

By: Senator(s) Younger, Jackson (11th)

To: Accountability,  
Efficiency, Transparency

## SENATE BILL NO. 2077

1 AN ACT TO AMEND SECTION 69-7-101, MISSISSIPPI CODE OF 1972,  
2 TO ABOLISH THE CENTRAL MARKET BOARD AND TRANSFER ITS FUNCTIONS AND  
3 RESPONSIBILITIES TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO  
4 AMEND SECTION 69-7-109, MISSISSIPPI CODE 1972, TO TRANSFER POWERS  
5 OF DUTIES OF THE CENTRAL MARKET BOARD TO THE DEPARTMENT OF  
6 AGRICULTURE AND COMMERCE; TO AMEND SECTION 69-7-113, MISSISSIPPI  
7 CODE OF 1972, TO TRANSFER RECORD-KEEPING RESPONSIBILITIES FROM THE  
8 STATE MARKET TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO  
9 AMEND SECTION 69-7-115, MISSISSIPPI CODE OF 1972, TO TRANSFER  
10 AUTHORITY OF THE CENTRAL MARKET BOARD FOR THE ACQUISITION OF  
11 FACILITIES TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTION  
12 69-7-121, MISSISSIPPI CODE OF 1972, TO TRANSFER AUTHORITY OVER THE  
13 CENTRAL MARKET FUND FROM THE CENTRAL MARKET BOARD TO THE  
14 DEPARTMENT OF AGRICULTURE; TO REPEAL SECTIONS 69-7-103, 69-7-105,  
15 69-7-107, 69-7-111, 69-7-117 AND 69-7-119, MISSISSIPPI CODE OF  
16 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** Section 69-7-101, Mississippi Code of 1972, is  
19 amended as follows:

20 69-7-101. The Mississippi Central Market Board is hereby  
21 abolished, and all of the powers, duties, property, contractual  
22 rights and obligations, and unexpended funds of that commission  
23 shall be transferred to the Department of Agriculture and Commerce  
24 on July 1, 2021. Wherever the term "Central Market Board" appears  
25 in any laws or regulation, the same shall mean the Department of



26 Agriculture and Commerce, hereinafter referred to as "the  
27 department." The transfer of personnel shall be commensurate with  
28 the number and classification of positions allocated to the  
29 commission.

30 For the purpose of aiding, establishing and providing proper  
31 facilities for the efficient handling of farm and other food  
32 products in the interest of farmer, consumer, the general public  
33 and the State of Mississippi, and to assist in the disposal and  
34 sale of such products, there is hereby created a Mississippi \* \* \*  
35 Farmers Market \* \* \*, hereinafter referred to as the  
36 "\* \* \* market" at 929 High Street in Jackson.

37 **SECTION 2.** Section 69-7-109, Mississippi Code of 1972,  
38 is amended as follows:

39 69-7-109. The \* \* \* Department of Agriculture and Commerce  
40 shall have the power to:

41 (a) Fix salaries of any authorized employees of the  
42 market;

43 (b) Fix rentals and charges for each type of facility  
44 constructed in the market, taking into consideration the cost of  
45 such facility, the interest and amortization period required, a  
46 proper relationship between types of operators in the market, cost  
47 of operation, and the need for reasonable reserves, expansion and  
48 the like;

49 (c) Make investigations and hold hearings and  
50 conferences necessary to formulate and adopt a financial building



51 and operating program for a market and make revisions from time to  
52 time;

53 (d) Make rules and regulations which shall govern all  
54 such business and all persons and vehicles coming upon the market;

55 (e) Provide and enforce penalties and liquidated  
56 damages relative to breaches of such rules and regulations and any  
57 contracts entered into;

58 (f) Lease the buildings and facilities to farmers,  
59 wholesale dealers, retailers and other persons engaged in the  
60 wholesale or retail marketing of perishable farm products;

61 (g) Determine and set the hours when the market may  
62 open and close during any day or night throughout the year;

63 (h) Plan, build, construct or cause to be built or  
64 constructed, or lease any facilities, on the grounds under the  
65 control of the \* \* \* department, that are deemed necessary for the  
66 successful operation of a wholesale or retail market for farm  
67 products;

68 (i) Rent or lease any necessary property, real or  
69 personal, on the grounds under the control of the \* \* \* department  
70 for the successful operation of the market. However, that before  
71 leasing or renting any property for use as a filling station or  
72 the sale of similar supplies and accessories, the \* \* \* department  
73 shall advertise and receive sealed bids therefor, and shall have  
74 the power to reject any and all of such bids, or to accept the  
75 highest and best bid made therefor, and the lessee shall erect



76 such buildings and add such facilities as necessary to carry out  
77 the provisions of this article at the expense of the lessee in  
78 addition to any other monies paid as lease money to said board for  
79 the purpose of operating a service station. Such establishment  
80 shall not be tax exempt. No filling station shall be leased for a  
81 monthly rental less than One Cent (1¢) per gallon for each gallon  
82 of gasoline sold;

83 (j) Employ an attorney as prescribed in Section  
84 69-1-14.

