

February 13, 1998

ENGROSSED SENATE BILL No. 185

DIGEST OF SB0185 (Updated February 12, 1998 1:01 pm - DI 75)

Citations Affected: IC 15-1.5-10.

Synopsis: Center for agricultural science and research. 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.

Effective: July 1, 1998.

**Weatherwax, Lewis, Nugent,
Young, Howard, Mills, Wolf, Hume,
Jackman**

(HOUSE SPONSORS — BISCHOFF, PORTER, FRIEND, DAVIS)

January 6, 1998, read first time and referred to Committee on Agriculture and Small Business.

January 22, 1998, reported favorably — Do Pass.

January 27, 1998, read second time, ordered engrossed.

January 28, 1998, engrossed.

January 29, 1998, read third time, passed. Yeas 49, nays 1.

HOUSE ACTION

February 4, 1998, read first time and referred to Committee on Agriculture and Rural Development.

February 12, 1998, reported — Do Pass.

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February 13, 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 SENATE BILL No. 185

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 15-1.5-10 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]:

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

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

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

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

12 **(b) The following are the purposes for which the barn is**
13 **established:**

14 **(1) To inform the public of the past, present, and future of**
15 **American agriculture and rural life.**

16 **(2) To educate youth and the general public about American**

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- 1 agriculture and food systems.
- 2 (3) To provide educational programming for youth that
- 3 complements school curricula, both onsite and in the
- 4 classroom.
- 5 (4) To create a synergy between Indiana's institutions of
- 6 higher education and agriculture related industries.
- 7 (5) To generate economic vitality, convention activity, and
- 8 tourism activity for Indiana.
- 9 (6) To become a center for agricultural business and thinking,
- 10 a clearinghouse of agricultural information, a resource center
- 11 for educators and the public, and a repository for agricultural
- 12 artifacts and history.
- 13 (7) To create a central, prominent partner with whom
- 14 agricultural organizations can launch, collaborate on, and
- 15 coordinate programs.
- 16 (8) To position Indiana as the recognized agricultural center
- 17 of the nation.
- 18 **Sec. 4. (a) The barn is governed by a board of trustees. The**
- 19 **trustees include the following twenty-five (25) individuals:**
- 20 (1) The governor or the governor's designee.
- 21 (2) The commissioner of agriculture or the commissioner's
- 22 designee.
- 23 (3) The superintendent of public instruction or the
- 24 superintendent's designee.
- 25 (4) The dean of agriculture of Purdue University or the dean's
- 26 designee.
- 27 (5) The president of the Purdue University Agriculture
- 28 Alumni Association or the president's designee.
- 29 (6) The state veterinarian or the state veterinarian's designee.
- 30 (7) The presiding officer of the state fair commission or the
- 31 presiding officer's designee selected from the membership of
- 32 the state fair commission.
- 33 (8) The presiding officer of the state fair board or the
- 34 presiding officer's designee selected from the membership of
- 35 the state fair board.
- 36 (9) One (1) member appointed by the largest Indiana
- 37 organization representing agricultural interests in Indiana, as
- 38 determined by the number of members of the organization.
- 39 The member serves at the pleasure of the member's
- 40 organization.
- 41 (10) One (1) member appointed by the second largest Indiana
- 42 organization representing agricultural interests in Indiana, as

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1 determined by the number of members of the organization.
2 The member serves at the pleasure of the member's
3 organization.

4 (11) Fifteen (15) members appointed by the governor.

5 (b) Of the members appointed under subsection (a)(11), not
6 more than eight (8) may be affiliated with the same political party.

7 (c) Each member appointed under subsection (a)(11) must have
8 a recognized interest in the barn.

9 Sec. 5. (a) The term of an individual appointed to the trustees
10 under section 4(a)(11) of this chapter:

11 (1) is three (3) years; and

12 (2) expires September 30 of the year of expiration.

13 (b) A member appointed under section 4(a)(11) of this chapter
14 may be reappointed to the trustees. However, a member appointed
15 under section 4(a)(11) may not serve for more than nine (9) years
16 in any twelve (12) year period.

