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States' Agritourism Statutes

State of Kentucky

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UNIVERSITY of ARKANSAS
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States' Agritourism Statutes

STATE OF KENTUCKY

Current through end of 2007 legislation.

§ 246.030 Organization of department

The department shall consist of:

(1) The Office of the Commissioner, which shall include the Division of Public Relations.

(2) The Office of the Chief Executive Officer.

(3) The Office for Agricultural Marketing and Product Promotion, which shall include the following:

(a) The Division of Agriculture Marketing and Agribusiness Recruitment;

(b) The Division of Show and Fair Promotion;

(c) The Division of Value-Added Animal and Aquaculture Production;

(d) The Division of Value-Added Plant Production;

(e) The Division of Agricultural Education, Farm Safety, and Farmland Preservation; and

(f) The Division of **Agritourism**.

(4) The Office for Consumer and Environmental Protection, which shall include the following:

(a) The Division of Regulation and Inspection;

(b) The Division of Food Distribution; and

(c) The Division of Environmental Services.

(5) The Office of State Veterinarian, which shall include the following:

(a) The Division of Animal Health; and

(b) The Division of Producer Services.

(6) The Office for Strategic Planning and Administration, which shall include the following:

- (a) The Division of Personnel and Budget; and
- (b) The Division of Information Technology.

(7) The State Board of Agriculture.

§ 247.800 Office of Agritourism

The Department of Agriculture, in conjunction with the Commerce Cabinet, shall create an interagency Office of Agritourism to be housed in the Division of Agritourism within the Office for Agricultural Marketing and Product Promotion in the Department of Agriculture. As used in KRS 247.800 to 247.810, agritourism means the act of visiting a working-farm or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation. It shall be the purpose of the Office of Agritourism to:

- (1) Promote agritourism in Kentucky to potential visitors, both national and international; and
- (2) Assist in sustaining the viability and growth of the agritourism industry in Kentucky.

§ 247.802 Duties of Office of Agritourism

The Office of Agritourism shall perform all duties necessary to carry out the purposes of KRS 247.800 to 247.810, including but not limited to:

- (1) Within the first year of its creation, developing a statewide master plan for implementation of KRS 247.800 and this section. The Office of Agritourism shall report on the plan to the Agritourism Advisory Council at the request of the council;
- (2) Developing a unified Kentucky agritourism marketing strategy between the Department of Agriculture and the Commerce Cabinet to promote Kentucky agritourism. The strategy shall include but not be limited to promotion of Kentucky agritourism through the creation of an agritourism Web site and advertisement through various media outlets;
- (3) Coordinating efforts to educate the general public about the importance of Kentucky's agricultural heritage and industry;
- (4) Developing regional agritourism development plans for each of the nine (9) tourism regions as follows:
 - (a) Bluegrass;
 - (b) Cave;
 - (c) Green River;
 - (d) Eastern Highlands-North;
 - (e) Eastern Highlands-South;
 - (f) Louisville-Lincoln;
 - (g) Northern Kentucky;

(h) Southern Lakes and Rivers; and

(i) Western Lakes and Rivers;

(5) Providing support, education, and resource materials for all interested persons, to include but not be limited to existing Kentucky agritourism businesses, displaced tobacco farmers and others engaged in agribusiness within the state, and other Kentuckians with the intent of developing an agritourism business. The agritourism office shall provide this assistance in the following areas, to include but not be limited to:

(a) Agritourism opportunities, networks, product development, and entrepreneurship;

(b) Agritourism funding opportunities, including but not limited to grants, loans, and partnerships; and

(c) Insurance and infrastructure concerns of the agritourism industry;

(6) Working and partnering with federal, state, and local organizations to carry out the purposes of KRS 247.800 to 247.810;

(7) Reporting to the Agritourism Advisory Council, as created in KRS 247.804, annually or at the request of the chair, and in accordance with subsection (1) of this section; and

(8) Considering the recommendations of the Agritourism Advisory Council, in accordance with KRS 247.806(2).

§ 247.804 Agritourism Advisory Council; membership

An Agritourism Advisory Council shall be established within the Department of Agriculture to advise and assist the Office of Agritourism. The Agritourism Advisory Council shall be composed of:

(1) One (1) representative from each of the following entities:

(a) Department of Agriculture, appointed by the Commissioner of Agriculture;

(b) Commerce Cabinet, appointed by the secretary of the cabinet;

(c) Education Cabinet, appointed by the secretary of the cabinet;

(d) Department of Fish and Wildlife Resources Commission, appointed by the commissioner of the department;

(e) University of Kentucky Cooperative Extension Service;

(f) Kentucky Tourism Council;

(g) Kentucky Farm Bureau;

(h) Kentucky Association of Fairs and Horse Shows;

(i) Southern and Eastern Kentucky Tourism Development Association;

- (j) Licking River Valley Resource Conservation and Development Council;
- (k) Buffalo Trace Covered Bridge Authority;
- (l) Kentucky Chamber of Commerce;
- (m) Kentucky Council of Area Development Districts; and
- (n) Jackson Purchase Resource Conservation and Development Foundation, Inc.;

(2) The Governor, or a designee;

(3) Two (2) members of the General Assembly who hold an interest in agriculture, one (1) appointed by the President of the Senate and one (1) appointed by the Speaker of the House of Representatives; and

(4) Nine (9) representatives of agriculture or the agritourism industry, appointed by the Commissioner of Agriculture from a list of candidates compiled by the tourism regions as set forth in KRS 247.802(4). Each tourism region shall submit three (3) candidates with a business interest in agritourism who reside within that region, and the Commissioner shall appoint one (1) candidate from each region from those names submitted.

§ 247.806 Duties of Agritourism Advisory Council

The duties of the Agritourism Advisory Council shall include but not be limited to the following:

(1) Review and make recommendations on the development of the statewide master plan, based upon the report from the Office of Agritourism in accordance with KRS 247.802(1); and

(2) Make recommendations to redirect the duties of the Office of Agritourism as necessary, in keeping with the office's purposes stated in KRS 247.800.

§ 247.808 Appointment of members of Agritourism Advisory Council; chair; meetings; vacancies; compensation

(1) Members of the Agritourism Advisory Council shall be appointed for four (4) year terms. Sitting members shall be eligible for reappointment.

(2) The Agritourism Advisory Council shall elect a chair and vice chair from its membership.

(3) The Agritourism Advisory Council shall meet annually or at the request of the chair. The council may take action only at meetings in which a quorum is present. A majority of the members present shall constitute a quorum.

(4) In the event of a vacancy, the appropriate appointing entity may appoint a replacement member who shall hold office during the remainder of the term so vacated.

(5) Members of the Agritourism Advisory Council shall serve without compensation.