

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

To: Appropriations

SENATE BILL NO. 3013  
(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 2024.

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, 2023, and ending June 30, 2024.....  
13 .....\$ 9,136,416.00.

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, 2023, and ending  
22 June 30, 2024.....\$ 15,955,367.00.

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: 217  
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 2025 do not exceed Fiscal Year 2024 funds  
35 appropriated for that purpose unless programs or positions are  
36 added to the agency's Fiscal Year 2024 budget by the Mississippi  
37 Legislature. The Legislature shall determine the agency's  
38 personal services appropriation, which the State Personnel Board  
39 shall publish. The agency's personal services appropriation may  
40 consist of restricted funds for approved vacancies for Fiscal Year  
41 2024 that may not be utilized for active Fiscal Year 2023  
42 headcount. It shall be the agency's responsibility to ensure that  
43 the funds provided for vacancies are used to increase headcount



44 and not for promotions, title changes, in-range salary adjustments  
45 or any other mechanism for increasing salaries for current  
46 employees. It is the Legislature's intention that no employee  
47 salary falls below the minimum salary established by the  
48 Mississippi State Personnel Board.

49 Additionally, the State Personnel Board shall determine and  
50 publish the projected annualized payroll costs based on current  
51 employees. It shall be the responsibility of the agency head to  
52 ensure that actual personnel expenditures for Fiscal Year 2024 do  
53 not exceed the data provided by the Legislative Budget Office. If  
54 the agency's Fiscal Year 2024 projected cost exceeds the  
55 annualized costs, no salary actions shall be processed by the  
56 State Personnel Board except for new hires determined to be  
57 essential for the agency.

58 Any transfers or escalations shall be made in accordance with  
59 the terms, conditions, and procedures established by law or  
60 allowable under the terms set forth within this act. The State  
61 Personnel Board shall not escalate positions without written  
62 approval from the Department of Finance and Administration. The  
63 Department of Finance and Administration shall not provide written  
64 approval to escalate any funds for salaries and/or positions  
65 without proof of availability of new or additional funds above the  
66 appropriated level.

67 No general funds authorized to be expended herein shall be  
68 used to replace federal funds and/or other special funds used for



69 salaries authorized under the provisions of this act and which are  
70 withdrawn and no longer available.

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

75 **SECTION 4.** In addition to all other sums herein  
76 appropriated, the following sum, or so much thereof as may be  
77 necessary, is hereby appropriated out of any money in the State  
78 Treasury to the credit of the Beaver Control Program or from any  
79 other special source funds made available to the Beaver Control  
80 Program, to the Department of Agriculture and Commerce for the  
81 support of the Beaver Control Program for the fiscal year  
82 beginning July 1, 2023, and ending June 30, 2024.....  
83 .....\$ 1,100,000.00.

84 Of the special funds authorized in this section, Six Hundred  
85 Fifty Thousand Dollars (\$650,000.00) shall be derived from funds  
86 received from the Mississippi Department of Transportation and  
87 from fees charged private persons/organizations, and Two Hundred  
88 Thousand Dollars (\$200,000.00) shall be derived from funds  
89 received from the State Forestry Commission. A county in order to  
90 participate must pay up to Seven Thousand Five Hundred Dollars  
91 (\$7,500.00), and if any county wishes to pay any additional funds  
92 than provided, those funds may be used only in said county.



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

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

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

	FY2024
<u>Performance Measures</u>	<u>Target</u>
111 Plant Industry	
112       Number of Pesticide Related Inspections	2,000
113       Number of Marketplace Inspections in	
114               Full Compliance	205
115       Number of Dealer Inspections in Full	
116               Compliance	110
117       Number of Agricultural and	



118	Non-Agricultural Pesticide Application	
119	Inspections in Full Compliance	1,200
120	Number of Agricultural and	
121	Non-Agricultural Record Inspections in	
122	Full Compliance	350
123	Percent of Marketplace Inspections in	
124	Full Compliance	85.00
125	Percent of Dealer Inspections in Full	
126	Compliance	96.00
127	Percent of Agricultural and	
128	Non-Agricultural Pesticide Application	
129	Inspections in Full Compliance	93.00
130	Percent of Agricultural and	
131	Non-Agricultural Record Inspections in	
132	Full Compliance	95.00
133	Museum	
134	Total Attendance	125,000
135	Number of Students in School Groups	18,000
136	Number of Private Revenue Generating	
137	Functions	500
138	Percent Change in Number of Private	
139	Revenue Generating Functions	1.00
140	Percent Change in Revenue from Private	
141	Functions	1.00
142	Percent Increase in Attendance from	



143	Prior Year	2.00
144	Percent Increase of School Students in	
145	Attendance from Prior Year	2.00
146	Revenue Generated from Functions	312,000.00
147	Regulatory	
148	Number of Retail Motor Fuel Devices	
149	Inspected	64,500
150	Number of Food Sanitation Inspections	4,500
151	Percent of Total Retail Motor Fuel	
152	Devices Inspected	100.00
153	Percent of Total Retail Food Sanitation	
154	Inspections	95.00
155	Percent of Consumer Complaints Answered	
156	within 48 Hours	99.00
157	Marketing	
158	Number of Persons Reached by Marketing Means	1,138,150
159	Percent Increase of Persons Reached by	
160	Marketing Means	3.00
161	Administration	
162	Maintain Administrative Cost at 18% of	
163	Total Budget	25.00
164	Livestock Theft	
165	Number of Cases Investigated	200
166	Number of Cases Cleared	30
167	Percent of Cases Prosecuted	20.00



