

By: Senator(s) Thames

To: Agriculture

SENATE BILL NO. 2407  
(As Passed the Senate)

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.