

## CHAPTER 215

( HB 271 )

AN ACT relating to the Department of Agriculture.

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

➔Section 1. KRS 247.220 is amended to read as follows:

- (1) The Commissioner of Agriculture shall make grants of state funds to qualified local agricultural fairs on a matching basis, to be used by them to pay premium awards for exhibits and displays of domestic livestock, poultry, harness horse racing, other horse events, and agricultural products. The premiums actually awarded shall conform to those appearing on the premium list issued by the fair.
  - (2) The state may provide funds for use in the establishment of new facilities and improvement of existing facilities for use in conducting events at local agricultural fairs as provided by this section. No grant for buildings shall be made until the local fair board has complied with the local fair program and qualified for the state grant as provided in subsection (5) of this section. Grants for facilities shall be made under regulations promulgated by the Fair Council and the Commissioner of Agriculture. In no event shall the allocation for facilities result in a decrease in the number of approved agricultural classes or premiums.
  - (3) There shall be a Fair Council in the Department of Agriculture. The council shall act in an advisory capacity to the Commissioner in all matters pertaining to the administration of the department's fair program. It shall be called into session when there are matters for its consideration. It shall meet at least twice each calendar year at Frankfort or at any other place that may be determined.
  - (4) (a) The council shall be composed of~~the~~:
    1. **The** Commissioner, **or the Commissioner's designee**, as chairman~~ex officio~~;
    2. **The** Presidents or their designated representatives of the following state groups:
      - a. Kentucky Farm Bureau Federation;
      - b. Kentucky Association of Fairs and Horse Shows, Inc.;
      - c. Kentucky **Horse**~~Colt~~ Racing **Commission**~~Association~~;
      - d. American Saddlebred Horse Association; and
      - e. Kentucky Walking Horse Association;
    3. **The** Agricultural Education Consultant of the Kentucky Department of Education;
    4. **The** dean of the University of Kentucky College of Agriculture, Food and Environment, **or the dean's designee**;
    5. **The** co-chairs of the Interim Joint Committee on Agriculture; and
    6. **Two representatives**~~A representative~~ appointed by the Commissioner who **are experienced in showing livestock or**~~is involved with, or experienced in,~~ animal agriculture.
  - (b) The Commissioner may, with the concurrence of a majority of the members of the council, appoint additional members to the council.
- (5) To qualify for a grant of state funds, a fair shall meet standards set by the Commissioner and his advisory council whose approval may be given only if the fair:
  - (a) Provides in its bylaws for holding an annual fair running for at least three (3) days;
  - (b) Presents, through the medium of youth organizations such as 4-H clubs, Future Farmers of America, and other similar organizations, an educational program concerning the production and marketing of the livestock, poultry, and horse industries;
  - (c) Complies with all administrative regulations which the Department of Agriculture is hereby authorized to promulgate; and

- (d) Appoints one (1) or more members to its fair board from local livestock associations, horsemen's associations, and county farm bureaus, and selects one (1) or more county extension agents and vocational agriculture teachers for counties served by the fair as members of the board. Wherever local livestock associations, horsemen's associations, and farm bureaus are in existence, appointees are to be nominated to the fair board by these organizations. Where fairs serve an area, appointments may be made from all counties within the particular area. It shall be the responsibility of the appointees to aid in establishing premium lists and planning agricultural exhibits.
- (6) Any fair receiving a grant of state funds shall file with the director of the Shows and Fairs Division in the Department of Agriculture, by December 1 of the year in which the grant is received, satisfactory proof that all state premium awards have been paid and a certified notarized financial report submitted by the treasurer of the local fair association.

➔Section 2. KRS 247.800 is amended to read as follows:

The Department of Agriculture~~[, in conjunction with the Tourism, Arts and Heritage Cabinet,]~~ shall *manage*~~create~~ an~~interagency~~ agritourism program to be housed in the Office of Agricultural Marketing in the Department of Agriculture. It shall be the purpose of the agritourism program 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 3. KRS 247.802 is amended to read as follows:

The *agritourism program*~~Office of Agritourism~~ shall perform all duties necessary to carry out the purposes of KRS 247.800 to 247.810, including but not limited to:

- (1) ~~{Within the first year of its creation, developing a statewide master plan for implementation of KRS 247.800 and this section. The Office of Agritourism shall report on the plan to the Agritourism Advisory Council at the request of the council;~~
- ~~(2) Developing a unified Kentucky agritourism marketing strategy between the Department of Agriculture and the Tourism, Arts and Heritage Cabinet to promote Kentucky agritourism. The strategy shall include but not be limited to promotion of Kentucky agritourism through the creation of an agritourism Web site and advertisement through various media outlets;~~
- ~~(3) Coordinating efforts to educate the general public about the importance of Kentucky's agricultural heritage and industry;~~
- ~~{(4) Developing regional agritourism development plans for each of the nine (9) tourism regions as follows:~~
  - ~~(a) Bluegrass;~~
  - ~~(b) Cave;~~
  - ~~(c) Green River;~~
  - ~~(d) Eastern Highlands North;~~
  - ~~(e) Eastern Highlands South;~~
  - ~~(f) Louisville Lincoln;~~
  - ~~(g) Northern Kentucky;~~
  - ~~(h) Southern Lakes and Rivers; and~~
  - ~~(i) Western Lakes and Rivers;}~~

