

**AGRICULTURAL EDUCATION**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ronda Rudd Menlove**

Senate Sponsor: \_\_\_\_\_

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**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 and state institutions of higher 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, \$25,000 from the Education Fund for fiscal year 2007-08 to the State Board of Education;
- ▶ as an ongoing appropriation subject to future budget constraints, \$100,000 from the Education Fund for fiscal year 2007-08 to Utah State University;
- ▶ as an ongoing appropriation subject to future budget constraints, \$25,000 from the Education Fund for fiscal year 2007-08 to the College of Eastern Utah; and
- ▶ as an ongoing appropriation subject to future budget constraints, \$25,000 from the Education Fund for fiscal year 2007-08 to Snow College.

**Other Special Clauses:**

None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **4-2-2**, as last amended by Chapter 139, Laws of Utah 2003



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

33 Section 1. Section **4-2-2** is amended to read:

34 **4-2-2. Functions, powers, and duties of department -- Fees for services --**

35 **Marketing orders -- Procedure.**

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

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

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

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

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

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

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

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

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

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

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

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

57 (h) [~~to~~] establish operational standards for any establishment [~~which~~] that  
58 manufactures, processes, produces, distributes, stores, sells, or offers for sale any agricultural

59 product;

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

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

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

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

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

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

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

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

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

81 (o) work with the State Board of Education and the state institutions of higher  
82 education listed in Section 53B-2-101 to promote agricultural education in the state; and

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

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

90 (3) (a) No marketing order issued under Subsection (1)(e) is effective until:  
91 (i) notice of the proposed order is given to the producers and handlers of the affected  
92 product;  
93 (ii) a hearing conducted by the commissioner is held on the proposed order; and  
94 (iii) at least 50% of the registered producers and handlers of the affected products vote  
95 in favor of the proposed order.

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

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

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

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

104 Section 2. **Appropriation.**

105 (1) (a) As an ongoing appropriation subject to future budget constraints, there is  
106 appropriated from the Education Fund for fiscal year 2007-08 \$25,000 to the State Board of  
107 Education.

108 (b) It is the intent of the Legislature that the State Board of Education use the monies  
109 appropriated in Subsection (1)(a) to fund agricultural classes and programs that are developed  
110 in cooperation with the Department of Agriculture and Food.

111 (2) (a) As an ongoing appropriation subject to future budget constraints, there is  
112 appropriated from the Education Fund for fiscal year 2007-08 \$100,000 to Utah State  
113 University.

114 (b) It is the intent of the Legislature that Utah State University use:

115 (i) \$20,000 of the monies appropriated by Subsection (2)(a) to provide continuing  
116 education or graduate classes for public school science teachers on agricultural topics  
117 recommended by the Department of Agriculture and Food; and

118 (ii) \$80,000 of the monies appropriated by Subsection (2)(a), to deliver, through  
119 distance education, bachelor degree programs related to agriculture at the College of Eastern  
120 Utah and Snow College.

121 (3) (a) As an ongoing appropriation subject to future budget constraints, there is  
122 appropriated from the Education Fund for fiscal year 2007-08 \$25,000 to the College of  
123 Eastern Utah.

124 (b) It is the intent of the Legislature that the College of Eastern Utah use the monies  
125 appropriated by Subsection (3)(a) to support agricultural related bachelor degree programs  
126 offered by Utah State University through distance education.

127 (4) (a) As an ongoing appropriation subject to future budget constraints, there is  
128 appropriated from the Education Fund for fiscal year 2007-08 \$25,000 to Snow College.

129 (b) It is the intent of the Legislature that Snow College use the monies appropriated by  
130 Subsection (4)(a) to support agricultural related bachelor degree programs offered by Utah  
131 State University through distance education.

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**Legislative Review Note**  
as of 1-16-07 11:45 AM

**Office of Legislative Research and General Counsel**

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**H.B. 124 - Agricultural Education**

**Fiscal Note**

2007 General Session

State of Utah

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**State Impact**

Enactment of this bill will appropriate \$175,000 from the Uniform School Fund for agricultural education, as follows: \$25,000 to the State Board of Education, \$100,000 to the Utah State University, \$25,000 to the College of Eastern Utah, and \$25,000 to the Snow College.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
Uniform School Fund	\$0	\$175,000	\$175,000	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$175,000</b>	<b>\$175,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**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.

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