

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~~
14 ~~Production~~;

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

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

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

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

21 (a) The Division of Regulation and Inspection;

22 (b) The Division of Food Distribution; and

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

24 ~~(4)~~~~(5)~~ The Office of State Veterinarian, which shall include the following:

25 (a) The Division of Animal Health; and

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

27 ~~(5)~~~~(6)~~ The Office of Administrative Services ~~for Strategic Planning and~~

1 ~~Administration~~, which shall include the following:

2 (a) The Division of Human Resources; ~~Personnel and Budget~~

3 (b) The Division of Administrative Services; and

4 ~~(c)(b)~~ The Division of Information Technology; ~~and~~

5 (6) The Office of Communications;

6 (7) The Office of Legal Services; and

7 ~~(8)(7)~~ The State Board of Agriculture.

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

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

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

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

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

1 under regulations promulgated by the Fair Council and the Commissioner of
2 Agriculture. In no event shall the allocation for facilities result in a decrease in the
3 number of approved agricultural classes or premiums.

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

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

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

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

27 (5) To qualify for a grant of state funds, a fair shall meet standards set by the

1 Commissioner and his advisory council whose approval may be given only if the
2 fair:

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

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

27 The Department of Agriculture, in conjunction with the Tourism, Arts and Heritage

1 Cabinet, shall create an interagency~~[Office of]~~ agritourism **program** to be housed in the~~[~~
2 ~~Division of Agritourism within the]~~ Office of~~[for]~~ Agricultural Marketing~~[and Product~~
3 ~~Promotion]~~ in the Department of Agriculture. It shall be the purpose of the~~[Office of]~~
4 agritourism **program** to:

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

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

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

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

- 20 (1) The Office of~~[for]~~ Agricultural Marketing~~[and Product Promotion]~~ shall:
 - 21 (a) Promote and develop markets for Kentucky agricultural products, assist in
22 setting up farm cooperatives, and assist in coordinating feasibility studies,
23 loans, grants, and funding activities for producers and cooperatives;
 - 24 (b) Gather and disseminate information concerning supply, demand, prevailing
25 prices, and commercial movement, including common and cold storage of
26 food products, and maintain market news service for the purpose of
27 disseminating this information;

- 1 (c) Foster and encourage the inspection, grading, standardizing, labeling, and
2 branding of farm products; provide standards of excellence and brands for the
3 use of producers and consumers in the marketing of Kentucky-grown
4 products; and promote the standardization of packages and containers for
5 those purposes;
- 6 (d) Promulgate administrative regulations for the grading, packing, hauling,
7 storing, and sale of farm products if the administrative regulations are
8 authorized by statutes, and enforce those administrative regulations;
- 9 (e) Act as mediator or arbitrator, when invited, in any issue that may arise
10 between producers and distributors of agricultural products;
- 11 (f) Encourage the establishment of public markets and direct dealing between
12 producer and consumer;
- 13 (g) Promote the sale of Kentucky-grown products locally, and in domestic and
14 international markets;
- 15 (h) Encourage the development of a market for the commercial production of
16 earthworms;
- 17 (i) Negotiate and enter into cooperative agreements with the United States
18 Department of Agriculture or any other appropriate federal agency for carrying
19 out the provisions of this section;
- 20 (j) Develop opportunities for the diversification of Kentucky agriculture,
21 including additional crops and enterprises for tobacco growers; and
- 22 (k) Establish an Organic Agricultural Product Certification Program.
- 23 (2) The functions of the office shall be supplementary to, and not in duplication of, the
24 educational activities of the College of Agriculture of the University of Kentucky.
- 25 (3) In accomplishing its purposes, the office shall not compete with business operated
26 by private capital.
- 27 ➔Section 7. The General Assembly hereby confirms Executive Order 2017-001,

- 1 dated November 16, 2017, relating to the reorganization of the Department of
- 2 Agriculture, to the extent that it is not otherwise confirmed or superseded by this Act.