

**Adopted  
AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 3036**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

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 29, 2024.



**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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.

