

February 20, 1998

ENGROSSED HOUSE BILL No. 1159

DIGEST OF HB 1159 (Updated February 16, 1998 5:10 pm - DI 78)

Citations Affected: IC 15-1.5; noncode.

Synopsis: Center for agricultural science and heritage. Establishes the center for agricultural science and heritage (the barn). Establishes a 25 member board of trustees to govern the barn. Provides for the selection and employment of an executive director. Requires a majority vote of the trustees to take action on decisions concerning policy, employment of personnel, and major expenditures. Authorizes the trustees to establish a nonprofit foundation to raise funds for the center. Provides that the period of time a member of the state fair commission or the state fair committee fills the unexpired term of another member may not be considered in determining the total number of years a member may serve.

Effective: July 1, 1998.

Friend, Porter, Davis, Bischoff

(SENATE SPONSORS — WEATHERWAX, LEWIS, NUGENT, HOWARD)

January 8, 1998, read first time and referred to Committee on Agriculture and Rural Development.

January 27, 1998, reported — Do Pass.

February 2, 1998, read second time, ordered engrossed. Engrossed.

February 3, 1998, read third time, passed. Yeas 98, nays 0.

SENATE ACTION

February 9, 1998, read first time and referred to Committee on Agriculture and Small Business.

February 19, 1998, amended, reported favorably — Do Pass.

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February 20, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

ENGROSSED HOUSE BILL No. 1159

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 15-1.5-2-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) The governor
3 shall appoint an individual qualified under sections 2 and 3 of this
4 chapter to fill a vacancy on the commission.

5 (b) The individual appointed by the governor under subsection (a)
6 serves the remainder of the unexpired term of the member the
7 individual replaces.

8 (c) **The period of the unexpired term for which an individual**
9 **serves after appointment under this section may not be considered**
10 **in determining the number of years that a member has served in a**
11 **twelve (12) year period for purposes of section 3(d) of this chapter.**

12 SECTION 2. IC 15-1.5-4-4 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) The governor
14 shall appoint an individual qualified under sections 2 and 3 of this
15 chapter to fill a vacancy on the board.

16 (b) The individual appointed by the governor under subsection (a)

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1 serves the remainder of the unexpired term of the member the
2 individual replaces.

3 **(c) The period of the unexpired term for which an individual**
4 **serves after appointment under this section may not be considered**
5 **in determining the number of years that a member has served in a**
6 **twelve (12) year period for purposes of section 3(d) of this chapter.**

7 SECTION 3. IC 15-1.5-10.5 IS ADDED TO THE INDIANA CODE
8 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 1998]:

10 **Chapter 10.5. Center for Agricultural Science and Heritage**

11 **Sec. 1. As used in this chapter, "the barn" refers to the center**
12 **for agricultural science and heritage established by section 3 of this**
13 **chapter.**

14 **Sec. 2. As used in this chapter, "trustees" refers to the board of**
15 **trustees of the center for agricultural science and heritage.**

16 **Sec. 3. (a) The center for agricultural science and heritage (the**
17 **barn) is established.**

18 **(b) The following are the purposes for which the barn is**
19 **established:**

20 **(1) To educate the public concerning the past, present, and**
21 **future of American agriculture and rural life.**

22 **(2) To educate youth and the general public about American**
23 **agriculture and food systems.**

24 **(3) To provide educational programming for youth that**
25 **complements school curricula, both onsite and in the**
26 **classroom.**

27 **(4) To create a synergy between Indiana's institutions of**
28 **education and agriculture related industries.**

29 **(5) To generate economic vitality, convention activity, and**
30 **tourism activity for Indiana.**

31 **(6) To become a center for agricultural business and thinking,**
32 **a clearinghouse of agricultural information, a resource center**
33 **for educators and the public, and a repository for agricultural**
34 **artifacts and history.**

35 **(7) To create a central, prominent partner with whom**
36 **agricultural organizations can launch, collaborate on, and**
37 **coordinate programs.**