85 The \* \* \* department shall also have full power and authority  
86 to rent or lease real property, on the grounds under the control  
87 of the \* \* \* department, not otherwise used, for a period not to  
88 exceed twenty-five (25) years to private concerns for the purpose  
89 of processing agricultural products, and providing such facilities  
90 found necessary by the \* \* \* department to carry out the purposes  
91 of this article, and such facilities, structures, buildings, or  
92 other improvements erected or placed thereon by private concerns  
93 shall be subject to taxation the same as private property,  
94 provided, however, that improvements or facilities erected thereon  
95 for processing agricultural products shall not be assessed or  
96 taxed until five (5) years after completion of construction. The  
97 improvements and facilities erected on said leased property shall  
98 be liable for ad valorem taxes and shall be assessed and levied  
99 against said leasehold separately from the fee of said lands, and  
100 upon failure to pay taxes upon same when due, said facilities and



101 improvements shall be sold by the tax collector as other property  
102 is sold for the nonpayment of taxes, but only such rights of the  
103 lessee under said lease contract shall be so sold. Upon the  
104 failure to pay taxes promptly when due on said lease, \* \* \* the  
105 department shall have the power to cancel and terminate said lease  
106 immediately and shall thereupon be authorized to lease or re-lease  
107 same to another private individual or concern as herein provided.

108 The provisions hereof regarding taxation shall not apply to  
109 those buildings, structures and facilities erected on said  
110 property by the \* \* \* department.

111 The \* \* \* department shall maintain or operate local  
112 market \* \* \*.

113 **SECTION 3.** Section 69-7-113, Mississippi Code of 1972, is  
114 amended as follows:

115 69-7-113. The \* \* \* Department of Agriculture and Commerce  
116 shall keep, or have kept, records of all leases, rentals, sales,  
117 and expense items which shall be audited as other state records  
118 are audited. And \* \* \* the department shall make, or cause to be  
119 made, a report of receipts and disbursements and other information  
120 pertaining to the operations of the market to each regular session  
121 of the Legislature.

122 **SECTION 4.** Section 69-7-115, Mississippi Code of 1972, is  
123 amended as follows:

124 69-7-115. The \* \* \* Department of Agriculture and Commerce  
125 is hereby authorized subject to the approval of the building



commission to acquire by purchase, donation, lease or  
condemnation, and for and in the name of the State of Mississippi,  
a suitable site or sites, accessible to highways and railroads and  
air terminal facilities, and to erect and install thereon such  
structures, facilities, and equipment as may be necessary for the  
inspection, grading, standardization, classification,  
refrigeration, processing and marketing of such products (for both  
food and feed), within the amount appropriated for such purposes  
by the Legislature and subject to the approval of the building  
commission.

**SECTION 5.** Section 69-7-121, Mississippi Code of 1972, is  
amended as follows:

69-7-121. All funds collected under this article shall be  
deposited in the State Treasury to the credit of Central Market  
Fund and shall be used solely for payment of the expenses of  
operation and maintenance of such market and facilities including  
the acquisition, leasing, maintenance and operation of local farm  
market facilities \* \* \*, and for the employment of such production  
and marketing personnel as will, in the discretion of the \* \* \*  
Department of Agriculture and Commerce, more effectively promote  
the operation of such market, on warrants issued according to law  
pursuant to payment vouchers signed by the \* \* \* Commissioner or  
his designee.



149       **SECTION 6.** Section 69-7-103, Mississippi Code of 1972, which  
150 determines members of the board and terms of office, is hereby  
151 repealed.

152       **SECTION 7.** Section 69-7-105, Mississippi Code of 1972, which  
153 outlines the meetings of the board and compensation of members, is  
154 hereby repealed.

155       **SECTION 8.** Section 69-7-107, Mississippi Code of 1972,  
156 establishes the headquarters and organization of the board, is  
157 hereby repealed.

158       **SECTION 9.** Section 69-7-111, Mississippi Code of 1972, which  
159 determines the bond, duties, and compensation of the state market  
160 manager, is hereby repealed.

161       **SECTION 10.** Section 69-7-117, Mississippi Code of 1972,  
162 authorizes the management and disposition of property, is hereby  
163 repealed.

164       **SECTION 11.** Section 69-7-119, Mississippi Code of 1972,  
165 which mandates limitations on powers of the board, is hereby  
166 repealed.

167       **SECTION 12.** This act shall take effect and be in force from  
168 and after July 1, 2021.

