

By: Senator(s) Hopson, Polk, DeLano, Butler  
(38th), Moran, Seymour

To: Appropriations

SENATE BILL NO. 3015

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE,  
3 FOR FISCAL YEAR 2023.

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

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,  
10 Farmers Central Market, Fair Commission, Livestock Coliseum,  
11 Industrial Showcase, and Trade Mart Building, for the fiscal year  
12 beginning July 1, 2022, and ending June 30, 2023.....  
13 ..... \$ 8,422,827.00.

14 **SECTION 2.** The following sum, or so much thereof as may be  
15 necessary, is hereby authorized for expenditure out of any special  
16 source funds, which are collected by or otherwise become available  
17 for the purpose of defraying the expenses of the State Department  
18 of Agriculture and Commerce, including the Divisions of Support



19 and Plant Industry, Farmers Central Market, Fair Commission,  
 20 Livestock Coliseum, Industrial Showcase, and Trade Mart Building  
 21 for the fiscal year beginning July 1, 2022, and ending  
 22 June 30, 2023 ..... \$ 12,468,036.00.

23 The funds authorized for expenditure under the provisions of  
 24 this section include subscription fees produced from the Market  
 25 Bulletin and admission fees produced from the Mississippi  
 26 Agriculture and Forestry Museum.

27 **SECTION 3.** Of the funds appropriated under the provisions of  
 28 this act, the following positions are authorized:

29 AUTHORIZED POSITIONS:

30	Permanent:	Full Time .....	206
31		Part Time .....	8
32	Time-Limited:	Full Time .....	13
33		Part Time .....	0

34 With the funds herein appropriated, it shall be the agency's  
 35 responsibility to make certain that funds required for "Personal  
 36 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023  
 37 funds appropriated for that purpose unless programs or positions  
 38 are added to the agency's Fiscal Year 2023 budget by the  
 39 Mississippi Legislature. The Legislature shall determine the  
 40 agency's personal services appropriation, which shall be published  
 41 by the State Personnel Board. Additionally, the State Personnel  
 42 Board shall determine and publish the projected annualized payroll  
 43 costs based on current employees. It shall be the responsibility



44 of the agency head to ensure that actual personnel expenditures  
45 for Fiscal Year 2023 do not exceed the data provided by the  
46 Legislative Budget Office. If the agency's Fiscal Year 2023  
47 projected cost exceeds the annualized costs, no salary actions  
48 shall be processed by the State Personnel Board with the exception  
49 of new hires that are determined to be essential for the agency.

50 Any transfers or escalations shall be made in accordance with  
51 the terms, conditions and procedures established by law or  
52 allowable under the terms set forth within this act. The State  
53 Personnel Board shall not escalate positions without written  
54 approval from the Department of Finance and Administration. The  
55 Department of Finance and Administration shall not provide written  
56 approval to escalate any funds for salaries and/or positions  
57 without proof of availability of new or additional funds above the  
58 appropriated level.

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

63 None of the funds herein appropriated shall be used in  
64 violation of Internal Revenue Service's Publication 15-A relating  
65 to the reporting of income paid to contract employees, as  
66 interpreted by the Office of the State Auditor.

67 Funds have been appropriated herein for the purpose of  
68 funding Project SEC2 minimum salaries for all employees covered



69 under the Colonel Guy Groff/Neville Kenning Variable Compensation  
70 Plan. It shall be the agency's responsibility to ensure that the  
71 funds are used to increase all employees' salaries up to the  
72 minimum level as determined by the State Personnel Board.

73       **SECTION 4.** In addition to all other sums herein  
74 appropriated, the following sum, or so much thereof as may be  
75 necessary, is hereby appropriated out of any money in the State  
76 Treasury to the credit of the Beaver Control Program or from any  
77 other special source funds made available to the Beaver Control  
78 Program, to the Department of Agriculture and Commerce for the  
79 support of the Beaver Control Program for the fiscal year  
80 beginning July 1, 2022, and ending June 30, 2023.....  
81 .....\$ 1,100,000.00.

