

House Amendments to Senate Bill No. 3013

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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, 2023, and ending June 30, 2024.....
13\$ 8,807,997.00.

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.....\$ 14,413,402.00.

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: 216

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 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 2024 do not exceed the data provided by the
44 Legislative Budget Office. If the agency's Fiscal Year 2024
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, 2023, and ending June 30, 2024.....
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:

	FY2024
<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 and	
114 Non-Agricultural Pesticide Application	
115 Inspections in Full Compliance	1,200
116 Number of Agricultural and	
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 and	
124	Non-Agricultural Pesticide Application	
125	Inspections in Full Compliance	93.00
126	Percent of Agricultural and	
127	Non-Agricultural Record Inspections in	
128	Full Compliance	95.00
129	Museum	
130	Total Attendance	125,000
131	Number of Students in School Groups	18,000
132	Number of Private Revenue Generating	
133	Functions	500
134	Percent Change in Number of Private	
135	Revenue Generating Functions	1.00
136	Percent Change in Revenue from Private	
137	Functions	1.00
138	Percent Increase in Attendance from	
139	Prior Year	2.00
140	Percent Increase of School Students in	
141	Attendance from Prior Year	2.00
142	Revenue Generated from Functions	312,000.00
143	Regulatory	
144	Number of Retail Motor Fuel Devices	
145	Inspected	64,500
146	Number of Food Sanitation Inspections	4,500
147	Percent of Total Retail Motor Fuel	

148	Devices Inspected	100.00
149	Percent of Total Retail Food Sanitation	
150	Inspections	95.00
151	Percent of Consumer Complaints Answered	
152	within 48 Hours	99.00
153	Marketing	
154	Number of Persons Reached by Marketing Means	1,138,150
155	Percent Increase of Persons Reached by	
156	Marketing Means	3.00
157	Administration	
158	Maintain Administrative Cost at 18% of	
159	Total Budget	25.00
160	Livestock Theft	
161	Number of Cases Investigated	200
162	Number of Cases Cleared	30
163	Percent of Cases Prosecuted	20.00
164	Farmer's Market	
165	Number of Retail Spaces Rented (Average	
166	Per Week)	35
167	Amount of Revenue Generated through	
168	Rental Space Rented	45,000.00
169	Seed Testing Lab	
170	Number of Days to Run Cool Test	7
171	Number of Official Samples Collected	2,350
172	Number of Days for Germination Test	
173	(Average Depending on Type of Seed)	20

174	Number of Hours to Evaluate TZ Test	1
175	Mississippi State Fairgrounds	
176	Number of Event Days	520
177	Estimated Total Attendance	1,250,000
178	Egg Marketing Promotion	
179	Percent Increase in the Number of Eggs	
180	Purchased	2.00
181	Cost of Outreach in Relation to	
182	Consumers Reached. (This Number is the	
183	Percent of the Budget Dedicated to	
184	Advertising)	80.00
185	Percent Increase of Consumption of Eggs	2.00
186	A reporting of the degree to which the performance targets	
187	set above have been or are being achieved shall be provided in the	
188	agency's budget request submitted to the Joint Legislative Budget	
189	Committee for Fiscal Year 2025.	

190 **SECTION 8.** The funds appropriated and authorized to be
191 expended under the provisions of this act shall be expended for
192 the purpose of defraying all expenses incurred by the State
193 Department of Agriculture and Commerce in the operation of all
194 programs and activities (except operation of the State Lime
195 Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine
196 Inspection Stations and Fire Ant Program) authorized to be
197 conducted and carried on by said department; including, but not
198 limited to: the administration of the Feed, Fertilizer and Dairy
199 Act; the Weights and Measures Act; the Meat Inspection Act of

200 1968; the Mississippi Pure Seed Law; and the following additional
201 programs and activities: enforcement of the egg law; publication
202 and distribution of the Mississippi Market Bulletin, agricultural
203 statistics, market news service at Stoneville, Mississippi; and
204 inspection, grading and certifying of fruits, vegetables, hay,
205 grain, meat and meat products, milk and dairy products, pecans,
206 seed and syrup.

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

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

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

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

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

248 **SECTION 14.** Of the funds appropriated in Section 2, the
249 following sum, or so much thereof as may be necessary, is
250 appropriated out of any money in the State Treasury to the credit

251 of the Department of Agriculture and Commerce from the proceeds
252 collected from surety bonds posted under the "Mississippi Grain
253 Warehouse Law" as provided by Section 75-44-1 et seq., Mississippi
254 Code of 1972 and the "Mississippi Grain Dealers Law of 1978" as
255 provided by Section 75-45-301 et seq., Mississippi Code of 1972
256 for the purpose of paying claimants under such laws from the
257 fiscal year beginning July 1, 2023, and ending
258 June 30, 2024.....\$ 1,100,000.00.

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

265 **SECTION 16.** This act shall take effect and be in force from
266 and after July 1, 2023, and shall stand repealed from and after
267 June 29, 2023.

**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 2024.

HR13\SB3013A.J

Andrew Ketchings
Clerk of the House of Representatives