

28 4-39-104, as last amended by Laws of Utah 2010, Chapter 286

29 REPEALS:

30 4-14-10, as last amended by Laws of Utah 2010, Chapter 286

31

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

33 Section 1. Section 4-2-7 is amended to read:

34 **4-2-7. Agricultural Advisory Board created -- Composition -- Responsibility --**  
 35 **Terms of office -- Compensation.**

36 (1) There is created the Agricultural Advisory Board composed of ~~16~~ 21 ~~members~~  
 36a members, with

37 each member representing one of the following:

- 38 (a) Utah Farm Bureau Federation;
- 39 (b) Utah Farmers Union;
- 40 (c) Utah Cattlemen's Association;
- 41 (d) Utah Wool Growers' Association;
- 42 (e) Utah Dairymen's Association;
- 43 (f) Utah Pork Producer's Association;
- 44 (g) egg and poultry producers;
- 45 (h) Utah Veterinary Medical Association;
- 46 (i) Livestock Auction Marketing Association;
- 47 (j) Utah Association of Conservation Districts;
- 48 (k) the Utah horse industry;
- 49 (l) the food processing industry;
- 50 (m) the fruit and vegetable industry;
- 51 (n) the turkey industry;
- 52 (o) manufacturers of food supplements; ~~and~~
- 53 (p) a consumer affairs group~~[-];~~;
- 54 (q) dean of the College of Agriculture and Applied Science and vice president of  
 55 extension from Utah State University; ~~and~~ ~~and~~

56 (r) urban and small farmers ~~and~~ ;

56a (s) Utah Elk Breeders Association;

56b (t) Utah Beekeepers Association; and

56c (u) Utah Fur Breeders Association. ~~and~~

57 (2) (a) The Agricultural Advisory Board shall advise the commissioner regarding:

58 (i) the planning, implementation, and administration of the department's programs; and

59 (ii) the establishment of standards governing the care of livestock and poultry,  
60 including consideration of:

61 (A) food safety;

62 (B) local availability and affordability of food; and

63 (C) acceptable practices for livestock and farm management.

64 (b) The Agricultural Advisory Board shall fulfill the duties described in Title 4,  
65 Chapter 2, Part 5, Horse Tripping Awareness.

66 (3) (a) Except as required by Subsection (3)(c), members are appointed by the  
67 commissioner to four-year terms of office.

68 (b) The commissioner shall appoint representatives of the organizations cited in  
69 Subsections (1)(a) through (h) to the Agricultural Advisory Board from a list of nominees  
70 submitted by each organization.

71 (c) Notwithstanding the requirements of Subsection (3)(a), the commissioner shall, at  
72 the time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
73 board members are staggered so that approximately half of the board is appointed every two  
74 years.

75 (d) Members may be removed at the discretion of the commissioner upon the request  
76 of the group they represent.

77 (e) When a vacancy occurs in the membership for any reason, the replacement shall be  
78 appointed for the unexpired term.

79 (4) The board shall elect one member to serve as chair of the Agricultural Advisory  
80 Board for a term of one year.

81 (5) (a) The board shall meet four times annually, but may meet more often at the  
82 discretion of the chair.

83 (b) Attendance of [~~nine~~] ~~H~~→ [10] 11 ←~~H~~ members at a duly called meeting constitutes a  
83a quorum for  
84 the transaction of official business.

85 (6) A member may not receive compensation or benefits for the member's service, but  
86 may receive per diem and travel expenses in accordance with:

87 (a) Section 63A-3-106;

88 (b) Section 63A-3-107; and

89 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and

214 (iii) Copies of the notice of the hearing shall be served on the member by mailing it to  
 215 the member at his last known address at least 10 days before the date fixed for the hearing.

216 (iv) The governor may designate a hearing officer to preside over the hearing and  
 217 report his findings to the governor.

218 (2) (a) The members of the commission shall annually elect a commission chair.

219 (b) [~~Three~~] Five members of the commission shall constitute a quorum for the  
 220 transaction of any business of the commission.

221 (3) A member may not receive compensation or benefits for the member's service, but  
 222 may receive per diem and travel expenses in accordance with:

223 (a) Section 63A-3-106;

224 (b) Section 63A-3-107; and

225 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
 226 63A-3-107.

227 (4) All claims and expenditures made under this chapter shall be first audited and  
 228 passed upon by the commission and when approved shall be paid in the manner provided by  
 229 law for payment of claims against the state.

230 (5) Any member of the commission who has a personal or private interest in any matter  
 231 proposed or pending before the commission shall publicly disclose this fact to the commission  
 232 and may not vote on the matter.

233 (6) Any member of the commission who owns or who has any interest or whose spouse  
 234 or member of his immediate family has any interest in a horse participating in a race shall  
 235 disclose that interest and may not participate in any commission decision involving that race.

236 Section 5. Section ~~4-39-104~~ is amended to read:

237 **~~4-39-104. Domesticated Elk Act advisory council.~~**

238 (1) The department shall establish [~~an~~] a Domesticated Elk Act advisory council to  
 239 give advice and make recommendations on policies and rules adopted pursuant to this chapter.

240 (2) The advisory council shall consist of [~~eight~~] ~~ñ~~→ [nine] 10 ←~~ñ~~  
 240a by the

241 commissioner of agriculture to four-year terms as follows:

242 (a) [~~two members~~] one member, recommended by the executive director of the  
 243 Department of Natural Resources, shall represent the Department of Natural Resources;

244 (b) two members shall represent the Department of Agriculture, one of whom shall be

245 the state veterinarian;

246 (c) [~~two members~~] one member shall represent the livestock industry[~~, one of whom~~  
247 shall represent the domesticated elk industry; and];

248 (d) [~~two members~~] one member, recommended by the executive director of the  
249 Department of Natural Resources from a list of candidates submitted by the Division of  
250 Wildlife Resources, shall represent wildlife interests[-];

251 ~~H~~→ [(e) ~~two members, recommended by the Department of Agriculture, shall represent the~~  
252 ~~interest of the hunting parks owners;~~] ←~~H~~ and

253 ~~H~~→ [(f)] (e) [~~two~~] five ←~~H~~ members, recommended by the Department of Agriculture, shall  
253a represent the  
254 domesticated elk industry.

255 (3) Notwithstanding the requirements of Subsection (2), the commissioner shall, at the  
256 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
257 council members are staggered so that approximately half of the council is appointed every two  
258 years.

259 (4) When a vacancy occurs in the membership for any reason, the replacement shall be  
260 appointed for the unexpired term.

261 (5) (a) A majority of the advisory council constitutes a quorum.

262 (b) A quorum is necessary for the council to act.

263 (6) A member may not receive compensation or benefits for the member's service, but  
264 may receive per diem and travel expenses in accordance with:

265 (a) Section 63A-3-106;

266 (b) Section 63A-3-107; and

267 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
268 63A-3-107.

269 **Section 6. Repealer.**

270 This bill repeals:

271 **Section 4-14-10, Pesticide Committee created -- Composition -- Terms --**

272 **Compensation -- Duties.**