168	Farmer's Market	
169	Number of Retail Spaces Rented (Average	
170	Per Week)	35
171	Amount of Revenue Generated through	
172	Rental Space Rented	45,000.00
173	Seed Testing Lab	
174	Number of Days to Run Cool Test	7
175	Number of Official Samples Collected	2,350
176	Number of Days for Germination Test	
177	(Average Depending on Type of Seed)	20
178	Number of Hours to Evaluate TZ Test	1
179	Mississippi State Fairgrounds	
180	Number of Event Days	520
181	Estimated Total Attendance	1,250,000
182	Egg Marketing Promotion	
183	Percent Increase in the Number of Eggs	
184	Purchased	2.00
185	Cost of Outreach in Relation to	
186	Consumers Reached. (This Number is the	
187	Percent of the Budget Dedicated to	
188	Advertising)	80.00
189	Percent Increase of Consumption of Eggs	2.00
190	A reporting of the degree to which the performance targets	
191	set above have been or are being achieved shall be provided in the	





192 agency's budget request submitted to the Joint Legislative Budget  
193 Committee for Fiscal Year 2025.

194       **SECTION 8.** The funds appropriated and authorized to be  
195 expended under the provisions of this act shall be expended for  
196 the purpose of defraying all expenses incurred by the State  
197 Department of Agriculture and Commerce in the operation of all  
198 programs and activities (except operation of the State Lime  
199 Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine  
200 Inspection Stations and Fire Ant Program) authorized to be  
201 conducted and carried on by said department; including, but not  
202 limited to: the administration of the Feed, Fertilizer and Dairy  
203 Act; the Weights and Measures Act; the Meat Inspection Act of  
204 1968; the Mississippi Pure Seed Law; and the following additional  
205 programs and activities: enforcement of the egg law; publication  
206 and distribution of the Mississippi Market Bulletin, agricultural  
207 statistics, market news service at Stoneville, Mississippi; and  
208 inspection, grading and certifying of fruits, vegetables, hay,  
209 grain, meat and meat products, milk and dairy products, pecans,  
210 seed and syrup.

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



217 accounting principles and regulations prescribed by the Department  
218 of Finance and Administration.

219       **SECTION 10.** Of the funds provided by the provisions of this  
220 act, it is the intent of the Legislature that not more than Thirty  
221 Thousand Dollars (\$30,000.00) shall be expended for the  
222 Mississippi Senior Farmers' Market Nutrition Pilot Program, which  
223 shall be established by the State Department of Agriculture and  
224 Commerce to serve senior citizens above sixty (60) years of age  
225 who fall within one hundred thirty percent (130%) of the poverty  
226 level. The Commissioner of Agriculture may promulgate rules and  
227 regulations necessary to implement the Mississippi Senior Farmers'  
228 Market Nutrition Pilot Program.

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

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



242           **SECTION 13.** It is the intention of the Legislature that the  
243 Department of Agriculture and Commerce shall maintain complete  
244 accounting and personnel records related to the expenditure of all  
245 funds appropriated under this act and that such records shall be  
246 in the same format and level of detail as maintained for Fiscal  
247 Year 2023. It is further the intention of the Legislature that  
248 the agency's budget request for Fiscal Year 2025 shall be  
249 submitted to the Joint Legislative Budget Committee in a format  
250 and level of detail comparable to the format and level of detail  
251 provided during the Fiscal Year 2024 budget request process.

252           **SECTION 14.** Of the funds appropriated in Section 2 of this  
253 act, the following sum, or so much thereof as may be necessary, is  
254 appropriated out of any money in the State Treasury to the credit  
255 of the Department of Agriculture and Commerce from the proceeds  
256 collected from surety bonds posted under the "Mississippi Grain  
257 Warehouse Law" as provided by Section 75-44-1 et seq., Mississippi  
258 Code of 1972 and the "Mississippi Grain Dealers Law of 1978" as  
259 provided by Section 75-45-301 et seq., Mississippi Code of 1972  
260 for the purpose of paying claimants under such laws from the  
261 fiscal year beginning July 1, 2023, and ending  
262 June 30, 2024.....\$ 1,100,000.00.

263           **SECTION 15.** Of the funds appropriated under the provisions  
264 of Section 2 of this act, Two Hundred Thousand Dollars  
265 (\$200,000.00), or so much thereof, shall be derived out of any  
266 money in the State Treasury to the credit of the Capital Expense



267 Fund, as created in Section 27-103-303, Mississippi Code of 1972,  
268 and allocated in a manner as determined by the State Treasurer.  
269 These funds are provided to the Department of Agriculture and  
270 Commerce for the purpose of providing funds for wireless  
271 capabilities at the Fairgrounds.

272         **SECTION 16.** The money herein appropriated shall be paid by  
273 the State Treasurer out of any money in the State Treasury to the  
274 credit of the proper fund or funds as set forth in this act, upon  
275 warrants issued by the State Fiscal Officer; and the State Fiscal  
276 Officer shall issue his warrants upon requisitions signed by the  
277 proper person, officer or officers in the manner provided by law.

278         **SECTION 17.** This act shall take effect and be in force from  
279 and after July 1, 2023.

