

By: Senator(s) Younger, Suber, Moran

To: Rules

SENATE BILL NO. 3058

1 AN ACT TO TRANSFER FUNDS OUT OF THE BUDGET CONTINGENCY FUND
2 TO THE "POULTRY FARMER STABILIZATION GRANT PROGRAM FUND," THE
3 "MISSISSIPPI SUPPLEMENTAL CFAP GRANT PROGRAM FUND" AND THE "SWEET
4 POTATO FARM SUSTAINMENT GRANT PROGRAM FUND"; TO ESTABLISH THE
5 "MISSISSIPPI AGRICULTURE STABILIZATION ACT" TO BE ADMINISTERED BY
6 THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE TO ASSIST
7 MISSISSIPPI POULTRY FARMERS WHO HAVE EXPERIENCED A LOSS OF AT
8 LEAST ONE (1) FULL FLOCK OF PRODUCTION DUE TO THE COVID-19
9 PANDEMIC; TO ASSIST COMMODITY PRODUCERS WHO QUALIFIED FOR THE USDA
10 CORONAVIRUS FOOD ASSISTANCE PROGRAM; TO ASSIST SWEET POTATO
11 FARMERS FOR EXPENSES DUE TO THE COVID-19 PANDEMIC; TO ALLOW THE
12 DEPARTMENT OF AGRICULTURE AND COMMERCE TO GOVERN THE
13 ADMINISTRATION AND ELIGIBILITY REQUIREMENTS OF THE PROGRAMS
14 ESTABLISHED IN THE ACT; TO CREATE A SPECIAL FUND IN THE STATE
15 TREASURY TO BE KNOWN AS THE "POULTRY FARMER STABILIZATION GRANT
16 PROGRAM FUND"; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO
17 BE KNOWN AS THE "MISSISSIPPI SUPPLEMENTAL CORONAVIRUS FOOD
18 ASSISTANCE PROGRAM GRANT PROGRAM FUND"; TO TRANSFER UNEXPENDED
19 FUNDS TO THE UNEMPLOYMENT COMPENSATION FUND; TO PROVIDE THAT THE
20 PROVISIONS OF THIS ACT ARE SEVERABLE; AND FOR RELATED PURPOSES.

21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

22 **SECTION 1.** (1) Upon the effective date of this act, the
23 State Fiscal Officer shall transfer to the "Poultry Farmer
24 Stabilization Grant Program Fund" out of the Budget Contingency
25 Fund.....\$3,000,000.00.



26 (2) Upon the effective date of this act, the State Fiscal
27 Officer shall transfer to the "Mississippi Supplemental CFAP Grant
28 Program Fund" out of the Budget Contingency Fund....\$9,500,000.00.

29 (3) Upon the effective date of this act, the State Fiscal
30 Officer shall transfer to the "Sweet Potato Farm Sustainment Grant
31 Program Fund " out of the Budget Contingency Fund.....\$500,000.00.

32 **SECTION 2.** Sections 2 through 7 of this act shall be known
33 and may be cited as the "Mississippi Agriculture Stabilization
34 Act."

35 **SECTION 3.** In response to the COVID-19 pandemic, the
36 Mississippi Department of Agriculture and Commerce shall establish
37 and administer the following grant programs:

38 (a) The Poultry Farmer Stabilization Grant Program for
39 the purpose of assisting Mississippi poultry farmers who have
40 experienced a loss of at least one (1) full flock of production
41 due to the COVID-19 pandemic;

42 (b) The Mississippi Supplemental CFAP Grant Program for
43 the purpose of assisting commodity producers who qualified for the
44 USDA's Coronavirus Food Assistance Program (CFAP); and

45 (c) The Sweet Potato Farm Sustainment Grant Program for
46 the purpose of providing grants to sweet potato farmers to cover
47 expenses due to the COVID-19 pandemic.

48 **SECTION 4.** (1) The Department of Agriculture and Commerce
49 shall implement regulations and develop procedures to govern the



50 administration and eligibility requirements of the programs
51 established in Sections 2 through 7 this act.

52 (2) The department may:

53 (a) Retain up to three percent (3%) of the funds
54 appropriated to the programs established in Sections 2 through 7
55 of this act to pay reasonable expenses incurred in the
56 administration of the programs.

57 (b) Contract with an entity to administer the programs
58 established in Sections 2 through 7 of this act. When contracting
59 with the entity to administer the programs, the department shall
60 be exempt from Section 27-104-7(2)(g) requiring approval by the
61 Public Procurement Review Board.

62 **SECTION 5.** (1) (a) There is created a special fund in the
63 State Treasury, to be known as the "Poultry Farmer Stabilization
64 Grant Program Fund," from which the grants authorized under the
65 Poultry Farmer Stabilization Grant Program shall be disbursed by
66 the Department of Agriculture and Commerce;

67 (b) There is created a special fund in the State
68 Treasury, to be known as the "Mississippi Supplemental CFAP Grant
69 Program Fund," from which the grants authorized under the
70 Mississippi Supplemental CFAP Grant Program shall be disbursed by
71 the Department of Agriculture and Commerce; and

72 (c) There is created a special fund in the State
73 Treasury, to be known as the "Sweet Potato Farm Sustainment Grant
74 Program Fund," from which the grants authorized under the Sweet



75 Potato Farm Sustainment Grant Program shall be disbursed by the
76 Department of Agriculture and Commerce.

77 (2) (a) All monies shall be disbursed from the funds
78 created in subsection (1) of this section in compliance with the
79 guidelines, guidance, rules, regulations or other criteria, as may
80 be amended from time to time, of the United States Department of
81 the Treasury regarding the use of monies from the Coronavirus
82 Relief Fund established by the CARES Act. However, unexpended
83 amounts of any monies unrelated to the Coronavirus Relief Fund,
84 whether appropriated by the Legislature or donated by any public
85 or private entity, remaining in the funds at the end of a fiscal
86 year shall not lapse into the Budget Contingency Fund or the State
87 General Fund, and any investment earnings or interest earned on
88 amounts in the grant program funds shall be deposited to the
89 credit of the respective grant program fund; and

90 (b) If on December 15, 2020, there are unexpended
91 Coronavirus Relief Fund monies remaining in any fund created in
92 this section, those funds shall be transferred by the State Fiscal
93 Officer into the Unemployment Compensation Fund no later than
94 December 30, 2020.

95 (3) The use of funds allocated under this program shall be
96 subject to audit by the United States Department of the Treasury's
97 Office of Inspector General and the Mississippi Office of the
98 State Auditor. Each person receiving funds under these programs
99 found to be fully or partially noncompliant with the requirements



100 in Sections 2 through 7 of this act shall return to the state all
101 or a portion of the funds received.

102 **SECTION 6.** The Department of Agriculture and Commerce shall
103 report on the utilization of the programs to the Chair of the
104 Agriculture Committees of the Senate and the House of
105 Representatives, the Lieutenant Governor, the Speaker of the House
106 and the Governor by December 15, 2020. At a minimum, the report
107 shall contain:

- 108 (a) The name of each grant participant; and
109 (b) The total amount of payment received by each
110 participant.

111 **SECTION 7.** If any section, paragraph, sentence, clause,
112 phrase, or any part of this act is declared to be in conflict with
113 federal law, or if for any reason is declared to be invalid or of
114 no effect, the remaining sections, paragraphs, sentences, clauses,
115 phrases or parts thereof shall be in no matter affected thereby
116 but shall remain in full force and effect.

117 **SECTION 8.** This act shall take effect and be in force from
118 and after its passage.

