

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

To: Appropriations

SENATE BILL NO. 3015
(As Sent to Governor)

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\$ 9,099,803.00.

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.....\$ 14,649,548.00.

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 HEADCOUNT:

30 Permanent: 226
31 Time-Limited: 13

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



44 Legislative Budget Office. If the agency's Fiscal Year 2023
45 projected cost exceeds the annualized costs, no salary actions
46 shall be processed by the State Personnel Board with the exception
47 of new hires that are determined to be essential for the agency.

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

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60 act and which are withdrawn and no longer available.

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

65 Funds have been appropriated herein for the purpose of
66 funding Project SEC2 minimum salaries for all employees covered
67 under the Colonel Guy Groff/Neville Kenning Variable Compensation
68 Plan. It shall be the agency's responsibility to ensure that the



69 funds are used to increase all employees' salaries up to the
70 minimum level as determined by the State Personnel Board.

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

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

89 **SECTION 5.** Of the funds appropriated in Section 2 of this
90 act, the following sum, or so much thereof as may be necessary,
91 shall be derived from the Mississippi Department of Agriculture
92 and Commerce - Fruit and Vegetable Revolving Fund, for the purpose
93 of defraying the expenses of the department.....\$ 600,000.00.



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

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

105		FY2023
106	<u>Performance Measures</u>	<u>Target</u>
107	Plant Industry	
108	Number of Pesticide Related Inspections	2,000
109	Number of Marketplace Inspections in	
110	Full Compliance	205
111	Number of Dealer Inspections in Full	
112	Compliance	110
113	Number of Agricultural &	
114	Non-Agricultural Pesticide Application	
115	Inspections in Full Compliance	1,200
116	Number of Agricultural &	
117	Non-Agricultural Record Inspections in	
118	Full Compliance	350



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



144	Inspected	55,100
145	Number of Food Sanitation Inspections	5,000
146	Percent of Total Retail Motor Fuel	
147	Devices Inspected	100.00
148	Percent of Total Retail Food Sanitation	
149	Inspections	100.00
150	Percent of Consumer Complaints Answered	
151	within 48 Hours	97.00
152	Marketing	
153	Number of Persons Reached by Marketing Means	1,138,150
154	Percent Increase of Persons Reached by	
155	Marketing Means	3.00
156	Administration	
157	Maintain Administrative Cost at 18% of	
158	Total Budget (%)	25.00
159	Livestock Theft	
160	Number of Cases Investigated	200
161	Number of Cases Cleared	30
162	Percent of Cases Prosecuted	20.00
163	Farmer's Market	
164	Number of Retail Spaces Rented (Average	
165	per Week)	35
166	Amount of Revenue Generated through	
167	Rental Space Rented (\$)	45,000.00
168	Seed Testing Lab	



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

189 **SECTION 8.** The funds appropriated and authorized to be
190 expended under the provisions of this act shall be expended for
191 the purpose of defraying all expenses incurred by the State
192 Department of Agriculture and Commerce in the operation of all
193 programs and activities (except operation of the State Lime



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

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

214 **SECTION 10.** Of the funds provided by the provisions of this
215 act, it is the intent of the Legislature that not more than Thirty
216 Thousand Dollars (\$30,000.00) shall be expended for the
217 Mississippi Senior Farmers' Market Nutrition Pilot Program, which
218 shall be established by the State Department of Agriculture and



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

224 **SECTION 11.** Of the funds appropriated in Section 1 of this
225 act, Four Hundred Thousand (\$400,000.00), is provided for matching
226 funds required for the Mississippi Healthy Food and Families
227 Program as established in Senate Bill No. 2077, 2022 Regular
228 Session.

229 **SECTION 12.** It is the intention of the Legislature that
230 whenever two (2) or more bids are received by this agency for the
231 purchase of commodities or equipment, and whenever all things
232 stated in such received bids are equal with respect to price,
233 quality and service, the Mississippi Industries for the Blind
234 shall be given preference. A similar preference shall be given to
235 the Mississippi Industries for the Blind whenever purchases are
236 made without competitive bids.

237 **SECTION 13.** It is the intention of the Legislature that the
238 Department of Agriculture and Commerce shall maintain complete
239 accounting and personnel records related to the expenditure of all
240 funds appropriated under this act and that such records shall be
241 in the same format and level of detail as maintained for Fiscal
242 Year 2022. It is further the intention of the Legislature that
243 the agency's budget request for Fiscal Year 2024 shall be



244 submitted to the Joint Legislative Budget Committee in a format
245 and level of detail comparable to the format and level of detail
246 provided during the Fiscal Year 2023 budget request process.

247 **SECTION 14.** In addition to all other sums herein
248 appropriated, the following sum, or so much thereof as may be
249 necessary, is appropriated out of any money in the State Treasury
250 to the credit of the Department of Agriculture and Commerce from
251 the proceeds collected from surety bonds posted under the
252 "Mississippi Grain Warehouse Law" as provided by Section 75-44-1
253 et seq., Mississippi Code of 1972 and the "Mississippi Grain
254 Dealers Law of 1978" as provided by Section 75-45-301 et seq.,
255 Mississippi Code of 1972 for the purpose of paying claimants under
256 such laws from the period beginning upon passage and ending
257 June 30, 2023.....\$ 1,100,000.00.

258 **SECTION 15.** The money herein appropriated shall be paid by
259 the State Treasurer out of any money in the State Treasury to the
260 credit of the proper fund or funds as set forth in this act, upon
261 warrants issued by the State Fiscal Officer; and the State Fiscal
262 Officer shall issue his warrants upon requisitions signed by the
263 proper person, officer or officers in the manner provided by law.

264 **SECTION 16.** This act shall take effect and be in force from
265 and after July 1, 2022, except for Section 14 which shall be
266 enacted from and after its passage.

