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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 615      Session of  
1993

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INTRODUCED BY STAIRS, SCHULER, BUSH, GRUPPO, SEMMEL, CLYMER,  
MILLER, HERSHEY, MERRY, HESS, GEIST, GERLACH, BROWN,  
E. Z. TAYLOR, TRUE, GLADECK AND KING, MARCH 22, 1993

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REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
MARCH 22, 1993

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AN ACT

1 Establishing the Agricultural Research Commission as a  
2 departmental commission within the Department of Agriculture  
3 and providing for its powers and duties; establishing the  
4 Agricultural Research Fund; and making appropriations.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Agricultural  
9 Research Law.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall  
12 have the meanings given to them in this section unless the  
13 context clearly indicates otherwise:

14 "Commission." The Agricultural Research Commission  
15 established in section 3.

16 "Department." The Department of Agriculture of the  
17 Commonwealth.

18 "Fund." The Agricultural Research Fund established in

1 section 5.

2 "Secretary." The Secretary of Agriculture of the  
3 Commonwealth.

4 Section 3. Agricultural Research Commission.

5 (a) Establishment.--There is hereby established a  
6 departmental commission within the Department of Agriculture to  
7 be known as the Agricultural Research Commission.

8 (b) Composition.--The commission shall be composed of 13  
9 members as follows:

10 (1) The Secretary of Agriculture, or his designee.

11 (2) The Director of the Bureau of Animal Industry, or  
12 his designee.

13 (3) The Director of the Bureau of Plant Industry, or his  
14 designee.

15 (4) The Chairman and Minority Chairman of the Senate  
16 Committee on Agriculture and Rural Affairs, or their  
17 designees.

18 (5) The Chairman and Minority Chairman of the House  
19 Committee on Agriculture and Rural Affairs, or their  
20 designees.

21 (6) Six members appointed by the Governor, with the  
22 advice and consent of a majority of the elected members of  
23 the Senate, selected from a list of nominees suggested by  
24 Statewide farm organizations. Appointees shall be as follows:  
25 one Commonwealth resident who represents the food processing  
26 industry, one Commonwealth resident who is an active operator  
27 of a fruit orchard, one Commonwealth resident who is an  
28 active operator of a vegetable operation, one Commonwealth  
29 resident who is an active farmer engaged in poultry  
30 production, one Commonwealth resident engaged in the

1 production of livestock and one Commonwealth resident who  
2 represents equine interests.

3 (c) Chairman.--The Secretary of Agriculture, or his  
4 designee, shall serve as the chairman of the commission. At its  
5 annual meeting in February, the members of the commission shall  
6 elect one of their members to serve as vice chairman for a  
7 period of one year.

8 (d) Terms.--

9 (1) The members described in subsection (b)(1) through  
10 (5) shall serve terms coterminous with that of their elected  
11 or appointed office.

12 (2) The members described in subsection (b)(6) shall  
13 serve terms of two years. Of the initial appointments made by  
14 the Governor, three shall be for terms of one year, and three  
15 shall be for terms of two years. Thereafter, the term of each  
16 member shall be for two years or until his successor is  
17 appointed. In the event that a vacancy occurs, a successor  
18 may be appointed to fill the unexpired portion of the term.  
19 Appointed members shall be reappointed only once.

20 (e) Compensation.--Members appointed by the Governor under  
21 subsection (b)(6) shall receive \$100 per diem while engaged in  
22 business of the commission and shall be entitled to  
23 reimbursement for all reasonable and necessary expenses, in  
24 accordance with the rules of the Executive Board.

25 (f) Meetings and quorum.--The commission shall meet annually  
26 in the month of February, but additional meetings may be  
27 scheduled at the discretion of the chairman. No business shall  
28 be transacted without a quorum in attendance; the presence of a  
29 majority of the members shall constitute a quorum. Approval of  
30 any proposal shall require a majority vote of the board members

1 present.

2 Section 4. Powers and duties.

3 The commission shall have the following powers and duties:

4 (1) To determine areas or issues requiring agricultural  
5 research, but not to include research involving animal  
6 disease diagnosis, prevention, eradication and control.

7 (2) To obtain proposals for agricultural research from  
8 public and private sources.

9 (3) To select and approve proposals for agricultural  
10 research beyond the scope of animal health. Priority may be  
11 given to those agricultural research proposals which indicate  
12 additional industry or private source funding.

13 (4) To fund, in part or in full, approved agricultural  
14 research proposals through grants based on funds available to  
15 the commission and appropriated to the commission under  
16 section 7.

17 (5) To negotiate or contract for the patent rights or  
18 royalties on all products resulting from agricultural  
19 research projects funded in part or in full by research  
20 grants under section 7.

21 (6) To establish guidelines for monitoring the nature  
22 and progress of projects and for written summaries of  
23 projects completed and goals accomplished.

24 (7) To reject, delay or suspend funding for agricultural  
25 research projects which do not meet the recordkeeping or  
26 reporting requirements established by the commission.

27 (8) To submit to the Governor and the General Assembly  
28 an annual report on the accomplishments of the commission,  
29 including projects approved, funds expended and a summary of  
30 all projects completed within the year. Such report shall be

submitted no later than November 1 of each calendar year.

Section 5. Agricultural Research Fund.

(a) Establishment.--There is hereby established a separate account in the State Treasury to be known as the Agricultural Research Fund.

(b) Composition.--The fund shall be composed of such moneys as may be granted or donated to the commission by public or private organizations, agencies or persons, and such moneys as may, from time to time, be appointed by the General Assembly.

(c) Appropriation.--All moneys in the fund are hereby appropriated to the Department of Agriculture on a continuing basis to carry out the provisions of this act.

Section 6. Relationship with Animal Health Commission.

Except for animal health research project contracts currently in effect at the effective date of this act, no projects related to animal health shall be considered for funding under this act. Such projects shall be submitted for funding to the Animal Health Commission established under the authority of the act of December 14, 1988 (P.L.1198, No.148), known as the Animal Health and Diagnostic Act.

Section 7. Appropriation.

The sum of \$1,500,000, or as much thereof as may be necessary, is hereby appropriated to the Department of Agriculture, for the exclusive use of the Agricultural Research Commission, for the fiscal period July 1, 1993, to June 30, 1994.

Section 8. Repeals.

All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Section 9. Effective date.

1        This act shall take effect in 60 days.