38 **(8) To position Indiana as the recognized agricultural center**
39 **of the nation.**

40 **Sec. 4. (a) The barn is governed by a board of trustees. The**
41 **trustees include the following twenty-five (25) individuals:**

42 **(1) The governor or the governor's designee.**



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- 1 (2) The commissioner of agriculture or the commissioner's
2 designee.
- 3 (3) The superintendent of public instruction or the
4 superintendent's designee.
- 5 (4) The dean of agriculture of Purdue University or the dean's
6 designee.
- 7 (5) The president of the Purdue University Agriculture
8 Alumni Association or the president's designee.
- 9 (6) The state veterinarian or the state veterinarian's designee.
- 10 (7) The presiding officer of the state fair commission or the
11 presiding officer's designee selected from the membership of
12 the state fair commission.
- 13 (8) The presiding officer of the state fair board or the
14 presiding officer's designee selected from the membership of
15 the state fair board.
- 16 (9) One (1) member appointed by the largest Indiana
17 organization representing agricultural interests in Indiana, as
18 determined by the number of members of the organization.
19 The member serves at the pleasure of the member's
20 organization.
- 21 (10) One (1) member appointed by the second largest Indiana
22 organization representing agricultural interests in Indiana, as
23 determined by the number of members of the organization.
24 The member serves at the pleasure of the member's
25 organization.
- 26 (11) Fifteen (15) members appointed by the governor.
- 27 (b) Of the members appointed under subsection (a)(11), not
28 more than eight (8) may be affiliated with the same political party.
- 29 (c) Each member appointed under subsection (a)(11) must have
30 a recognized interest in the barn.
- 31 Sec. 5. (a) The term of an individual appointed to the trustees
32 under section 4(a)(11) of this chapter:
- 33 (1) is three (3) years; and
- 34 (2) expires September 30 of the year of expiration.
- 35 (b) A member appointed under section 4(a)(11) of this chapter
36 may be reappointed to the trustees. However, a member appointed
37 under section 4(a)(11) may not serve for more than nine (9) years
38 in any twelve (12) year period.
- 39 Sec. 6. (a) The governor may appoint an individual to the
40 trustees to fill a vacancy in the position of a trustee appointed
41 under subsection 4(a)(11) of this chapter.
- 42 (b) An individual appointed under subsection (a) serves for the



1 unexpired term of the member whom the individual replaces.

2 (c) The period of the unexpired term for which an individual
3 serves after appointment under this section may not be considered
4 in determining the number of years that the member has served in
5 a twelve (12) year period for purposes of section 5(b) of this
6 chapter.

7 Sec. 7. (a) The trustees shall elect a member of the trustees as
8 the presiding officer of the trustees for a term of two (2) years. The
9 member elected under this subsection is the presiding officer of the
10 trustees until the earlier of the following:

- 11 (1) The expiration of the member's term.
12 (2) The replacement of the member as presiding officer by the
13 trustees.

14 (b) The trustees may elect other officers of the barn from among
15 the trustees.

16 Sec. 8. (a) The trustees shall recommend an individual to be
17 employed as executive director of the barn, subject to the approval
18 of the governor. If the governor approves an individual
19 recommended by the trustees, the trustees may employ the
20 individual as executive director. If the governor does not approve
21 an individual recommended by the trustees, the trustees shall
22 submit another recommendation to the governor.

23 (b) The executive director employed under this section:

- 24 (1) is the chief administrative officer of the barn; and
25 (2) shall implement the policies of the trustees.

26 (c) The trustees may delegate any of the trustees' powers to the
27 executive director. The trustees may make a delegation under this
28 subsection through a resolution adopted by the trustees.

29 Sec. 9. A majority vote of the trustees is necessary for the
30 adoption of:

- 31 (1) policy decisions;
32 (2) decisions concerning the employment of personnel; or
33 (3) major expenditures.

