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# GENERAL ASSEMBLY COMMONWEALTH OF KENTUCKY

## 2009 REGULAR SESSION

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SENATE BILL NO. 41

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WEDNESDAY, FEBRUARY 11, 2009

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The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED  
DATE March 20, 2009  
5:37 pm  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY R. Adler

AN ACT relating to agriculture.

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

- 1           ➔Section 1. KRS 11.170 is amended to read as follows:
- 2       (1) The Kentucky Agriculture Resources Development Authority (KARDA) is created.
- 3           KARDA shall serve to unify the efforts of agricultural groups working on behalf of
- 4           farmers and agribusiness and shall be attached to the Office of the Governor for
- 5           administrative purposes.
- 6       (2) The functions of KARDA shall be to:
- 7           (a) Advise the Governor and other state officials on economic development
- 8           initiatives to improve the farm economy;
- 9           (b) Conduct long-range planning and provide continuity for agriculture and
- 10          agribusiness;
- 11          (c) Work with the Executive Branch and the Legislative Branch on legislation,
- 12          policies, and programs with specific emphasis on increasing farm income and
- 13          strengthening rural communities;
- 14          (d) Develop market potentials and encourage the "value-added" concept to the full
- 15          extent of its potential;
- 16          (e) Fully develop existing enterprises and identify, explore, and evaluate new
- 17          enterprise opportunities; and
- 18          (f) Improve the flow of information from the federal and state governments and
- 19          the university system to agricultural commodity organizations, their members,
- 20          and the farm community in general.
- 21       (3) The membership of KARDA shall consist of twenty-seven (27) members as
- 22       follows:
- 23           (a) The Governor or his designee;
- 24           (b) Dean, College of Agriculture, University of Kentucky;
- 25           (c) Commissioner of Agriculture;

- 1 (d) Chair, Senate Agriculture~~[and Natural Resources]~~ Committee;
- 2 (e) Chair, House Agriculture and Small Business Committee;
- 3 (f) President, Kentucky Farm Bureau or his designee;
- 4 (g) President, Kentucky National Farmers Organization or his designee;
- 5 (h) President, Kentucky Bankers Association or his designee;
- 6 (i) Seven (7) members appointed by the Governor as follows: one (1) each from
- 7 the seven (7) agriculture commodity organizations with the greatest cash
- 8 receipts from farm marketings as reported by the Kentucky Agricultural
- 9 Statistics Service. The commodity organizations' representatives shall be
- 10 elected at the organizations' annual meeting of membership. The election shall
- 11 be conducted at the annual meeting of membership immediately prior to the
- 12 expiration of the term of that organization's representative;
- 13 (j) Four (4) appointees by the Governor from the following organizations, each of
- 14 whom shall submit one (1) name for consideration: Kentucky Agriculture
- 15 Communicators, Kentucky Aquaculture Association, Kentucky Association of
- 16 Conservation Districts, Kentucky Beekeepers Association, Kentucky Farm
- 17 and Power Equipment Dealers Association, Kentucky Feed and Grain Dealers
- 18 Association, Agribusiness Association of Kentucky~~[Kentucky Fertilizer and~~
- 19 ~~Agriculture Chemical Association]~~, Kentucky Forage and Grassland Council,
- 20 Kentucky Forest Industry Association, Kentucky Ginseng Association,
- 21 Kentucky Milk Goat Association, Kentucky Poultry Federation, Kentucky
- 22 Seed Improvement Association, Kentucky Sheep and Wool Producers
- 23 Association, Kentucky State Horticultural Society, Kentucky Sweet Sorghum
- 24 Producers and Processors Association, Kentucky Vegetable Growers
- 25 Association, Kentucky Vineyard Society, and Kentucky Young Farmers
- 26 Association; and
- 27 (k) Eight (8) members at large selected and appointed by the Governor;

- 1 (1) Initial terms of members, other than those serving ex officio, shall be  
2 staggered to provide continuity. Thereafter, terms shall be for four (4) years.
- 3 (4) The Governor shall designate one (1) of the members as chair whose term shall be  
4 concurrent with that of the Governor. KARDA may elect by majority vote a vice  
5 chair and other officers as may be deemed necessary.
- 6 (5) No member of KARDA shall receive a salary, fee, or other remuneration for  
7 services as a member of KARDA, but each member shall be reimbursed for  
8 ordinary travel expenses, including meals and lodging, incurred in the performance  
9 of duties incident to implementation of the provisions of this section.
- 10 (6) KARDA shall meet at the call of the Governor or the chair, but not less often than  
11 four (4) times during each calendar year. A majority of the members appointed to  
12 KARDA shall constitute a quorum.
- 13 (7) KARDA shall use, so far as practical, and subject to the approval of the Governor,  
14 secretarial and clerical staff of the Governor's Office to carry out the provisions of  
15 this section.

16 ➔Section 2. KRS 248.510 is amended to read as follows:

- 17 (1) The Kentucky Tobacco Research Board is hereby created. The board shall be  
18 composed of thirteen (13) voting members and one (1) nonvoting member as  
19 follows:
- 20 (a) Ten (10) permanent members who shall be the following officeholders or  
21 shall be designated by the following organizations: the Kentucky Farm Bureau  
22 Federation; the Kentucky Innovations Commission; the commissioner of the  
23 Kentucky Department of Agriculture; the dean of the University of Kentucky  
24 College of Agriculture; the Burley Growers Cooperative Association; the  
25 Council for Burley Tobacco; the Dark Fired Tobacco Association; the  
26 Kentucky Science and Technology Corporation; the chairman of the Senate  
27 Committee on Agriculture ~~and Natural Resources~~; and the chairman of the

1 House Committee on Agriculture~~[Agricultural]~~ and Small Business. Each  
2 officeholder and organization shall designate an alternate who is authorized to  
3 serve when the member cannot be present at a meeting.

