

By: Senator(s) Hopson, Polk, DeLano,
Barnett, McCaughn, McLendon

To: Appropriations

SENATE BILL NO. 3036

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 2025.

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, 2024, and ending June 30, 2025.....
13\$ 9,188,088.00.

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, Agriculture Museum, the
21 Fairgrounds, Dixie National Rodeo and Trade Mart Building for the
22 fiscal year beginning July 1, 2024, and ending June 30, 2025.....
23\$ 15,781,185.00.

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

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

30 AUTHORIZED HEADCOUNT:

31 Permanent: 217
32 Time-Limited: 13

33 With the funds herein appropriated, it shall be the agency's
34 responsibility to make certain that funds required for Personal
35 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
36 appropriated for that purpose unless programs or positions are
37 added to the agency's Fiscal Year 2025 budget by the Mississippi
38 Legislature. The Legislature shall determine the agency's personal
39 services appropriation, which the State Personnel Board shall
40 publish. In accordance with applicable laws, if an agency
41 determines that its personal services amount is insufficient, the
42 agency must contact the State Personnel Board. Any adjustment to
43 the personal services amount must be approved by the State



44 Personnel Director and the State Fiscal Officer after consultation
45 with the Legislative Budget Office. Any adjustment shall be
46 reported to the Legislative Budget Office and the House and Senate
47 Appropriations Chairmen. The agency's personal services
48 appropriation may consist of restricted funds for approved
49 vacancies for Fiscal Year 2025 that may not be utilized for active
50 Fiscal Year 2024 headcount. It shall be the agency's
51 responsibility to ensure that the funds provided for vacancies are
52 used to increase headcount and not for promotions, title changes,
53 in-range salary adjustments, or any other mechanism for increasing
54 salaries for current employees. If the State Personnel Board
55 determines that an agency has used provided vacancy funds for any
56 of the mechanisms previously listed, the State Personnel Board
57 shall not process any additional salary actions for the agency in
58 the current fiscal year, except for new hires determined by the
59 State Personnel Board to be essential for the agency. It is the
60 Legislature's intention that no employee salary falls below the
61 minimum salary established by the Mississippi State Personnel
62 Board.

63 Additionally, the State Personnel Board shall determine and
64 publish the projected annualized payroll costs based on current
65 employees. It shall be the responsibility of the agency head to
66 ensure that actual personnel expenditures for Fiscal Year 2025 do
67 not exceed the data provided by the Legislative Budget Office. If
68 the agency's projected cost for Fiscal Year 2025 exceeds the



69 annualized costs, no salary actions shall be processed by the
70 State Personnel Board except for new hires determined to be
71 essential for the agency.

72 Any transfers or escalations shall be made in accordance with
73 the terms, conditions, and procedures established by law or
74 allowable under the terms set forth within this act. The State
75 Personnel Board shall not escalate positions without written
76 approval from the Department of Finance and Administration. The
77 Department of Finance and Administration shall not provide written
78 approval to escalate any funds for salaries and/or positions
79 without proof of availability of new or additional funds above the
80 appropriated level.

81 No general funds authorized to be expended herein shall be
82 used to replace federal funds and/or other special funds used for
83 salaries authorized under the provisions of this act and which are
84 withdrawn and no longer available.

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

89 **SECTION 4.** In addition to all other sums herein
90 appropriated, the following sum, or so much thereof as may be
91 necessary, is hereby appropriated out of any money in the State
92 Treasury to the credit of the Beaver Control Program or from any
93 other special source funds made available to the Beaver Control



94 Program, to the Department of Agriculture and Commerce for the
95 support of the Beaver Control Program for the fiscal year
96 beginning July 1, 2024, and ending June 30, 2025.....
97\$ 1,100,000.00.