- ~~(2){(5)}~~ Providing support, education, and resource materials for all interested persons, to include but not be limited to existing Kentucky agritourism businesses, displaced tobacco farmers and others engaged in agribusiness within the state, and other Kentuckians with the intent of developing an agritourism business. The agritourism *program*~~office~~ shall provide this assistance in the following areas, to include but not be limited to:

- (a) Agritourism opportunities, networks, product development, and entrepreneurship;
- (b) Agritourism funding opportunities, including but not limited to grants, loans, and partnerships; and
- (c) Insurance and infrastructure concerns of the agritourism industry;

- (3)~~(6)~~ Working and partnering with federal, state, and local organizations to carry out the purposes of KRS 247.800 to 247.810;
- (4)~~(7)~~ Reporting to the Agritourism Advisory Council, as created in KRS 247.804, annually or at the request of the chair~~, and in accordance with subsection (1) of this section~~; and
- (5)~~(8)~~ Considering the recommendations of the Agritourism Advisory Council, in accordance with KRS 247.806(2).

➔Section 4. KRS 247.804 is amended to read as follows:

An Agritourism Advisory Council shall be established within the Department of Agriculture to advise and assist the ~~Office of~~ agritourism *program*. The Agritourism Advisory Council shall be composed of:

- (1) One (1) representative from each of the following entities:
- (a) Department of Agriculture, appointed by the Commissioner of Agriculture;
  - (b) Tourism, Arts and Heritage Cabinet, appointed by the secretary of the cabinet;
  - (c) ~~Education and Workforce Development Cabinet, appointed by the secretary of the cabinet;~~
  - (d) ~~Department of Fish and Wildlife Resources Commission, appointed by the commissioner of the department;~~
  - (e) ~~University of Kentucky Cooperative Extension Service;~~ *College of Agriculture, Food and Environment, appointed by the dean*;
  - (f) ~~Kentucky Tourism Council;~~
  - (d)~~(g)~~ Kentucky Farm Bureau; *and*
  - ~~(h) Kentucky Association of Fairs and Horse Shows;~~
  - (i) ~~Southern and Eastern Kentucky Tourism Development Association;~~
  - (j) ~~Licking River Valley Resource Conservation and Development Council;~~
  - (k) ~~Buffalo Trace Covered Bridge Authority;~~
  - (e)~~(4)~~ Kentucky Chamber of Commerce;
  - ~~(m) Kentucky Council of Area Development Districts; and~~
  - (n) ~~Jackson Purchase Resource Conservation and Development Foundation, Inc.;~~
- (2) The Governor, or a designee;
- (3) Two (2) members of the General Assembly who hold an interest in agriculture, one (1) appointed by the President of the Senate and one (1) appointed by the Speaker of the House of Representatives; and
- (4) *Seven (7)*~~Nine (9)~~ representatives of agriculture or the agritourism industry, appointed by the Commissioner of Agriculture ~~from a list of candidates compiled by the tourism regions as set forth in KRS 247.802(4). Each tourism region shall submit three (3) candidates with a business interest in agritourism who reside within that region, and the Commissioner shall appoint one (1) candidate from each region from those names submitted~~.

➔Section 5. KRS 247.806 is amended to read as follows:

The duties of the Agritourism Advisory Council shall include but not be limited to the following:

- (1) Review and make recommendations on the development of *agritourism marketing*~~the statewide master plan~~, based upon the report from the ~~Office of~~ agritourism *program* in accordance with KRS 247.802~~(1)~~; and
- (2) Make recommendations to ~~redirect the duties of the Office of~~ the ~~Office of~~ agritourism *program* as necessary, in keeping with the *program's*~~office's~~ purposes stated in KRS 247.800.

➔Section 6. KRS 247.808 is amended to read as follows:

- (1) Members of the Agritourism Advisory Council *appointed by the Commissioner of Agriculture* shall be appointed for four (4) year terms. Sitting members shall be eligible for reappointment.
- (2) The Agritourism Advisory Council shall elect a chair and vice chair from its membership.

- (3) The Agritourism Advisory Council shall meet annually or at the request of the chair. A quorum of the council shall consist of *eight (8)*~~fourteen (14)~~ members, and a majority of members present at any duly called meeting may act upon any matter before it for consideration.
- (4) In the event of a vacancy, the appropriate appointing entity may appoint a replacement member who shall hold office during the remainder of the term so vacated.
- (5) Members of the Agritourism Advisory Council shall serve without compensation.

➔Section 7. KRS 247.810 is amended to read as follows:

The *Department*~~Commissioner~~ of Agriculture ~~and the secretary of the Tourism, Arts and Heritage Cabinet~~ shall promulgate administrative regulations in accordance with KRS Chapter 13A, as necessary to implement the provisions of KRS 247.800 to 247.810.

➔Section 8. KRS 257.230 is amended to read as follows:

The state veterinarian shall be an agent of the board, shall enforce the administrative regulations of the board *pertaining to livestock, poultry, and fish* and, under the direction of the board, shall supervise and control the action of all deputies, inspectors, agents and specialists within the Office of the State Veterinarian. He or she shall devote his or her entire time to the duties of the office. He or she shall recommend from time to time such changes in the administrative regulations of the board, as he or she deems necessary, and do all other things necessary and proper for the successful enforcement of this chapter.

**Veto Overridden and Signed by Secretary of State April 14, 2022.**