17 Sec. 6. (a) The governor may appoint an individual to the
18 trustees to fill a vacancy in the position of a trustee appointed
19 under subsection 4(a)(11) of this chapter.

20 (b) An individual appointed under subsection (a) serves for the
21 unexpired term of the member whom the individual replaces.

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

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

31 (1) The expiration of the member's term.

32 (2) The replacement of the member as presiding officer by the
33 trustees.

34 (b) The trustees may elect other officers of the barn from among
35 the trustees.

36 Sec. 8. (a) The trustees shall recommend an individual to be
37 employed as executive director of the barn, subject to the approval
38 of the governor. If the governor approves an individual
39 recommended by the trustees, the trustees may employ the
40 individual as executive director. If the governor does not approve
41 an individual recommended by the trustees, the trustees shall
42 submit another recommendation to the governor.

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- 1 **(b) The executive director employed under this section:**
- 2 **(1) is the chief administrative officer of the barn; and**
- 3 **(2) shall implement the policies of the trustees.**
- 4 **(c) The trustees may delegate any of the trustees' powers to the**
- 5 **executive director. The trustees may make a delegation under this**
- 6 **subsection through a resolution adopted by the trustees.**

7 **Sec. 9. A majority vote of the trustees is necessary for the**
 8 **adoption of:**

- 9 **(1) policy decisions;**
- 10 **(2) decisions concerning the employment of personnel; or**
- 11 **(3) major expenditures.**

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

- 14 **(1) to pay the administrative costs of the barn;**
- 15 **(2) for use in the maintenance and operations of the barn; and**
- 16 **(3) to fund capital improvements of the barn's principal**
 17 **facility and related facilities.**

18 **(b) The nonprofit entity established under this section may**
 19 **receive the proceeds from the operations of the barn.**

20 **(c) The nonprofit entity established under this section is**
 21 **governed by a board of directors. The directors include:**

- 22 **(1) the presiding officer of the trustees of the barn, who shall**
 23 **act as presiding officer of the board of directors; and**
- 24 **(2) four (4) individuals appointed by the trustees.**

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

27 **Sec. 11. The executive director of the barn shall pay the**
 28 **expenses of the barn approved by the trustees.**

29 **SECTION 2. [EFFECTIVE JULY 1, 1998] (a) Notwithstanding**
 30 **IC 15-1.5-10-5, as added by this act, the initial appointments to the**
 31 **board of trustees of the center for agricultural science and heritage**
 32 **under IC 15-1.5-10-4(a)(11), as added by this act, are as follows:**

- 33 **(1) Five (5) members for a one (1) year term.**
- 34 **(2) Five (5) members for a two (2) year term.**
- 35 **(3) Five (5) members for a three (3) year term.**

36 **(b) Notwithstanding IC 15-1.5-10-5, as added by this act, the**
 37 **terms of the initial members of the board of trustees of the center**
 38 **for agricultural science and heritage begin October 1, 1998.**

39 **(c) This SECTION expires September 30, 2003.**

40 **SECTION 3. [EFFECTIVE JULY 1, 1998] (a) The chairperson of**
 41 **the state fair commission shall call an organizational meeting of the**
 42 **board of trustees of the center for agricultural science and heritage**

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1 **during October 1998, for the purpose of electing a presiding officer**
2 **described in IC 15-1.5-10-7, as added by this act. The chairperson**
3 **or the chairperson's designee shall preside over the organizational**
4 **meeting.**

5 **(b) This SECTION expires November 1, 1998.**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Agriculture and Small Business, to which was referred Senate Bill 185, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 185 as introduced.)

NUGENT, Chairperson

Committee Vote: Yeas 8, Nays 0.

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SENATE MOTION

Mr. President: I move that Senator Jackman be added as coauthor of Senate Bill 185.

WEATHERWAX

SENATE MOTION

Mr. President: I move that Senator Paul be added as coauthor of Senate Bill 185.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred Senate Bill 185, 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 14, nays 0.

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