

# COMMITTEE REPORT

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## MR. PRESIDENT:

The Senate Committee on Agriculture and Small Business, to which was referred House Bill No. 1975, 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:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT concerning agriculture and animals.
- 3 Page 1, delete lines 1 through 5, begin a new paragraph and insert:
- 4 "SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this
- 5 SECTION, "agricultural commodity" means".
- 6 Page 1, delete lines 8 through 10, begin a new paragraph and insert:
- 7 "(b) As used in this SECTION, "committee" refers to the
- 8 interim study committee established by this SECTION."
- 9 Page 1, line 11, delete "Sec. 3." and insert "(c)".
- 10 Page 1, line 15, delete "Sec. 4." and insert "(d)".
- 11 Page 2, delete lines 5 through 33 and insert:
- 12 "(e) There is established the agricultural marketing and
- 13 production contract committee.
- 14 (f) The committee consists of:
- 15 (1) two (2) members appointed by the speaker of the house of
- 16 representatives who are not members of the same political
- 17 party;
- 18 (2) two (2) members appointed by the president pro tempore
- 19 of the senate who are not members of the same political party;
- 20 (3) the following members, to be appointed by the governor
- 21 before September 1, 2001:

- 1           **(A) Three (3) members representing producers of**  
2           **agricultural commodities in the state.**
- 3           **(B) Three (3) members representing processors of**  
4           **agricultural commodities in the state.**
- 5           **(g) The governor shall appoint one (1) of the members as the**  
6           **chairperson of the committee.**
- 7           **(h) The legislative services agency shall staff the committee.**
- 8           **(i) The Indiana department of administration shall provide**  
9           **facilities to carry out the responsibilities of the committee.**
- 10          **(j) Except as provided in subsection (m), the expenses of the**  
11          **committee shall be paid from the appropriations made to the**  
12          **commissioner of agriculture.**
- 13          **(k) Each member of the committee who is not a state employee**  
14          **is not entitled to the minimum salary per diem provided by**  
15          **IC 4-10-11-2.1(b). The member is, however, entitled to**  
16          **reimbursement for traveling expenses as provided under**  
17          **IC 4-13-1-4 and other expenses actually incurred in connection**  
18          **with the member's duties, as provided in the state policies and**  
19          **procedures established by the Indiana department of**  
20          **administration and approved by the budget agency.**
- 21          **(l) Each member of the committee who is a state employee is**  
22          **entitled to reimbursement for traveling expenses as provided under**  
23          **IC 4-13-1-4 and other expenses actually incurred in connection**  
24          **with the member's duties as provided in the state policies and**  
25          **procedures established by the Indiana department of**  
26          **administration and approved by the budget agency.**
- 27          **(m) Each member of the committee who is a member of the**  
28          **general assembly is entitled to receive the same per diem, mileage,**  
29          **and travel allowances paid to legislative members of interim study**  
30          **committees established by the legislative council. Per diem,**  
31          **mileage, and travel allowances paid under this subsection shall be**  
32          **paid from appropriations made to the legislative council or the**  
33          **legislative services agency.**
- 34          **(n) The affirmative votes of a majority of the members**  
35          **appointed to the committee are required for the committee to take**  
36          **action on any measure, including final reports.**
- 37          **(o) The committee shall complete a study of marketing contracts**  
38          **and production contracts, including:**
- 39               **(1) the need for written contracts;**  
40               **(2) the information to be disclosed by each party;**  
41               **(3) appropriate provisions for:**  
42                   **(A) alternative dispute resolution;**

- 1                   **(B) applicable law; and**  
2                   **(C) venue for actions concerning contracts; and**  
3                   **(4) appropriate terms of payment.**  
4                   **(p) The committee shall make its report not later than August**  
5                   **31, 2002, to:**  
6                   **(1) the governor; and**  
7                   **(2) the legislative council.**  
8                   **(q) The report from the committee must include:**  
9                   **(1) the results of the study; and**  
10                   **(2) legislative recommendations.**  
11                   **(r) This SECTION expires December 31, 2002.**  
12                   **SECTION 2. An emergency is declared for this act."**  
                    (Reference is to HB 1975, as reprinted March 6, 2001.)

**and when so amended that said bill do pass and be reassigned to the Senate Committee on Rules and Legislative Procedure.**

Committee Vote: Yeas 6, Nays 0.

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**Senator Nugent, Chairperson**