

By: Senator(s) Thames

To: Agriculture

SENATE BILL NO. 2407

1 AN ACT TO CREATE THE "MISSISSIPPI AGRICULTURAL PROMOTIONS
2 PROGRAM ACT" FOR THE PURPOSE OF EXPANDING THE MARKET FOR
3 MISSISSIPPI'S AGRICULTURAL PRODUCTS; TO AUTHORIZE THE DEPARTMENT
4 OF AGRICULTURE AND COMMERCE TO ESTABLISH AND COORDINATE THE
5 MISSISSIPPI AGRICULTURAL PROMOTIONS PROGRAM; TO CREATE A SPECIAL
6 FUND IN THE STATE TREASURY TO BE DESIGNATED AS THE "MISSISSIPPI
7 AGRICULTURAL PROMOTIONS FUND"; AND FOR RELATED PURPOSES.

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

9 SECTION 1. This act shall be known and may be cited as the
10 "Mississippi Agricultural Promotions Program Act."

11 SECTION 2. The Legislature finds that there is a need for a
12 Mississippi Agricultural Promotions Program to increase consumer
13 awareness and expand the market for Mississippi's agricultural
14 products. The Legislature further finds that the Mississippi
15 Department of Agriculture and Commerce, through, but not limited
16 to, product identification programs and subsidies, loans and
17 grants, shall promote and advertise such products.

18 SECTION 3. For the purposes of this act, the following terms
19 shall have the following meanings:

20 (a) "Commissioner" means the Commissioner of
21 Agriculture and Commerce.

22 (b) "Department" means the Department of Agriculture
23 and Commerce.

24 (c) "Person" means an individual, firm, partnership,
25 corporation, association, business, trust, legal representative or
26 any other business unit.

27 (d) "Reproduce" means to stencil, emboss, print,
28 engrave, impress, imprint, lithograph or duplicate in any manner

29 or to cause any such acts to be done.

30 (e) "Agricultural product" means any product that is at
31 least fifty-one percent (51%) grown, processed or manufactured in
32 the State of Mississippi.

33 (f) "Division" means the Division of Market Development
34 within the Department of Agriculture and Commerce.

35 SECTION 4. The department, in its discretion, may establish
36 a program of grants, loans and subsidies to be matched by
37 agricultural entities in the state to finance and promote
38 agricultural economic development.

39 SECTION 5. (1) The purpose of this act is to authorize the
40 division to establish and coordinate the Mississippi Agricultural
41 Promotions Program. The duties of the division shall include, but
42 are not limited to:

43 (a) Developing a logo and authorizing the use of that
44 logo;

45 (b) Developing a program for loans, grants and
46 subsidies;

47 (c) Registering participants;

48 (d) Requesting and collecting reimbursements from
49 program participants;

50 (e) Promoting and advertising Mississippi and its
51 agricultural products through the purchase of promotional items;

52 (f) Developing in-kind advertising programs and
53 promotional materials; and

54 (g) Contracting with media representatives for the
55 purpose of dispersing promotional materials.

56 (2) The commissioner shall promulgate rules necessary to
57 implement the provisions of this act.

58 SECTION 6. Any person who participates in the Mississippi
59 Agricultural Promotions Program shall register annually with the
60 department in a form and manner as required by the department.
61 Each person shall renew his registration by July 1 of each year.

62 SECTION 7. There is created a special fund to be designated
63 as the "Mississippi Agricultural Promotions Fund" within the State
64 Treasury to receive all monies related to the Mississippi
65 Agricultural Promotions Program. Monies deposited in the fund
66 shall be expended, upon legislative appropriations, and upon
67 requisition therefor by the Commissioner of Agriculture, for the
68 sole purpose of implementing the Mississippi Agricultural
69 Promotions Program. Unexpended amounts remaining in the fund at
70 the end of the fiscal year shall not lapse into the State General
71 Fund, and any interest earned on amounts in the fund shall be
72 deposited to the credit of the fund.

73 SECTION 8. It is unlawful for any person to use, reproduce
74 or distribute the logo of the Mississippi Agricultural Promotions
75 Program without being registered with the department or to
76 otherwise violate the provisions of this act or any rules adopted
77 under this act. Any person who violates any of the provisions of
78 this act or any rule promulgated under this act revokes his rights
79 for logo use or any funding hereunder.

80 SECTION 9. This act shall take effect and be in force from
81 and after July 1, 1999.