98 Of the special funds authorized in this section, Six Hundred
99 Fifty Thousand Dollars (\$650,000.00) shall be derived from funds
100 received from the Mississippi Department of Transportation and
101 from fees charged private persons/organizations, and Two Hundred
102 Thousand Dollars (\$200,000.00) shall be derived from funds
103 received from the State Forestry Commission. A county in order to
104 participate must pay up to Seven Thousand Five Hundred Dollars
105 (\$7,500.00), and if any county wishes to pay any additional funds
106 than provided, those funds may be used only in said county.

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

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

116 **SECTION 7.** In compliance with the "Mississippi Performance
117 Budget and Strategic Planning Act of 1994," it is the intent of
118 the Legislature that the funds provided herein shall be utilized



119 in the most efficient and effective manner possible to achieve the
 120 intended mission of this agency. Based on the funding authorized,
 121 this agency shall make every effort to attain the targeted
 122 performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
125 Plant Industry	
126 Number of Pesticide Related Inspections	2,000
127 Number of Marketplace Inspections in	
128 Full Compliance	205
129 Number of Dealer Inspections in Full	
130 Compliance	110
131 Number of Agricultural and	
132 Non-Agricultural Pesticide Application	
133 Inspections in Full Compliance	1,200
134 Number of Agricultural and	
135 Non-Agricultural Record Inspections in	
136 Full Compliance	350
137 Percent of Marketplace Inspections in	
138 Full Compliance	85.00
139 Percent of Dealer Inspections in Full	
140 Compliance	96.00
141 Percent of Agricultural and	
142 Non-Agricultural Pesticide Application	
143 Inspections in Full Compliance	93.00



144	Percent of Agricultural and	
145	Non-Agricultural Record Inspections in	
146	Full Compliance	95.00
147	Museum	
148	Total Attendance	125,000
149	Number of Students in School Groups	18,000
150	Number of Private Revenue Generating	
151	Functions	500
152	Percent Change in Number of Private	
153	Revenue Generating Functions	1.00
154	Percent Change in Revenue from Private	
155	Functions	1.00
156	Percent Increase in Attendance from	
157	Prior Year	2.00
158	Percent Increase of School Students in	
159	Attendance from Prior Year	2.00
160	Revenue Generated from Functions	312,000.00
161	Regulatory	
162	Number of Retail Motor Fuel Devices	
163	Inspected	64,500
164	Number of Food Sanitation Inspections	4,500
165	Percent of Total Retail Motor Fuel	
166	Devices Inspected	100.00
167	Percent of Total Retail Food Sanitation	
168	Inspections	95.00



169	Percent of Consumer Complaints Answered	
170	within 48 Hours	99.00
171	Marketing	
172	Number of Persons Reached by Marketing Means	1,138,150
173	Percent Increase of Persons Reached by	
174	Marketing Means	3.00
175	Administration	
176	Maintain Administrative Cost at 18% of	
177	Total Budget	25.00
178	Livestock Theft	
179	Number of Cases Investigated	200
180	Number of Cases Cleared	30
181	Percent of Cases Prosecuted	20.00
182	Farmer's Market	
183	Number of Retail Spaces Rented (Average	
184	Per Week)	35
185	Amount of Revenue Generated through	
186	Rental Space Rented	45,000.00
187	Seed Testing Lab	
188	Number of Days to Run Cool Test	7
189	Number of Official Samples Collected	2,350
190	Number of Days for Germination Test	
191	(Average Depending on Type of Seed)	20
192	Number of Hours to Evaluate TZ Test	1
193	Mississippi State Fairgrounds	



194	Number of Event Days	520
195	Estimated Total Attendance	1,250,000
196	Egg Marketing Promotion	
197	Percent Increase in the Number of Eggs	
198	Purchased	2.00
199	Cost of Outreach in Relation to	
200	Consumers Reached. (This Number is the	
201	Percent of the Budget Dedicated to	
202	Advertising)	80.00
203	Percent Increase of Consumption of Eggs	2.00

204 A reporting of the degree to which the performance targets
205 set above have been or are being achieved shall be provided in the
206 agency's budget request submitted to the Joint Legislative Budget
207 Committee for Fiscal Year 2026.