82       Of the special funds authorized in this section, Six Hundred  
83 Fifty Thousand Dollars (\$650,000.00) shall be derived from funds  
84 received from the Mississippi Department of Transportation and  
85 from fees charged private persons/organizations, and Two Hundred  
86 Thousand Dollars (\$200,000.00) shall be derived from funds  
87 received from the State Forestry Commission. A county in order to  
88 participate must pay up to Seven Thousand Five Hundred Dollars  
89 (\$7,500.00) and if any county wishes to pay any additional funds  
90 than provided, those funds may be used only in said county.

91       **SECTION 5.** Of the funds appropriated in Section 2, the  
92 following sum, or so much thereof as may be necessary, shall be  
93 derived from the Mississippi Department of Agriculture and



94 Commerce - Fruit and Vegetable Revolving Fund, for the purpose of  
95 defraying the expenses of the department ..... \$ 600,000.00.

96 **SECTION 6.** Of the funds appropriated in Section 2,  
97 Seventy-four Thousand Eight Hundred Five Dollars (\$74,805.00)  
98 shall be provided for the support of the Mississippi Egg Marketing  
99 Board.

100 **SECTION 7.** In compliance with the "Mississippi Performance  
101 Budget and Strategic Planning Act of 1994," it is the intent of  
102 the Legislature that the funds provided herein shall be utilized  
103 in the most efficient and effective manner possible to achieve the  
104 intended mission of this agency. Based on the funding authorized,  
105 this agency shall make every effort to attain the targeted  
106 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
109 Plant Industry	
110 Number of Pesticide Related Inspections	2,000
111 Number of Marketplace Inspections in	
112 Full Compliance	205
113 Number of Dealer Inspections in Full	
114 Compliance	110
115 Number of Agricultural &	
116 Non-Agricultural Pesticide Application	
117 Inspections in Full Compliance	1,200
118 Number of Agricultural &	



119	Non-Agricultural Record Inspections in	
120	Full Compliance	350
121	Percent of Marketplace Inspections in	
122	Full Compliance	85.00
123	Percent of Dealer Inspections in Full	
124	Compliance	96.00
125	Percent of Agricultural & Non-Ag	
126	Pesticide Application Inspections in	
127	Full Compliance	93.00
128	Percent of Agricultural & Non-Ag Record	
129	Inspections in Full Compliance	95.00
130	Museum	
131	Total Attendance	125,000
132	Number of Students in School Groups	18,000
133	Number of Private Revenue Generating	
134	Functions	1,700
135	Percent Change in Number of Private	
136	Revenue Generating Functions	1.00
137	Percent Change in Revenue from Private	
138	Functions	1.00
139	Percent Increase in Attendance from	
140	Prior Year	2.00
141	Percent Increase of School Students in	
142	Attendance from Prior Year	2.00
143	Revenue Generated from Functions (\$)	312,000.00



144	Regulatory	
145	Number of Retail Motor Fuel Devices	
146	Inspected	55,100
147	Number of Food Sanitation Inspections	5,000
148	Percent of Total Retail Motor Fuel	
149	Devices Inspected	100.00
150	Percent of Total Retail Food Sanitation	
151	Inspections	100.00
152	Percent of Consumer Complaints Answered	
153	within 48 Hours	97.00
154	Marketing	
155	Number of Persons Reached by Marketing Means	1,138,150
156	Percent Increase of Persons Reached by	
157	Marketing Means	3.00
158	Administration	
159	Maintain Administrative Cost at 18% of	
160	Total Budget (%)	25.00
161	Livestock Theft	
162	Number of Cases Investigated	200
163	Number of Cases Cleared	30
164	Percent of Cases Prosecuted	20.00
165	Farmer's Market	
166	Number of Retail Spaces Rented (Average	
167	per Week)	35
168	Amount of Revenue Generated through	



169	Rental Space Rented (\$)	45,000.00
170	Seed Testing Lab	
171	Number of Days to Run Cool Test	7
172	Number of Official Samples Collected	2,350
173	Number of Days for Germination Test	
174	(Average Depending on Type of Seed)	20
175	Number of Hours to Evaluate TZ Test	1
176	Mississippi State Fairgrounds	
177	Number of Event Days	520
178	Estimated Total Attendance	1,250,000
179	Egg Marketing Board	
180	Percent Increase of the Number of Eggs	
181	Purchased	2.00
182	Cost of Outreach in Relation to	
183	Consumers Reached. (This Number is the	
184	Percent of the Budget Dedicated to	
185	Advertising)	80.00
186	Percent Increase of Consumption of Eggs	2.00
187	A reporting of the degree to which the performance targets	
188	set above have been or are being achieved shall be provided in the	
189	agency's budget request submitted to the Joint Legislative Budget	
190	Committee for Fiscal Year 2024.	

