

Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1070

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

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

SECTION 1. IC 5-10.3-7-1, AS AMENDED BY SEA 263-2004, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) This section does not apply to:

- (1) members of the general assembly; or
- (2) employees covered by section 3 of this chapter.

(b) An employee of the state or of a participating political subdivision who:

- (1) became a full-time employee of the state or of a participating political subdivision in a covered position; and
- (2) had not become a member of the fund;

before April 1, 1988, shall on April 1, 1988, become a member of the fund unless the employee is excluded from membership under section 2 of this chapter.

(c) Any individual who becomes a full-time employee of the state or of a participating political subdivision in a covered position after March 31, 1988, becomes a member of the fund on the date the individual's employment begins unless the individual is excluded from membership under section 2 of this chapter.

(d) For the purposes of this section, "employees of the state" includes:

- (1) employees of the judicial circuits whose compensation is paid from state funds;

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- (2) elected and appointed state officers;
- (3) prosecuting attorneys and deputy prosecuting attorneys of the judicial circuits, whose compensation is paid in whole or in part from state funds, including participants in the prosecuting attorneys retirement fund established under IC 33-39-7;
- (4) employees in the classified service;
- (5) employees of any state department, institution, board, commission, office, agency, court, or division of state government receiving state appropriations and having the authority to certify payrolls from appropriations or from a trust fund held by the treasurer of state or by any department;
- (6) employees of any state agency which is a body politic and corporate;
- (7) employees of the board of trustees of the public employees' retirement fund;
- (8) persons who:
 - (A) are employed by the state;
 - (B) have been classified as federal employees by the Secretary of Agriculture of the United States; and
 - (C) are excluded from coverage as federal employees by the federal Social Security program under 42 U.S.C. 410; ~~and~~
- (9) the directors and employees of county offices of family and children; **and**
- (10) employees of the center for agricultural science and heritage (the barn).**

SECTION 2. IC 15-1.5-10.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 3. (a) The center for agricultural science and heritage (the barn) is established.

(b) The barn:

- (1) is a body corporate and politic separate from the state;**
- (2) is not a state agency; and**
- (3) performs essential governmental functions.**

(c) The following are the purposes for which the barn is established:

- (1) To educate the public concerning the past, present, and future of American agriculture and rural life.
- (2) To educate youth and the general public about American agriculture and food systems.
- (3) To provide educational programming for youth that complements school curricula, both onsite and in the classroom.
- (4) To create a synergy between Indiana's institutions of education and agriculture related industries.
- (5) To generate economic vitality, convention activity, and

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tourism activity for Indiana.

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

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

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

SECTION 3. IC 15-1.5-10.5-8.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: **Sec. 8.3. (a) The board of trustees shall:**

(1) adopt:

(A) rules under IC 4-22-2; or

(B) a policy;

establishing a code of ethics for employees of the board of trustees; or

(2) decide it wishes to be under the jurisdiction and rules adopted by the state ethics commission.

(b) A code of ethics adopted by rule or policy under this section must be consistent with state law and approved by the governor.

SECTION 4. [EFFECTIVE JULY 1, 2004] **(a) The center for agricultural science and heritage established by IC 15-1.5-10.5-3, a body corporate and politic under IC 15-1.5-10.5-3, as amended by this act, is a continuation of the center for agricultural science and heritage as it existed before July 1, 2004.**

(b) The assets, appropriations, fund balances, and liabilities of the center for agricultural science and heritage are not affected by the conversion of the center for agricultural science and heritage to an independent body corporate and politic under IC 15-1.5-10.5-3, as amended by this act.

(c) The individuals serving as members of the board of trustees of the center for agricultural science and heritage on June 30, 2004, remain members of the board of trustees notwithstanding the amendment of IC 15-1.5-10.5-3 by this act.

(d) This SECTION expires July 1, 2005.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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