

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1003 be amended to read as follows:

- 1 Page 152, between lines 23 and 24, begin a new paragraph and
- 2 insert:
- 3 "SECTION 109. IC 15-9 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2005]:
- 6 **ARTICLE 9. DEPARTMENT OF AGRICULTURE**
- 7 **Chapter 1. Definitions**
- 8 **Sec. 1. The definitions in this chapter apply throughout this**
- 9 **article.**
- 10 **Sec. 2. "Commissioner" refers to the commissioner of**
- 11 **agriculture appointed under IC 15-9-3-1.**
- 12 **Sec. 3. "Department" refers to the department of agriculture**
- 13 **established by IC 15-9-2-1.**
- 14 **Chapter 2. The Department of Agriculture**
- 15 **Sec. 1. The department of agriculture is established.**
- 16 **Sec. 2. The commissioner is the chief executive and**
- 17 **administrative officer of the department.**
- 18 **Sec. 3. The department shall administer this article.**
- 19 **Chapter 3. Commissioner of Agriculture**
- 20 **Sec. 1. The governor shall appoint an individual to be the**
- 21 **commissioner.**
- 22 **Sec. 2. The commissioner:**
- 23 **(1) serves at the governor's pleasure; and**
- 24 **(2) is entitled to receive compensation in an amount set by the**
- 25 **governor.**

1 **Sec. 3. The commissioner may appoint employees in the manner**
 2 **provided by IC 4-15-2 and fix their compensation, subject to the**
 3 **approval of the budget agency under IC 4-12-1-13.**

4 **Sec. 4. The commissioner may delegate the commissioner's**
 5 **authority to appropriate department staff."**

6 Page 193, between lines 1 and 2, begin a new paragraph and insert:

7 **"SECTION 136. [EFFECTIVE JUNE 30, 2005] (a) As used in this**
 8 **SECTION, "commissioner" refers to the commissioner of**
 9 **agriculture appointed by the governor under IC 15-9-3-1, as added**
 10 **by this act.**

11 **(b) As used in this SECTION, "department" refers to the**
 12 **department of agriculture established by IC 15-9-2-1, as added by**
 13 **this act.**

14 **(c) After June 30, 2005, the following apply:**

15 **(1) The powers and duties related to agriculture of the**
 16 **department of commerce and the lieutenant governor (as the**
 17 **commissioner of agriculture) are transferred to the**
 18 **department and the commissioner.**

19 **(2) A reference to the department of commerce or the**
 20 **lieutenant governor (as the commissioner of agriculture) in a**
 21 **statute, a rule, or another document related to agriculture**
 22 **shall be treated as a reference to the department or the**
 23 **commissioner.**

24 **(3) All the property of the department of commerce and the**
 25 **lieutenant governor (as the commissioner of agriculture)**
 26 **related to agriculture duties is transferred to the department.**

27 **(4) An appropriation to the department of commerce and the**
 28 **lieutenant governor (as the commissioner of agriculture)**
 29 **related to agriculture in effect after June 30, 2005, is**
 30 **transferred to the department.**

31 **(d) This SECTION expires July 1, 2007.**

32 **SECTION 137. [EFFECTIVE JULY 1, 2005] (a) As used in this**
 33 **SECTION, "department" refers to the department of agriculture**
 34 **established by IC 15-9-2-1, as added by this act.**

35 **(b) The legislative services agency shall prepare legislation for**

1 **introduction in the 2006 regular session of the general assembly to**
2 **organize and correct statutes affected by the establishment of the**
3 **department by this act.**

4 **(c) This SECTION expires July 1, 2007."**

5 Renumber all SECTIONS consecutively.

(Reference is to HB 1003 as printed January 7, 2005.)

Representative Pflum