

1 AN ACT relating to reorganization.

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

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

4 The department shall consist of:

5 (1) The Office of the Commissioner; ~~which shall include the Division of Public~~
6 ~~Relations.~~

7 ~~(2) The Office of the Chief Executive Officer.~~

8 ~~(2)~~~~(3)~~ The Office of~~for~~ Agricultural Marketing ~~and Product Promotion~~, which
9 shall include the following:

10 (a) The ***Promotion and Development*** Division ~~of Agriculture Marketing and~~
11 ~~Agribusiness Recruitment~~;

12 (b) The ***Shows and Fairs*** Division ~~of Show and Fair Promotion~~;

13 (c) The ***Livestock*** Division ~~of Value Added Animal and Aquaculture Production~~;

14 (d) The ***Plant*** Division ~~of Value Added Plant Production~~;

15 (e) The ***Education and Outreach*** Division ~~of Agricultural Education, Farm~~
16 ~~Safety, and Farmland Preservation~~; and

17 (f) The ***Direct Farm Marketing*** Division; ~~of Agritourism.~~

18 ~~(3)~~~~(4)~~ The Office for Consumer and Environmental Protection, which shall include
19 the following:

20 (a) The Division of Regulation and Inspection;

21 (b) The Division of Food Distribution; and

22 (c) The Division of Environmental Services;~~;~~

23 ~~(4)~~~~(5)~~ The Office of State Veterinarian, which shall include the following:

24 (a) The Division of Animal Health; and

25 (b) The Division of Producer Services;~~;~~

26 ~~(5)~~~~(6)~~ The Office of Administrative Services~~for Strategic Planning and~~
27 ~~Administration~~, which shall include the following:

1 (a) The Division of Human Resources; ~~[Personnel and Budget]~~

2 (b) The Division of Administrative Services; and

3 (c) ~~[(b)]~~ The Division of Information Technology; ~~[]~~

4 (6) The Office of Communications;

5 (7) The Office of Legal Services; and

6 (8) ~~[(7)]~~ The State Board of Agriculture.

7 ➔Section 2. KRS 246.130 is amended to read as follows:

8 The board shall meet ~~[in Frankfort]~~ at least four (4) times per year ~~[once every two (2)~~
9 ~~months, or at any other place it may determine,]~~ to consider the general agricultural,
10 horticultural, and forestry interests of the state, and to take the necessary steps for
11 carrying out the purpose of the board. The Commissioner may, and at the request of six
12 (6) of its voting members shall, call its meetings and the board may adjourn any meeting to
13 a time and place as may be determined. Six (6) voting members shall constitute a quorum.
14 Six (6) members may call the board together for the transaction of business if the
15 Commissioner, upon their request, refuses to do so.

16 ➔Section 3. KRS 247.220 is amended to read as follows:

17 (1) The Commissioner of Agriculture shall make grants of state funds to qualified local
18 agricultural fairs on a matching basis, to be used by them to pay premium awards for
19 exhibits and displays of domestic livestock, poultry, harness horse racing, other
20 horse events, and agricultural products. The premiums actually awarded shall
21 conform to those appearing on the premium list issued by the fair.

22 (2) The state may provide funds for use in the establishment of new facilities and
23 improvement of existing facilities for use in conducting events at local agricultural
24 fairs as provided by this section. No grant for buildings shall be made until the local
25 fair board has complied with the local fair program and qualified for the state grant
26 as provided in subsection (5) of this section. Grants for facilities shall be made under
27 regulations promulgated by the Fair Council and the Commissioner of Agriculture.

1 In no event shall the allocation for facilities result in a decrease in the number of
2 approved agricultural classes or premiums.

3 (3) There shall be a Fair Council in the Department of Agriculture. The council shall act
4 in an advisory capacity to the Commissioner in all matters pertaining to the
5 administration of the department's fair program. It shall be called into session when
6 there are matters for its consideration. It shall meet at least twice each calendar year
7 at Frankfort or at any other place that may be determined.

8 (4) (a) The council shall be composed of the:

- 9 1. Commissioner as chairman ex officio;
- 10 2. Presidents or their designated representatives of the following state
11 groups:
 - 12 a. Kentucky Farm Bureau Federation;
 - 13 b. Kentucky Association of Fairs and Horse Shows, Inc.;
 - 14 c. Kentucky Colt Racing Association;
 - 15 d. American Saddlebred Horse Association; and
 - 16 e. Kentucky Walking Horse Association;
- 17 3. Agricultural Education Consultant of the Kentucky Department of
18 Education;
- 19 4. Dean of the University of Kentucky College of Agriculture, Food and
20 Environment;
- 21 5. Co-chairs of the Interim Joint Committee on Agriculture; and
- 22 6. A representative appointed by the Commissioner who is involved with,
23 or experienced in, animal agriculture.

24 (b) The Commissioner may, with the concurrence of a majority of the members of
25 the council, appoint additional members to the council.

