

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

To: Appropriations

SENATE BILL NO. 3036
(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 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\$ 9,805,062.00.

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\$ 19,581,171.00.

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: 219
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
39 personal services appropriation, which the State Personnel Board
40 shall publish. The agency's personal services appropriation may
41 consist of restricted funds for approved vacancies for Fiscal Year
42 2025 that may be utilized to fill vacant Fiscal Year 2024
43 headcount. It shall be the agency's responsibility to ensure that



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

50 Additionally, the State Personnel Board shall determine and
51 publish the projected annualized payroll costs based on current
52 employees. It shall be the responsibility of the agency head to
53 ensure that actual personnel expenditures for Fiscal Year 2025 do
54 not exceed the data provided by the Legislative Budget Office. If
55 the agency's Fiscal Year 2025 projected cost exceeds the
56 annualized costs, no salary actions shall be processed by the
57 State Personnel Board except for new hires determined to be
58 essential for the agency.

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



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71 withdrawn and no longer available.

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

76 **SECTION 4.** In addition to all other sums herein
77 appropriated, the following sum, or so much thereof as may be
78 necessary, is hereby appropriated out of any money in the State
79 Treasury to the credit of the Beaver Control Program or from any
80 other special source funds made available to the Beaver Control
81 Program, to the Department of Agriculture and Commerce for the
82 support of the Beaver Control Program for the fiscal year
83 beginning July 1, 2024, and ending June 30, 2025.....
84\$ 1,100,000.00.

85 Of the special funds authorized in this section, Six Hundred
86 Fifty Thousand Dollars (\$650,000.00) shall be derived from funds
87 received from the Mississippi Department of Transportation and
88 from fees charged private persons/organizations, and Two Hundred
89 Thousand Dollars (\$200,000.00) shall be derived from funds
90 received from the State Forestry Commission. A county in order to
91 participate must pay up to Seven Thousand Five Hundred Dollars



92 (\$7,500.00), and if any county wishes to pay any additional funds
93 than provided, those funds may be used only in said county.

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

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

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

	FY2025
<u>Performance Measures</u>	<u>Target</u>
112 Plant Industry	
113 Number of Pesticide Related Inspections	2,000
114 Number of Marketplace Inspections in	
115 Full Compliance	205
116 Number of Dealer Inspections in Full	



117	Compliance	110
118	Number of Agricultural and	
119	Non-Agricultural Pesticide Application	
120	Inspections in Full Compliance	1,200
121	Number of Agricultural and	
122	Non-Agricultural Record Inspections in	
123	Full Compliance	350
124	Percent of Marketplace Inspections in	
125	Full Compliance	85.00
126	Percent of Dealer Inspections in Full	
127	Compliance	96.00
128	Percent of Agricultural and	
129	Non-Agricultural Pesticide Application	
130	Inspections in Full Compliance	93.00
131	Percent of Agricultural and	
132	Non-Agricultural Record Inspections in	
133	Full Compliance	95.00
134	Museum	
135	Total Attendance	100,000
136	Number of Students in School Groups	16,000
137	Number of Private Revenue Generating	
138	Functions	400
139	Percent Change in Number of Private	
140	Revenue Generating Functions	1.00
141	Percent Change in Revenue from Private	



142	Functions	1.00
143	Percent Increase in Attendance from	
144	Prior Year	1.00
145	Percent Increase of School Students in	
146	Attendance from Prior Year	1.00
147	Revenue Generated from Functions	275,000
148	Regulatory	
149	Number of Retail Motor Fuel Devices	
150	Inspected	64,000
151	Number of Food Sanitation Inspections	4,700
152	Percent of Total Retail Motor Fuel	
153	Devices Inspected	100.00
154	Percent of Total Retail Food Sanitation	
155	Inspections	100.00
156	Percent of Consumer Complaints Answered	
157	within 48 Hours	100.00
158	Marketing	
159	Number of Persons Reached by Marketing Means	1,138,150
160	Percent Increase of Persons Reached by	
161	Marketing Means	3.00
162	Administration	
163	Maintain Administrative Cost at 18% of	
164	Total Budget	25.00
165	Livestock Theft	
166	Number of Cases Investigated	200



167	Number of Cases Cleared	60
168	Percent of Cases Prosecuted	25.00
169	Farmer's Market	
170	Number of Retail Spaces Rented (Average	
171	Per Week)	35
172	Amount of Revenue Generated through	
173	Rental Space Rented	45,000.00
174	Seed Testing Lab	
175	Number of Days to Run Cool Test	7
176	Number of Official Samples Collected	2,350
177	Number of Days for Germination Test	
178	(Average Depending on Type of Seed)	20
179	Number of Hours to Evaluate TZ Test	1
180	Mississippi State Fairgrounds	
181	Number of Event Days	315
182	Estimated Total Attendance	938,176
183	Egg Marketing Promotion	
184	Percent Increase in the Number of Eggs	
185	Purchased	2.00
186	Cost of Outreach in Relation to	
187	Consumers Reached. (This Number is the	
188	Percent of the Budget Dedicated to	
189	Advertising)	80.00
190	Percent Increase of Consumption of Eggs	2.00



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

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

212 **SECTION 9.** The Mississippi Department of Agriculture and
213 Commerce, with the assistance of the State Department of Audit and
214 the Department of Finance and Administration, shall establish a
215 budgeted enterprise funds for all "for-profit" activities related



216 to the Mississippi Agriculture and Forestry Museum. The funds
217 shall be maintained in accordance with generally accepted
218 accounting principles and regulations prescribed by the Department
219 of Finance and Administration.