208 **SECTION 8.** The funds appropriated and authorized to be
209 expended under the provisions of this act shall be expended for
210 the purpose of defraying all expenses incurred by the State
211 Department of Agriculture and Commerce in the operation of all
212 programs and activities (except operation of the State Lime
213 Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine
214 Inspection Stations and Fire Ant Program) authorized to be
215 conducted and carried on by said department; including, but not
216 limited to: the administration of the Feed, Fertilizer and Dairy
217 Act; the Weights and Measures Act; the Meat Inspection Act of
218 1968; the Mississippi Pure Seed Law; and the following additional



219 programs and activities: enforcement of the egg law; publication
220 and distribution of the Mississippi Market Bulletin, agricultural
221 statistics, market news service at Stoneville, Mississippi; and
222 inspection, grading and certifying of fruits, vegetables, hay,
223 grain, meat and meat products, milk and dairy products, pecans,
224 seed and syrup.

225 **SECTION 9.** The Mississippi Department of Agriculture and
226 Commerce, with the assistance of the State Department of Audit and
227 the Department of Finance and Administration, shall establish
228 nonbudgeted enterprise funds for all "for-profit" activities
229 related to the Mississippi Agriculture and Forestry Museum. The
230 funds shall be maintained in accordance with generally accepted
231 accounting principles and regulations prescribed by the Department
232 of Finance and Administration.

233 **SECTION 10.** Of the funds provided by the provisions of this
234 act, it is the intent of the Legislature that not more than Thirty
235 Thousand Dollars (\$30,000.00) shall be expended for the
236 Mississippi Senior Farmers' Market Nutrition Pilot Program, which
237 shall be established by the State Department of Agriculture and
238 Commerce to serve senior citizens above sixty (60) years of age
239 who fall within one hundred thirty percent (130%) of the poverty
240 level. The Commissioner of Agriculture may promulgate rules and
241 regulations necessary to implement the Mississippi Senior Farmers'
242 Market Nutrition Pilot Program.



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

248 **SECTION 12.** It is the intention of the Legislature that
249 whenever two (2) or more bids are received by this agency for the
250 purchase of commodities or equipment, and whenever all things
251 stated in such received bids are equal with respect to price,
252 quality and service, the Mississippi Industries for the Blind
253 shall be given preference. A similar preference shall be given to
254 the Mississippi Industries for the Blind whenever purchases are
255 made without competitive bids.

256 **SECTION 13.** It is the intention of the Legislature that the
257 Department of Agriculture and Commerce shall maintain complete
258 accounting and personnel records related to the expenditure of all
259 funds appropriated under this act and that such records shall be
260 in the same format and level of detail as maintained for Fiscal
261 Year 2024. It is further the intention of the Legislature that
262 the agency's budget request for Fiscal Year 2026 shall be
263 submitted to the Joint Legislative Budget Committee in a format
264 and level of detail comparable to the format and level of detail
265 provided during the Fiscal Year 2025 budget request process.

266 **SECTION 14.** Of the funds appropriated in Section 2 of this
267 act, the following sum, or so much thereof as may be necessary, is



268 appropriated out of any money in the State Treasury to the credit
269 of the Department of Agriculture and Commerce from the proceeds
270 collected from surety bonds posted under the "Mississippi Grain
271 Warehouse Law" as provided by Section 75-44-1 et seq., Mississippi
272 Code of 1972 and the "Mississippi Grain Dealers Law of 1978" as
273 provided by Section 75-45-301 et seq., Mississippi Code of 1972
274 for the purpose of paying claimants under such laws from the
275 fiscal year beginning July 1, 2024, and ending
276 June 30, 2025.....\$ 1,100,000.00.

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

283 **SECTION 16.** This act shall take effect and be in force from
284 and after July 1, 2024, and shall stand repealed from and after
285 June 30, 2024.