34 Sec. 10. (a) The trustees may establish a nonprofit entity to
35 solicit, raise, and accept funds:

- 36 (1) to pay the administrative costs of the barn;
37 (2) for use in the maintenance and operations of the barn; and
38 (3) to fund capital improvements of the barn's principal
39 facility and related facilities.

40 (b) The nonprofit entity established under this section may
41 receive the proceeds from the operations of the barn.

42 (c) The nonprofit entity established under this section is

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1 governed by a board of directors. The directors include:

2 (1) the presiding officer of the trustees of the barn, who shall
3 act as presiding officer of the board of directors; and

4 (2) four (4) individuals appointed by the trustees.

5 (d) An expenditure of funds by the nonprofit entity established
6 under this section must be approved by the trustees.

7 Sec. 11. The executive director of the barn shall pay the
8 expenses of the barn approved by the trustees of the barn.

9 SECTION 4. [EFFECTIVE JULY 1, 1998] (a) Notwithstanding
10 IC 15-1.5-10.5-5, as added by this act, the initial appointments to
11 the board of trustees of the center for agricultural science and
12 heritage under IC 15-1.5-10.5-4(a)(11), as added by this act, are as
13 follows:

14 (1) Five (5) members for a one (1) year term.

15 (2) Five (5) members for a two (2) year term.

16 (3) Five (5) members for a three (3) year term.

17 (b) Notwithstanding IC 15-1.5-10.5-5, as added by this act, the
18 terms of the initial members of the board of trustees of the center
19 for agricultural science and heritage begin October 1, 1998.

20 (c) This SECTION expires September 30, 2003.

21 SECTION 5. [EFFECTIVE JULY 1, 1998] (a) The chairperson of
22 the state fair commission shall call an organizational meeting of the
23 board of trustees of the center for agricultural science and heritage
24 during October 1998, for the purpose of electing a presiding officer
25 described in IC 15-1.5-10.5-7, as added by this act. The chairperson
26 or the chairperson's designee shall preside over the organizational
27 meeting.

28 (b) This SECTION expires November 1, 1998.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1159, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BISCHOFF, Chair

Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Agriculture and Small Business, to which was referred House Bill 1159, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 15-1.5-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) The governor shall appoint an individual qualified under sections 2 and 3 of this chapter to fill a vacancy on the commission.

(b) The individual appointed by the governor under subsection (a) serves the remainder of the unexpired term of the member the individual replaces.

(c) The period of the unexpired term for which an individual serves after appointment under this section may not be considered in determining the number of years that a member has served in a twelve (12) year period for purposes of section 3(d) of this chapter.

SECTION 2. IC 15-1.5-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) The governor shall appoint an individual qualified under sections 2 and 3 of this chapter to fill a vacancy on the board.

(b) The individual appointed by the governor under subsection (a) serves the remainder of the unexpired term of the member the individual replaces.

(c) The period of the unexpired term for which an individual serves after appointment under this section may not be considered in determining the number of years that a member has served in a twelve (12) year period for purposes of section 3(d) of this chapter."

Page 1, line 1, delete "15-1.5-10" and insert "15-1.5-10.5".

Page 1, line 4, delete "10." and insert "**10.5**".

Page 1, line 14, delete "inform the public of" and insert "**educate the public concerning**".

Page 2, line 5, delete "higher".

Page 4, line 29, delete "15-1.5-10-5" and insert "**15-1.5-10.5-5**".

Page 4, line 31, delete "15-1.5-10-4(a)(11)," and insert "**15-1.5-10.5-4(a)(11)**".

Page 4, line 35, delete "15-1.5-10-5," and insert "**15-1.5-10.5-5**".

Page 5, line 1, delete "15-1.5-10-7," and insert "**15-1.5-10.5-7**".

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Renumber all SECTIONS consecutively.
and when so amended that said bill do pass.

(Reference is to House Bill 1159 as printed January 28, 1998.)

NUGENT, Chairperson

Committee Vote: Yeas 9, Nays 0.

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