26 (5) To qualify for a grant of state funds, a fair shall meet standards set by the
27 Commissioner and his advisory council whose approval may be given only if the fair:

- 1 (a) Provides in its bylaws for holding an annual fair running for at least three (3)
 2 days;
- 3 (b) Presents, through the medium of youth organizations such as 4-H clubs, Future
 4 Farmers of America, and other similar organizations, an educational program
 5 concerning the production and marketing of the livestock, poultry, and horse
 6 industries;
- 7 (c) Complies with all administrative regulations which the Department of
 8 Agriculture is hereby authorized to promulgate; and
- 9 (d) Appoints one (1) or more members to its fair board from local livestock
 10 associations, horsemen's associations, and county farm bureaus, and selects
 11 one (1) or more county extension agents and vocational agriculture teachers
 12 for counties served by the fair as members of the board. Wherever local
 13 livestock associations, horsemen's associations, and farm bureaus are in
 14 existence, appointees are to be nominated to the fair board by these
 15 organizations. Where fairs serve an area, appointments may be made from all
 16 counties within the particular area. It shall be the responsibility of the
 17 appointees to aid in establishing premium lists and planning agricultural
 18 exhibits.
- 19 (6) Any fair receiving a grant of state funds shall file with the director of the **Shows and**
 20 **Fairs** Division~~[of Show and Fair Promotion]~~ in the Department of Agriculture, by
 21 December 1 of the year in which the grant is received, satisfactory proof that all
 22 state premium awards have been paid and a certified notarized financial report
 23 submitted by the treasurer of the local fair association.

24 ➔Section 4. KRS 247.800 is amended to read as follows:

25 The Department of Agriculture, in conjunction with the Tourism, Arts and Heritage
 26 Cabinet, shall create an interagency~~[Office of]~~ agritourism **program** to be housed in the~~[~~
 27 ~~Division of Agritourism within the]~~ Office **of**~~[for]~~ Agricultural Marketing~~[and Product~~

1 ~~Promotion~~ in the Department of Agriculture. It shall be the purpose of the ~~Office of~~
2 agritourism **program** to:

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

6 ➔Section 5. KRS 260.020 is amended to read as follows:

- 7 (1) The Office ~~of~~ for Agricultural Marketing ~~and Product Promotion~~ in the
8 Department of Agriculture shall be under the supervision of the Commissioner, and
9 shall consist of personnel determined and appointed by the Commissioner.
10 (2) The Office ~~of~~ for Agricultural Marketing ~~and Product Promotion~~ shall be headed
11 by an executive director appointed by the Commissioner.
12 (3) The Commissioner may promulgate administrative regulations to carry out the
13 provisions of any programs established under the Office ~~of~~ for Agricultural
14 Marketing ~~and Product Promotion~~, and may establish fees for the administration of
15 those programs.

16 ➔Section 6. KRS 260.030 is amended to read as follows:

- 17 (1) The Office ~~of~~ for Agricultural Marketing ~~and Product Promotion~~ shall:
18 (a) Promote and develop markets for Kentucky agricultural products, assist in
19 setting up farm cooperatives, and assist in coordinating feasibility studies,
20 loans, grants, and funding activities for producers and cooperatives;
21 (b) Gather and disseminate information concerning supply, demand, prevailing
22 prices, and commercial movement, including common and cold storage of food
23 products, and maintain market news service for the purpose of disseminating
24 this information;
25 (c) Foster and encourage the inspection, grading, standardizing, labeling, and
26 branding of farm products; provide standards of excellence and brands for the
27 use of producers and consumers in the marketing of Kentucky-grown

1 products; and promote the standardization of packages and containers for
2 those purposes;

3 (d) Promulgate administrative regulations for the grading, packing, hauling,
4 storing, and sale of farm products if the administrative regulations are
5 authorized by statutes, and enforce those administrative regulations;

6 (e) Act as mediator or arbitrator, when invited, in any issue that may arise between
7 producers and distributors of agricultural products;

8 (f) Encourage the establishment of public markets and direct dealing between
9 producer and consumer;

10 (g) Promote the sale of Kentucky-grown products locally, and in domestic and
11 international markets;

12 (h) Encourage the development of a market for the commercial production of
13 earthworms;

14 (i) Negotiate and enter into cooperative agreements with the United States
15 Department of Agriculture or any other appropriate federal agency for carrying
16 out the provisions of this section;

17 (j) Develop opportunities for the diversification of Kentucky agriculture, including
18 additional crops and enterprises for tobacco growers; and

19 (k) Establish an Organic Agricultural Product Certification Program.

20 (2) The functions of the office shall be supplementary to, and not in duplication of, the
21 educational activities of the College of Agriculture of the University of Kentucky.

22 (3) In accomplishing its purposes, the office shall not compete with business operated by
23 private capital.

24 ➔Section 7. The General Assembly hereby confirms Executive Order 2017-001,
25 dated November 16, 2017, relating to the reorganization of the Department of
26 Agriculture, to the extent that it is not otherwise confirmed or superseded by this Act.