

Representative Ronda Rudd Menlove proposes the following substitute bill:

AGRICULTURAL EDUCATION

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronda Rudd Menlove

Senate Sponsor: Darin G. Peterson

LONG TITLE

General Description:

This bill directs the Department of Agriculture and Food to promote agricultural education in the state.

Highlighted Provisions:

This bill:

- ▶ directs the department to work with the State Board of Education to promote agricultural education; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

This bill appropriates as an ongoing appropriation subject to future budget constraints, \$50,000 from the Education Fund for fiscal year 2007-08 to the State Board of Education.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

4-2-2, as last amended by Chapter 139, Laws of Utah 2003



26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section 4-2-2 is amended to read:

28 **4-2-2. Functions, powers, and duties of department -- Fees for services --**

29 **Marketing orders -- Procedure.**

30 (1) The department [~~has and shall exercise the following functions, powers, and duties~~]
31 shall:

32 (a) [~~to~~] inquire into and promote the interests and products of agriculture and its allied
33 industries;

34 (b) [~~to~~] promote methods for increasing the production and facilitating the distribution
35 of the agricultural products of the state;

36 (c) (i) [~~to~~] inquire into the cause of contagious, infectious, and communicable diseases
37 among livestock and the means for their prevention and cure; and

38 (ii) [~~to~~] initiate, implement, and administer plans and programs to prevent the spread of
39 diseases among livestock;

40 (d) [~~to~~] encourage experiments designed to determine the best means and methods for
41 the control of diseases among domestic and wild animals;

42 (e) [~~to~~] issue marketing orders for any designated agricultural product to:

43 (i) promote orderly market conditions for any product;

44 (ii) give the producer a fair return on the producer's investment at the marketplace; and

45 (iii) only promote and not restrict or restrain the marketing of Utah agricultural
46 commodities;

47 (f) [~~to~~] administer and enforce all laws assigned to the department by the Legislature;

48 (g) [~~to~~] establish standards and grades for agricultural products and fix and collect
49 reasonable fees for services performed by the department in conjunction with the grading of
50 agricultural products;

51 (h) [~~to~~] establish operational standards for any establishment [~~which~~] that
52 manufactures, processes, produces, distributes, stores, sells, or offers for sale any agricultural
53 product;

54 (i) [~~to promulgate, subject to~~] adopt, according to Title 63, Chapter 46a, Utah
55 Administrative Rulemaking Act, rules necessary for the effective administration of the
56 agricultural laws of the state;

57 (j) ~~[to]~~ when necessary, make investigations, subpoena witnesses and records, conduct
58 hearings, issue orders, and make recommendations concerning all matters related to
59 agriculture;

60 (k) (i) ~~[to]~~ inspect any nursery, orchard, farm, garden, park, cemetery, greenhouse, or
61 any private or public place ~~[which]~~ that may become infested or infected with harmful insects,
62 plant diseases, noxious or poisonous weeds, or other agricultural pests;

63 (ii) ~~[to]~~ establish and enforce quarantines;

64 (iii) ~~[to]~~ issue and enforce orders and ~~[regulations]~~ rules for the control and eradication
65 of pests, wherever they may exist within the state; and

66 (iv) ~~[to]~~ perform other duties relating to plants and plant products considered advisable
67 and not contrary to law;

68 (l) ~~[to]~~ inspect apiaries for diseases inimical to bees and beekeeping;

69 (m) ~~[to]~~ take charge of any agricultural exhibit within the state, if considered necessary
70 by the department, and award premiums at that exhibit;

71 (n) ~~[to]~~ assist the Soil Conservation Commission in the administration of Title 4,
72 Chapter 18, Soil Conservation Commission Act, and administer and disburse any funds ~~[which~~
73 ~~are]~~ available ~~[for the purpose of assisting]~~ to assist soil conservation districts in the state in the
74 conservation of the state's soil and water resources; ~~[and]~~

75 (o) work with the State Board of Education to promote agricultural education in the
76 state; and

77 ~~[(to) to]~~ (p) perform any additional functions, powers, and duties provided by law.

78 (2) ~~[Unless otherwise provided by statute, the]~~ The department, by following the
79 procedures and requirements of Section 63-38-3.2, may adopt a schedule of fees assessed for
80 services provided by the department. ~~[The fee shall be reasonable and fair, and shall be~~
81 ~~submitted to and approved by the Legislature as part of the department's annual appropriations~~
82 ~~request. The department may not charge or collect any fee proposed in this manner without~~
83 ~~approval by the Legislature.]~~

84 (3) (a) No marketing order issued under Subsection (1)(e) is effective until:

85 (i) notice of the proposed order is given to the producers and handlers of the affected
86 product;

87 (ii) a hearing conducted by the commissioner is held on the proposed order; and

88 (iii) at least 50% of the registered producers and handlers of the affected products vote
89 in favor of the proposed order.

90 (b) The department may establish boards of control to administer marketing orders and
91 the proceeds derived from any order. It shall be the responsibility of a board of control to:

92 (i) ensure that all proceeds are placed in an account in the name of the board of control
93 in a depository institution; and

94 (ii) ensure that the account is annually audited by an accountant approved by the
95 commissioner.

96 (4) Funds collected by grain grading, as provided by Subsection (1)(g), shall be
97 deposited in the General Fund as nonlapsing dedicated credits for the grain grading program.

98 **Section 2. Appropriation.**

99 (1) As an ongoing appropriation subject to future budget constraints, there is
100 appropriated from the Education Fund for fiscal year 2007-08 \$50,000 to the State Board of
101 Education.

102 (2) It is the intent of the Legislature that the State Board of Education use:

103 (a) \$25,000 of the monies appropriated in Subsection (1) to fund agricultural classes
104 and programs in middle and junior high schools that are developed in cooperation with the
105 Department of Agriculture and Food; and

106 (b) \$25,000 of the monies appropriated in Subsection (1) to support the delivery of
107 agricultural production classes in high schools that are developed in cooperation with ~~H~~→ **the** ←~~H~~
108 Department of Agriculture and Food.

H.B. 124 1st Sub. (Buff) - Agricultural Education

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will appropriate \$50,000 from the Education Fund for agricultural education to the State Board of Education.

	<u>FY 2007 Approp.</u>	<u>FY 2008 Approp.</u>	<u>FY 2009 Approp.</u>	<u>FY 2007 Revenue</u>	<u>FY 2008 Revenue</u>	<u>FY 2009 Revenue</u>
Education Fund	\$0	\$50,000	\$50,000	\$0	\$0	\$0
Total	\$0	\$50,000	\$50,000	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.