4 (b) Three (3) members at large, at least one (1) of whom is a tobacco farmer in  
5 Kentucky and at least one (1) of whom has research and development  
6 experience in the public or private sector, who shall be appointed by the  
7 Governor with the advice and consent of the Legislative Research  
8 Commission.

9 (c) One (1) nonvoting member from the University of Kentucky, who shall be the  
10 University of Kentucky Vice President for Research, or the Vice President's  
11 designee. The nonvoting member of the board may be counted in determining  
12 a quorum, but the nonvoting member shall not vote on matters before the  
13 board.

14 (2) No member of the board shall receive any salary, fee, or other remuneration for his  
15 services as a member of the board but each member shall be reimbursed for his  
16 ordinary travel expenses, including meals and lodging, incurred in the performance  
17 of his duties incident to implementation of the provisions of KRS 248.510 to  
18 248.570.

19 (3) The term of the ten (10) members designated in paragraph (a) of subsection (1) of  
20 this section shall not change but they shall be permanent members in terms of the  
21 organizations and offices named. At-large members and the tobacco industry  
22 member shall serve two (2) year terms.

23 (4) The board shall elect, by a majority vote of the thirteen (13) voting members, a  
24 chairman and a vice chair. The chairman shall be the presiding officer of the board,  
25 shall preside at all meetings, and coordinate the functions and activities of the  
26 board. The chairman shall be elected or reelected annually and shall be a permanent  
27 member or an at-large member of the board. The vice chair shall conduct meetings

1 in the absence of the chairman. The board shall have such other organization as  
2 deemed necessary and approved by the board.

3 (5) Meetings of the board shall be held at least quarterly but may be held more  
4 frequently as deemed necessary subject to call by the chairman or by request of a  
5 majority of the board members. Board meetings shall concern, among other things,  
6 policy matters relating to research projects and programs, research progress reports,  
7 authorization of projects and financial plans, and such other matters as necessary to  
8 carry out the intent of KRS 248.510 to 248.570.

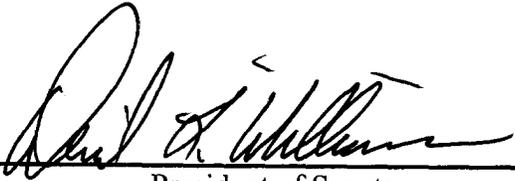
9 (6) Seven (7) members of the board shall constitute a quorum for doing business. Each  
10 member shall have one (1) vote and a majority vote of the members present shall  
11 control on all questions.

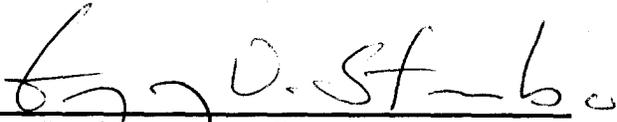
12 ➔Section 3. KRS 260.857 is amended to read as follows:

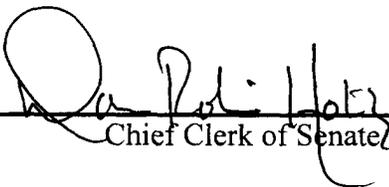
13 The Kentucky Industrial Hemp Commission is created and is attached to the Department  
14 of Agriculture for administrative purposes. The membership of the commission shall  
15 consist of at least seventeen (17) members as follows:

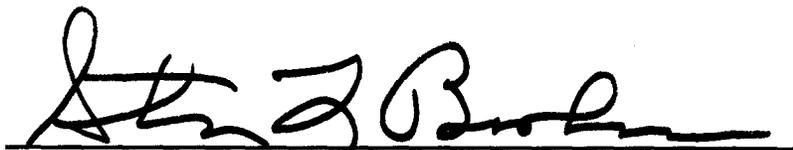
- 16 (1) The Speaker of the House of Representatives or the Speaker's designee;
- 17 (2) The President of the Senate or the President's designee;
- 18 (3) The chair of the Senate Agriculture ~~and Natural Resources~~ Committee;
- 19 (4) The chair of the House Agriculture and Small Business Committee;
- 20 (5) The Commissioner of the Department of Agriculture or the Commissioner's  
21 designee;
- 22 (6) The commissioner of the Department of Kentucky State Police or the  
23 commissioner's designee;
- 24 (7) The executive director of the Governor's Office of Agricultural Policy or the  
25 executive director's designee;
- 26 (8) The chairs of the agriculture departments at the Kentucky university or universities  
27 where the industrial hemp research program is to be established;

- 1 (9) The president of the Kentucky Hemp Growers Cooperative Association;
- 2 (10) The president of the Kentucky Sheriffs' Association;
- 3 (11) The president of the Kentucky Association of Chiefs of Police; and
- 4 (12) Six (6) members, three (3) appointed by the Speaker of the House and three (3) by  
5 the President of the Senate, representing the following interests:
  - 6 (a) Kentucky farmers with an interest in growing industrial hemp;
  - 7 (b) Retailers of industrial hemp products;
  - 8 (c) Wholesalers of industrial hemp products; and
  - 9 (d) Manufacturers of industrial hemp products.

  
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President of Senate

  
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Speaker-House of Representatives

Attest:   
\_\_\_\_\_  
Chief Clerk of Senate

Approved   
\_\_\_\_\_  
Governor

Date 3-20-09