

**REPORT OF CONFERENCE COMMITTEE**

**MR. PRESIDENT AND MR. SPEAKER:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3036: Appropriation; Agriculture and Commerce, Department of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

**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 .....\$           9,805,062.00.

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>
Plant Industry	
Number of Pesticide Related Inspections	2,000
Number of Marketplace Inspections in	
Full Compliance	205
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.

**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.

CONFEREES FOR THE SENATE

X (SIGNED)  
Hopson

X (SIGNED)  
DeLano

X (SIGNED)  
Barnett

CONFEREES FOR THE HOUSE

X (SIGNED)  
Bounds

X (SIGNED)  
Read

X (SIGNED)  
Pigott