191       **SECTION 8.** The funds appropriated and authorized to be  
192 expended under the provisions of this act shall be expended for  
193 the purpose of defraying all expenses incurred by the State





194 Department of Agriculture and Commerce in the operation of all  
195 programs and activities (except operation of the State Lime  
196 Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine  
197 Inspection Stations and Fire Ant Program) authorized to be  
198 conducted and carried on by said department; including, but not  
199 limited to: the administration of the Feed, Fertilizer and Dairy  
200 Act; the Weights and Measures Act; the Meat Inspection Act of  
201 1968; the Mississippi Pure Seed Law; and the following additional  
202 programs and activities: enforcement of the egg law; publication  
203 and distribution of the Mississippi Market Bulletin, agricultural  
204 statistics, market news service at Stoneville, Mississippi; and  
205 inspection, grading and certifying of fruits, vegetables, hay,  
206 grain, meat and meat products, milk and dairy products, pecans,  
207 seed and syrup.

208       **SECTION 9.** The Mississippi Department of Agriculture and  
209 Commerce, with the assistance of the State Department of Audit and  
210 the Department of Finance and Administration, shall establish  
211 nonbudgeted enterprise funds for all "for-profit" activities  
212 related to the Mississippi Agriculture and Forestry Museum. The  
213 funds shall be maintained in accordance with generally accepted  
214 accounting principles and regulations prescribed by the Department  
215 of Finance and Administration.

216       **SECTION 10.** Of the funds provided by the provisions of this  
217 act, it is the intent of the Legislature that not more than Thirty  
218 Thousand Dollars (\$30,000.00) shall be expended for the



219 Mississippi Senior Farmers' Market Nutrition Pilot Program, which  
220 shall be established by the State Department of Agriculture and  
221 Commerce to serve senior citizens above sixty (60) years of age  
222 who fall within one hundred thirty percent (130%) of the poverty  
223 level. The Commissioner of Agriculture may promulgate rules and  
224 regulations necessary to implement the Mississippi Senior Farmers'  
225 Market Nutrition Pilot Program.

226         **SECTION 11.** It is the intention of the Legislature that  
227 whenever two (2) or more bids are received by this agency for the  
228 purchase of commodities or equipment, and whenever all things  
229 stated in such received bids are equal with respect to price,  
230 quality and service, the Mississippi Industries for the Blind  
231 shall be given preference. A similar preference shall be given to  
232 the Mississippi Industries for the Blind whenever purchases are  
233 made without competitive bids.

234         **SECTION 12.** It is the intention of the Legislature that the  
235 Department of Agriculture and Commerce shall maintain complete  
236 accounting and personnel records related to the expenditure of all  
237 funds appropriated under this act and that such records shall be  
238 in the same format and level of detail as maintained for Fiscal  
239 Year 2022. It is further the intention of the Legislature that  
240 the agency's budget request for Fiscal Year 2024 shall be  
241 submitted to the Joint Legislative Budget Committee in a format  
242 and level of detail comparable to the format and level of detail  
243 provided during the Fiscal Year 2023 budget request process.



244           **SECTION 13.** The money herein appropriated shall be paid by  
245 the State Treasurer out of any money in the State Treasury to the  
246 credit of the proper fund or funds as set forth in this act, upon  
247 warrants issued by the State Fiscal Officer; and the State Fiscal  
248 Officer shall issue his warrants upon requisitions signed by the  
249 proper person, officer or officers in the manner provided by law.

250           **SECTION 14.** This act shall take effect and be in force from  
251 and after July 1, 2022, and shall stand repealed from and after  
252 June 30, 2022, and shall stand repealed from and after June 30,  
253 2022.