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

230 **SECTION 11.** Of the funds appropriated in Section 2 of this
231 act, Four Hundred Thousand (\$400,000.00), is provided for matching
232 funds required for the Mississippi Healthy Food and Families
233 Program as established in Senate Bill No. 2077, 2022 Regular
234 Session.

235 **SECTION 12.** It is the intention of the Legislature that
236 whenever two (2) or more bids are received by this agency for the
237 purchase of commodities or equipment, and whenever all things
238 stated in such received bids are equal with respect to price,
239 quality and service, the Mississippi Industries for the Blind
240 shall be given preference. A similar preference shall be given to



241 the Mississippi Industries for the Blind whenever purchases are
242 made without competitive bids.

243 **SECTION 13.** It is the intention of the Legislature that the
244 Department of Agriculture and Commerce shall maintain complete
245 accounting and personnel records related to the expenditure of all
246 funds appropriated under this act and that such records shall be
247 in the same format and level of detail as maintained for Fiscal
248 Year 2024. It is further the intention of the Legislature that
249 the agency's budget request for Fiscal Year 2026 shall be
250 submitted to the Joint Legislative Budget Committee in a format
251 and level of detail comparable to the format and level of detail
252 provided during the Fiscal Year 2025 budget request process.

253 **SECTION 14.** Of the funds appropriated in Section 2 of this
254 act, the following sum, or so much thereof as may be necessary, is
255 appropriated out of any money in the State Treasury to the credit
256 of the Department of Agriculture and Commerce from the proceeds
257 collected from surety bonds posted under the "Mississippi Grain
258 Warehouse Law" as provided by Section 75-44-1 et seq., Mississippi
259 Code of 1972 and the "Mississippi Grain Dealers Law of 1978" as
260 provided by Section 75-45-301 et seq., Mississippi Code of 1972
261 for the purpose of paying claimants under such laws from the
262 fiscal year beginning July 1, 2024, and ending
263 June 30, 2025.....\$ 1,100,000.00.

264 **SECTION 15.** Of the funds appropriated in Section 1 of this
265 act, Four Hundred Thousand (\$400,000.00), or so much thereof as



266 may be necessary, is provided for roof replacement and other
267 maintenance for Barn number (14) fourteen.

268 **SECTION 16.** Of the funds appropriated in Section 2 of this
269 act, Six Hundred Eighty-five Thousand Three Hundred Fifty
270 (\$685,350.00), or so much thereof as may be necessary, is provided
271 for the purchase of a freightliner and (3) three vehicles for
272 Livestock Theft.

273 **SECTION 17.** Of the funds appropriated under the provisions
274 of Section 2, Three Hundred Thousand (\$300,000.00), or so much
275 thereof as may be necessary, shall be derived out of any money in
276 the State Treasury to the credit of the Capital Expense Fund, as
277 created in Section 27-103-303, Mississippi Code of 1972, and
278 allocated in a manner as determined by the Treasurer's Office.
279 These funds are provided for wireless capabilities at the
280 Fairgrounds.

281 **SECTION 18.** Of the funds appropriated in Section 2 of this
282 act, Seven Hundred Fifty Thousand (\$750,000.00), or so much
283 thereof as may be necessary, is provided for operational
284 expenditures at the Mississippi Agriculture and Forestry Museum.
285 The department may expend these funds for improvements to the
286 museum and for marketing and promotion programs for the museum in
287 a manner consistent with the museum's historical purpose.

288 **SECTION 19.** The Mississippi Department of Agriculture and
289 Commerce is authorized to accept and expend any grant, donation,
290 or contribution from any individual, public, or private



291 organization, or government entity for purposes of defraying the
292 operational costs of the department. Such grants, donations or
293 contributions shall be received and expended under the rules and
294 regulations of the Department of Finance and Administration in a
295 manner consistent with the escalation of federal funds not to
296 exceed One Million Dollars (\$1,000,000.00).

297 The Commissioner of Agriculture shall notify, in writing, the
298 Lieutenant Governor, the Speaker of the House of Representatives,
299 the Chairman of the Senate Appropriations Committee, the Chairman
300 of the House Appropriations A Committee, and the Legislative
301 Budget Office of any escalation. The written notification shall
302 include the justification for the escalation of funds, the amount,
303 and how the funds will be used. This written notification shall
304 be sent on or before the fifteenth day of the month prior to the
305 effective date of the escalation.

306 **SECTION 20.** The money herein appropriated shall be paid by
307 the State Treasurer out of any money in the State Treasury to the
308 credit of the proper fund or funds as set forth in this act, upon
309 warrants issued by the State Fiscal Officer; and the State Fiscal
310 Officer shall issue his warrants upon requisitions signed by the
311 proper person, officer or officers in the manner provided by law.

312 **SECTION 21.** This act shall take effect and be in force from
313 and after July 1, 2024.

