

**CHAPTER 88****(SB 77)**

AN ACT relating to the Department of Agriculture.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

Section 1. KRS 246.030 is amended to read as follows:

The department shall consist of:

- (1) The Office of the Commissioner, ***which shall include the Division of Public Relations.***
- (2) The ***Office of the*** Chief Executive Officer.
- (3) The Office for Agricultural Marketing and Product Promotion, which shall include the following:
  - (a) The Division of ***Agriculture Marketing, Agritourism, and Agribusiness Recruitment***~~[Market Research]~~;
  - (b) The Division of Show and Fair Promotion;~~[-and]~~
  - (c) The Division of Value-Added ***Animal and Aquaculture Production***~~[Development]~~;
  - (d) ***The Division of Value-Added Plant Production; and***
  - (e) ***The Division of Agricultural Education, Farm Safety, and Farmland Preservation.***
- (4) The Office for Consumer and ***Environmental Protection***~~[Public Service]~~, which shall include the following:
  - (a) The Division of Regulation and Inspection;~~[-and]~~
  - (b) The Division of Food Distribution; ***and***
  - (c) ***The Division of Environmental Services.***
- (5) The Office of State Veterinarian, which shall include the ***following***:
  - (a) ***The Division of Animal Health; and***
  - (b) ***The Division of Producer Services.***
- ~~(6) The Office for Environmental Outreach, which shall include the following:
 
  - ~~(a) The Division of Pests and Weeds;~~
  - ~~(b) The Division of Pesticides; and~~
  - ~~(c) The Division of Agriculture and Environmental Education.~~~~
- ~~(7)~~ The Office for Strategic Planning and Administration, which shall include the following:
  - (a) The Division of ***Personnel and Budget***~~[Fiscal and Intergovernmental Management]~~; ***and***
  - (b) The Division of Information Technology~~;~~
  - ~~(c) The Division of Personnel and Staff Development; and~~
  - ~~(d) The Division of Public Relations and Communications].~~
- ~~(7)~~~~(8)~~ The State Board of Agriculture.

Section 2. KRS 151.629 is amended to read as follows:

- (1) There is established an Interagency Technical Advisory Committee on Groundwater to assist the KGS in the development, coordination, and implementation of a groundwater monitoring network for the Commonwealth. The committee shall consist of one (1) representative from each of the following agencies, to be appointed by that agency:
  - (a) Division of Conservation of the Department for Natural Resources;
  - (b) Division of Environmental Health and Community Safety of the Cabinet for Health Services;
  - (c) Division of Forestry of the Department for Natural Resources;
  - (d) Division of *Environmental Services*~~[Pesticides]~~ of the Department of Agriculture;
  - (e) Division of Waste Management of the Department for Environmental Protection;
  - (f) Division of Water of the Department for Environmental Protection;
  - (g) Department for Environmental Protection;
  - (h) Department of Mines and Minerals of the Public Protection and Regulation Cabinet;
  - (i) Department for Natural Resources;
  - (j) Department for Surface Mining Reclamation and Enforcement;
  - (k) Kentucky Geological Survey;
  - (l) University of Kentucky College of Agriculture; and
  - (m) University of Kentucky Water Resources Research Institute.
- (2) The committee shall have *two (2) nonvoting legislative liaisons who shall be members of the General Assembly. One (1) liaison shall be a House member appointed by the Speaker of the House of Representatives and one (1) liaison shall be a Senate member appointed by the President of the Senate*~~[one (1) nonvoting legislative liaison who shall be a member of the General Assembly and who shall be appointed by the Legislative Research Commission]~~. The chair of the committee shall be the director of the University of Kentucky Water Resources Research Institute. The duties and responsibilities of the committee shall include:
  - (a) Developing a plan to coordinate agencies for the overall characterization of the state's groundwater, including occurrence, flow systems, water quantity, and water quality;
  - (b) Reviewing the data entry process to ensure that all data collected is placed into the Kentucky Groundwater Data Repository;
  - (c) Establishing a long-term groundwater monitoring plan for the Commonwealth;
  - (d) Making recommendations for prioritization of the state's groundwater research needs; and
  - (e) Annually reviewing and evaluating groundwater data collection and analysis.
- (3) In addition to the members identified in subsection (1) or (2) of this section, the committee may have, as one (1) of its members, one (1) nonvoting representative from the United States Geological Survey, appointed by that agency.

Section 3. KRS 247.800 is amended to read as follows:

The Department of Agriculture, in conjunction with the Tourism Development Cabinet, shall create an interagency Office of Agritourism to be housed in the *Division of Agriculture Marketing, Agritourism, and Agribusiness Recruitment within the Office for Agricultural Marketing and Product Promotion in the* Department of Agriculture. As used in KRS 247.800 to 247.810, agritourism means the act of visiting a working-farm or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation. It shall be the purpose of the Office of Agritourism to:

- (1) Promote agritourism in Kentucky to potential visitors, both national and international; and
- (2) Assist in sustaining the viability and growth of the agritourism industry in Kentucky.

Section 4. KRS 249.400 is amended to read as follows:

As used in KRS 249.400 to 249.430 unless the context otherwise requires:

- (1) "Department" means the Department of Agriculture;
- (2) "Commissioner" means the Commissioner of Agriculture;
- (3) "Division" means the Division of *Environmental Services*~~[Pests and Weeds]~~.

Section 5. KRS 249.410 is amended to read as follows:

The Division of *Environmental Services*~~[Pests and Weeds]~~ in the Department of Agriculture shall be under the supervision of the Commissioner and shall consist of personnel determined and appointed by him.

Section 6. KRS 249.420 is amended to read as follows:

***In addition to its other duties***, the division shall promote and sponsor programs to control pests and noxious weeds, enforce related regulatory and service measures assigned to the department, and conduct a Johnson grass control and eradication program.

Section 7. KRS 251.015 is amended to read as follows:

The Division of Regulation and Inspection is established within the Office for Consumer and *Environmental Protection*~~[Public Service]~~ of the Department of Agriculture. The division shall be headed by a director appointed by the Commissioner who shall be responsible for administering the provisions of this chapter and any administrative regulations promulgated in accordance with this chapter.

Section 8. KRS 363.560 is amended to read as follows:

The power and duty to administer and enforce KRS 363.510 to 363.850 is vested in the Department of Agriculture, and shall be exercised under the supervision of the Office for Consumer and *Environmental Protection*~~[Public Service]~~ through the Division of Regulation and Inspection. The division shall be headed by a director appointed by the Commissioner of Agriculture and shall have personnel as determined and appointed by the Commissioner.

Section 9. The General Assembly confirms Executive Order 04-01, as amended, dated January 6, 2004, by which the Kentucky Department of Agriculture was reorganized to the extent that it is not otherwise confirmed by this Act.

**Approved April 7, 2004**