



January 26, 2010

HOUSE BILL No. 1142

DIGEST OF HB 1142 (Updated January 26, 2010 11:37 am - DI 77)

Citations Affected: IC 2-5.5; IC 5-22; IC 15-11.

Synopsis: Agricultural matters. Establishes committee on agricultural safety and production. Requires a governmental body to give a 10% price preference for agricultural products grown, produced, or processed in Indiana. Requires the department of agriculture to promote agriculture safety programs.

Effective: July 1, 2010.

Blanton

January 7, 2010, read first time and referred to Committee on Agriculture and Rural Development.
January 26, 2010, amended, reported — Do Pass.

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HB 1142—LS 6290/DI 14+



January 26, 2010

Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1142



A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 2-5.5-5 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2010]:

4 **Chapter 5. Study Committee on Agriculture Safety and**
5 **Production**

6 **Sec. 1. As used in this chapter, "committee" refers to the study**
7 **committee on agriculture safety and production established by**
8 **section 2 of this chapter.**

9 **Sec. 2. The study committee on agriculture safety and**
10 **production is established. The committee shall:**

- 11 (1) study ways of enhancing the purchase by state agencies of
- 12 agricultural products grown, produced, or processed in
- 13 Indiana;
- 14 (2) monitor the implementation of the price preference for
- 15 agricultural products grown, produced, or processed in
- 16 Indiana under IC 5-22-15-23.5; and
- 17 (3) monitor the implementation of IC 15-11-2-3(6).

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1 **Sec. 3. The committee shall operate under the policies governing**
2 **study committees adopted by the legislative council.**

3 **Sec. 4. The affirmative votes of a majority of the voting**
4 **members appointed to the committee are required for the**
5 **committee to take action on any measure, including final reports.**

6 **Sec. 5. This chapter expires December 31, 2016.**

7 SECTION 2. IC 5-22-15-7 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 7. (a) An offeror may
9 claim one (1) of the following types of preference for which the offeror
10 is eligible:

11 (1) An Indiana business preference under rules adopted under
12 section 20 of this chapter or IC 4-13.6-6-2.5.

13 (2) A preference for supplies as provided by sections 16, 18, 19,
14 and 24 of this chapter.

15 (3) An Indiana small business preference as provided by section
16 23 of this chapter.

17 **(4) An Indiana farm product preference as provided by**
18 **section 23.5 of this chapter.**

19 (b) An offeror may not claim more than one (1) preference as
20 provided by sections 16, 18, 19, and 24 of this chapter for a given
21 supply item.

22 (c) This section does not:

23 (1) apply to; or

24 (2) limit;

25 action of the Indiana department of administration under rules adopted
26 under section 21 of this chapter.

27 SECTION 3. IC 5-22-15-23.5 IS ADDED TO THE INDIANA
28 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
29 **[EFFECTIVE JULY 1, 2010]: Sec. 23.5. (a) A governmental body**
30 **shall give a ten percent (10%) preference for agricultural products**
31 **grown, produced, or processed in Indiana.**

32 **(b) The governmental body may adopt rules to establish criteria**
33 **to carry out this section.**

34 SECTION 4. IC 15-11-2-3, AS AMENDED BY P.L.71-2009,
35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2010]: Sec. 3. The department shall do the following:

37 (1) Provide administrative and staff support for the following:

38 (A) The state fair board for purposes of carrying out the
39 director's duties under IC 15-13-5.

40 (B) The Indiana corn marketing council for purposes of
41 administering the duties of the director under IC 15-15-12.

42 (C) The Indiana organic peer review panel under IC 15-15-8.

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- 1 (D) The Indiana dairy industry development board for
- 2 purposes of administering the duties of the director under
- 3 IC 15-18-5.
- 4 (E) The Indiana land resources council under IC 15-12-5.
- 5 (F) The Indiana grain buyers and warehouse licensing agency
- 6 under IC 26-3-7.
- 7 (G) The Indiana grain indemnity corporation under IC 26-4-3.
- 8 (H) The division.
- 9 (I) The E85 fueling station grant program under IC 15-11-11.
- 10 (2) Administer the election of state fair board members under
- 11 IC 15-13-5.
- 12 (3) Administer state programs and laws promoting agricultural
- 13 trade.
- 14 (4) Administer state livestock or agriculture marketing grant
- 15 programs.
- 16 (5) Administer economic development efforts for agriculture by
- 17 doing the following:
- 18 (A) Promoting value added agricultural resources.
- 19 (B) Marketing Indiana agriculture to businesses
- 20 internationally.
- 21 (C) Assisting Indiana agricultural businesses with developing
- 22 partnerships with the Indiana economic development
- 23 corporation.
- 24 (D) Soliciting private funding for selective economic
- 25 development and trade initiatives.
- 26 (E) Providing for the orderly economic development and
- 27 growth of Indiana's agricultural economy.
- 28 (F) Facilitating the use of biomass and algae production
- 29 systems to generate renewable energy.
- 30 **(6) Promote agricultural safety programs.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1142, has had the same under consideration and begs leave to report the same back to the House 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 2-5.5-5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]:

Chapter 5. Study Committee on Agriculture Safety and Production

Sec. 1. As used in this chapter, "committee" refers to the study committee on agriculture safety and production established by section 2 of this chapter.

Sec. 2. The study committee on agriculture safety and production is established. The committee shall:

- (1) study ways of enhancing the purchase by state agencies of agricultural products grown, produced, or processed in Indiana;**
- (2) monitor the implementation of the price preference for agricultural products grown, produced, or processed in Indiana under IC 5-22-15-23.5; and**
- (3) monitor the implementation of IC 15-11-2-3(6).**

Sec. 3. The committee shall operate under the policies governing study committees adopted by the legislative council.

Sec. 4. The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

Sec. 5. This chapter expires December 31, 2016.

SECTION 2. IC 5-22-15-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 7. (a) An offeror may claim one (1) of the following types of preference for which the offeror is eligible:

- (1) An Indiana business preference under rules adopted under section 20 of this chapter or IC 4-13.6-6-2.5.
- (2) A preference for supplies as provided by sections 16, 18, 19, and 24 of this chapter.
- (3) An Indiana small business preference as provided by section 23 of this chapter.
- (4) An Indiana farm product preference as provided by section 23.5 of this chapter.**

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(b) An offeror may not claim more than one (1) preference as provided by sections 16, 18, 19, and 24 of this chapter for a given supply item.

(c) This section does not:

- (1) apply to; or
- (2) limit;

action of the Indiana department of administration under rules adopted under section 21 of this chapter.

SECTION 2. IC 5-22-15-23.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2010]: **Sec. 23.5. (a) A governmental body shall give a ten percent (10%) preference for agricultural products grown, produced, or processed in Indiana.**

(b) The governmental body may adopt rules to establish criteria to carry out this section."

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 37.

Page 3, line 34, delete "Develop" and insert "**Promote**".

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1142 as introduced.)

PEARSON, Chair

Committee Vote: yeas 10, nays 1.

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