

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.

