1, 1999.