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1	AGRICULTURE ACT AMENDMENTS
2	2000 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: Evan L. Olsen
5	AN ACT RELATING TO THE UTAH AGRICULTURAL CODE; DEFINING DIETARY
6	SUPPLEMENT; EXPANDING THE MEMBERSHIP OF THE AGRICULTURAL ADVISORY
7	BOARD TO INCLUDE A REPRESENTATIVE OF MANUFACTURERS OF DIETARY
8	SUPPLEMENTS; AND DIRECTING THE COMMISSIONER OF AGRICULTURE AND FOOD
9	TO APPOINT THE MEMBERS OF THE AGRICULTURAL ADVISORY BOARD.
10	This act affects sections of Utah Code Annotated 1953 as follows:
11	AMENDS:
12	4-1-8, as last amended by Chapters 82 and 302, Laws of Utah 1997
13	4-2-7, as last amended by Chapter 243, Laws of Utah 1996
14	Be it enacted by the Legislature of the state of Utah:
15	Section 1. Section 4-1-8 is amended to read:
16	4-1-8. General definitions.
17	Subject to additional definitions contained in the chapters of this title which are applicable
18	to specific chapters, as used in this title:
19	(1) "Agriculture" means the science and art of the production of plants and animals useful
20	to man including the preparation of plants and animals for human use and disposal by marketing
21	or otherwise.
22	(2) "Agricultural product" or "product of agriculture" means any product which is derived
23	from agriculture, including any product derived from aquaculture as defined in Section 4-37-103.
24	(3) "Commissioner" means the commissioner of agriculture and food.
25	(4) "Department" means the Department of Agriculture and Food created under Title 4,
26	Chapter 2.
27	(5) "Dietary supplement" has the meaning defined in the Federal Food, Drug, and

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28	Cosmetic Act, 21 U.S.C. Sec. 301 et seq.
29	[(5)] (6) "Livestock" means cattle, sheep, goats, swine, horses, mules, poultry,
30	domesticated elk as defined in Section 4-39-102, or any other domestic animal or domestic
31	furbearer raised or kept for profit.
32	[(6)] (7) "Organization" means a corporation, government or governmental subdivision
33	or agency, business trust, estate, trust, partnership, association, two or more persons having a joint
34	or common interest, or any other legal entity.
35	[(7)] (8) "Person" means a natural person or individual, corporation, organization, or other
36	legal entity.
37	Section 2. Section 4-2-7 is amended to read:
38	4-2-7. Agricultural Advisory Board created Composition Responsibility Terms
39	of office Compensation.
40	(1) There is created [an] the Agricultural Advisory Board composed of [11] 12 members
41	representing each of the following:
42	(a) Utah Farm Bureau Federation;
43	(b) Utah Farmers Union;
44	(c) Utah Cattlemen's Association;
45	(d) Utah Wool Growers' Association;
46	(e) Utah Dairymen's Association;
47	(f) Utah Veterinary Medical Association;
48	(g) Livestock Auction Marketing Association;
49	(h) Utah Association of Conservation Districts;
50	(i) the Utah horse industry;
51	(j) the food processing industry; [and]
52	(k) manufacturers of food supplements; and
53	$\left[\frac{k}{2}\right]$ (1) a consumer affairs group.
54	(2) The Agricultural Advisory Board shall advise the commissioner regarding the
55	planning, implementation, and administration of the department's programs.
56	(3) (a) Except as required by Subsection (3)(c), members are appointed by the
57	commissioner to four-year terms of office.
58	(b) Representatives of the organizations cited in Subsections (1)(a) through (1)(h) shall

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59	be appointed to the Agricultural Advisory Board by the [governor] commissioner from a list of
60	nominees submitted by each organization.
61	[(b) Representatives of the groups cited in Subsections (1)(i) through (1)(k) shall be
62	appointed to the Agricultural Advisory Board by the governor from a list of nominees submitted
63	by the commissioner.]
64	[(4) (a) Except as required by Subsection (b), members are appointed to four-year terms
65	of office.]
66	[(b)] (c) Notwithstanding the requirements of Subsection (3)(a), the [governor]
67	commissioner shall, at the time of appointment or reappointment, adjust the length of terms to
68	ensure that the terms of board members are staggered so that approximately half of the board is
69	appointed every two years.
70	[(c)] (d) Members may be removed at the discretion of the [governor] commissioner upon
71	the request of the group they represent.
72	[(5)] (e) When a vacancy occurs in the membership for any reason, the replacement shall
73	be appointed for the unexpired term.
74	[(6)] (4) The board shall elect one member to serve as chair of the Agricultural Advisory
75	Board for a term of one year.
76	[(7)] (5) (a) The board shall meet four times annually, but may meet more often at the
77	discretion of the chair.
78	(b) Attendance of [six] seven members at a duly called meeting constitutes a quorum for
79	the transaction of official business.
80	[(8)] (6) (a) Members shall receive no compensation or benefits for their services, but may
81	receive per diem and expenses incurred in the performance of the member's official duties at the
82	rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
83	(b) Members may decline to receive per diem and expenses for their service.

Legislative Review Note as of 1-3-00 1:55 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel