

SENATE FILE NO. SF0045

State fair board-2.

Sponsored by: Joint Agriculture, State and Public Lands &
Water Resources Interim Committee

A BILL

for

1 AN ACT relating to agriculture; amending provisions for the
2 general supervision, operation and maintenance of the
3 annual state fair and fairgrounds; amending the purpose of
4 the state fair; reconstituting the state fair advisory
5 board as the state fair board; specifying composition of
6 the state fair board; specifying duties of the state fair
7 board, the department of agriculture, the Wyoming tourism
8 board and the state construction department; making
9 conforming amendments; providing an appropriation; and
10 providing for an effective date.

11

12 *Be It Enacted by the Legislature of the State of Wyoming:*

13

14 **Section 1.** W.S. 11-10-101, 11-10-102, 11-10-104
15 through 11-10-108 and 11-10-115 are amended to read:

1

2 **11-10-101. Annual state fair; where held; purpose.**

3

4 The state fair board, with the assistance of the department
5 of agriculture, shall hold an annual state fair at Douglas,
6 Wyoming, ~~where all important products of the state shall be~~
7 ~~recognized according to merit by premiums or rewards for~~
8 ~~excellence offered out of an appropriation provided by the~~
9 ~~legislature. No person shall collect any award until he~~
10 ~~furnishes to the department a complete history in writing~~
11 ~~of how the exhibit was produced and all other information~~
12 ~~concerning the entry that would be of interest or benefit~~
13 ~~to~~ dedicated to honoring Wyoming's agricultural heritage
14 and culture by cultivating Wyoming's agricultural future
15 through competitions, educational displays and experiential
16 exhibits for youth producers and the general public.

17

18 **11-10-102. Duties and responsibilities with respect**
19 **to the annual state fair and fairgrounds.**

20

21 (a) The general charge and supervision of the state
22 fair is under the ~~director of~~ state fair board with the
23 assistance of the department of agriculture. ~~The director~~

1 ~~may employ a competent manager and other employees~~
2 ~~necessary for the proper conduct and management of the fair~~
3 ~~and fairgrounds.~~

4
5 (b) The department shall prepare budget requests on
6 behalf of and subject to the approval of the state fair
7 board for the conduct and management of the annual state
8 fair and for the operation and maintenance of the state
9 fairgrounds, including building and facility needs for
10 major maintenance and repair. The director is responsible
11 for the proper disbursement of all funds appropriated for
12 the ~~operation and maintenance of the annual state~~ fair and
13 fairgrounds.

14
15 (c) The state fair board shall:

16
17 (i) Select from among its voting members a
18 chairman and a vice-chairman;

19
20 (ii) Hold at least four (4) regular meetings per
21 year at such times and places as the chairman shall
22 specify. Special meetings may be called by the chairman or
23 upon request of a majority of the voting members. A

1 majority of the voting members of the state fair board
2 shall constitute a quorum for the transaction of business;

3
4 (iii) Be administratively supported by the
5 department;

6
7 (iv) Provide for the year round operation and
8 maintenance of the state fairgrounds in a manner that:

9
10 (A) Maximizes revenues but does not disrupt
11 the annual state fair;

12
13 (B) Ensures the facilities are maintained
14 in good working order.

15
16 (v) Monitor any state fairgrounds facility needs
17 assessment conducted by the state construction department
18 and, subject to available funding, implement
19 recommendations received under subsection (d) of this
20 section to prioritize and remediate the identified needs;

21
22 (vi) To the extent the employment of a state
23 fair manager would aid in accomplishing the duties required

1 by this chapter, appoint a state fair manager to conduct
2 and supervise the annual state fair and to manage the year
3 round operation and maintenance of the state fairgrounds.
4 Any appointment shall be made with the approval of the
5 governor and shall be subject to removal authority provided
6 by W.S. 9-1-202. The state fair board may hire and provide
7 for the supervision of other employees necessary to
8 accomplish the duties required by this chapter and may
9 contract for services to advertise and promote the annual
10 state fair and the fairgrounds;

11
12 (vii) To the extent establishing a subcommittee
13 would aid in executing the annual state fair, appoint a
14 subcommittee of state fair board members to plan, conduct
15 or supervise the annual state fair. The director shall
16 serve as chairman of any subcommittee appointed under this
17 paragraph.

18
19 (d) The state construction department shall, in
20 addition to the comprehensive needs assessment conducted
21 pursuant to W.S. 9-5-107, and upon request of the state
22 fair board:

23

1 (i) Assess the state fairground buildings and
2 facility needs; and

3
4 (ii) Submit recommendations to the state fair
5 board to prioritize and remediate the identified needs.

6
7 (e) The Wyoming tourism board shall promote the
8 annual state fair throughout the state of Wyoming and
9 adjoining states.

10
11 **11-10-104. Catalogues.**

12
13 At least three (3) months before any annual fair, the
14 ~~director of the department of agriculture~~ state fair board
15 shall have a catalogue prepared and copies available for
16 distribution to any person requesting it.

17
18 **11-10-105. Entry fees.**

19
20 A fee may be charged for any in-state or out-of-state
21 exhibit to be entered in the state fair at an amount set by
22 ~~the director of the department of agriculture and~~ the state
23 fair board.

1

2 **11-10-106. Admission charges; other revenues.**

3

4 (a) There shall be charged at the gates of the
5 fairground an admission fee to be set by the state fair
6 board. An extra charge may be made for seats in the
7 grandstand or other structure providing added comforts. The
8 charge for vehicles driven or stock ridden into the grounds
9 may be fixed by the state fair board. All fees collected
10 shall be deposited in the Wyoming state fair account.

11

12 (b) The department of agriculture may receive any
13 money or property of any kind or character donated, granted
14 or bequeathed for any activities of the state fair. Monies
15 shall be credited to the state fair account. The
16 department, on behalf of the state fair board, shall
17 include within its biennial budget request submitted under
18 W.S. 9-2-1013 a report itemizing all gifts, income and
19 expenditures under this subsection for each of the
20 immediately preceding two (2) fiscal years.

21

1 **11-10-107. Power of state fair board to acquire land;**
2 **authority to make rules and regulations; renting and use of**
3 **fairgrounds.**

4
5 ~~The~~ Consistent with W.S. 9-5-106(a) and (c), the state fair
6 board may acquire by donation or lease in the name of the
7 state any lands necessary for conducting the annual state
8 fair, and may make all rules and regulations necessary for
9 the conduct and government of the exhibitions, the sale of
10 privileges, and the proper control, operation and conduct
11 of the annual state fair and the state fairgrounds not
12 inconsistent with the constitution and laws of this state.
13 The state fair board may rent out or donate the use of the
14 state fairgrounds for stabling and training stock and
15 holding stock sales. The grounds may be used free of charge
16 for encampment grounds for the state militia under the
17 direction of the adjutant general of the state. The board
18 ~~may~~ shall permit the grounds and facilities to be used for
19 other purposes and ~~may~~ shall charge fees as it deems
20 necessary to maximize revenues and pay the expenses of
21 maintaining the grounds and facilities. ~~The board shall not~~
22 ~~permit any gambling device of any nature to be operated on~~
23 ~~the grounds, or permit any unlawful betting, or permit any~~

1 ~~intoxicating liquors to be sold thereon except as provided~~
2 ~~by W.S. 12-4-505.~~

3

4 **11-10-108. Rodeos; generally.**

5

6 The ~~director of the department of agriculture and the~~ state
7 fair board may provide a rodeo as part of the state fair
8 program, provided there is no restriction on any Wyoming
9 resident who desires to participate in the rodeo other than
10 the prescribed entry fee, unless the restriction is
11 required by a sanctioning body as part of the terms and
12 conditions to sanction the rodeo. Any contract entered into
13 with any person to provide entertainment under this section
14 is void if it in any manner excludes a Wyoming resident
15 from participation in the entertainment because of
16 membership or nonmembership in any organization or group.

17

18 **11-10-115. State fair board; membership; terms;**
19 **compensation.**

20

21 (a) There is created the state fair ~~advisory~~ board
22 ~~which shall serve as advisor to the board of agriculture on~~
23 ~~the operation of the state fair and the operation and~~

1 ~~maintenance of the state fairgrounds. The state fair~~
2 ~~advisory board shall consist of ten (10)~~ consisting of the
3 following members: ~~;~~

4
5 (i) One (1) voting member appointed by each of
6 the seven (7) members of the board of agriculture appointed
7 pursuant to W.S. 11-2-102(b), the governor from each of the
8 four (4) quadrants specified in W.S. 11-2-102(e) (i) through
9 (iv). Each of these members shall be engaged primarily in
10 agricultural work and shall be selected to represent a
11 cross section of the agriculture industry. Appointments
12 shall rotate consecutively among all the counties of the
13 quadrants;

14
15 (ii) One (1) voting member jointly appointed by
16 a majority vote of both the Converse county board of
17 commissioners and the governing body of the city of
18 Douglas; ~~;~~

19
20 (iii) One (1) voting member appointed by the
21 dean of the University of Wyoming college of agriculture
22 from the Wyoming cooperative extension service; ~~;~~ ~~and~~

23

1 (iv) One (1) voting member selected by the
2 Wyoming vocational agricultural teachers association from
3 its membership; ~~The state fair advisory board members~~
4 ~~shall receive no salary in the performance of their duties~~
5 ~~but shall receive mileage and per diem the same as state~~
6 ~~employees as provided by W.S. 9-3-102.~~

7
8 (v) One (1) voting member appointed by the
9 governor from the department of state parks and cultural
10 resources;

11
12 (vi) One (1) voting member appointed by the
13 governor from the Wyoming business council;

14
15 (vii) One (1) voting member appointed by the
16 governor from the Wyoming tourism board or a representative
17 of the Wyoming tourism board;

18
19 (viii) One (1) voting member appointed by the
20 governor from the energy industry;

21

1 (ix) One (1) at-large voting member who is
2 engaged primarily in agricultural work, appointed by the
3 governor;

4
5 (x) The director shall serve as a voting member;

6
7 (xi) The governor or his designee and the dean
8 of the University of Wyoming college of agriculture, or the
9 dean's designee, shall serve as nonvoting ex officio
10 members.

11
12 (b) The members of the state fair ~~advisory~~ board
13 ~~member appointed by the Converse county board of~~
14 ~~commissioners, the state fair advisory board member~~
15 ~~appointed by the dean of the University of Wyoming college~~
16 ~~of agriculture and the state fair advisory board member~~
17 ~~selected by the Wyoming vocational agriculture teachers~~
18 ~~association shall serve a four (4) year term. All other~~
19 ~~state fair advisory board members shall serve at the~~
20 ~~pleasure of the person who appointed the state fair~~
21 ~~advisory board member and in no event shall the term of any~~
22 ~~state fair advisory member exceed the corresponding term of~~
23 ~~the appointing board of agriculture member.~~ appointed under

1 paragraph (a)(i) of this section shall serve for a term of
2 six (6) years. The members of the state fair board
3 appointed under paragraphs (a)(ii) through (ix) of this
4 section shall serve for a term of four (4) years. Any
5 state fair board member appointed by the governor is
6 subject to removal as provided in W.S. 9-1-202.

7
8 (c) Except as provided in this section, the state
9 fair board members shall be paid a salary of one hundred
10 dollars (\$100.00) per day for attending and traveling to
11 and from official state fair board business and shall
12 receive mileage and per diem in the same manner as state
13 employees as provided by W.S. 9-3-102. Members who are
14 government employees or public officials appointed to the
15 state fair board to represent an agency, department, board
16 or institution of the state, including the University of
17 Wyoming, shall receive no salary but shall be considered on
18 official business when performing duties as members of the
19 state fair board and shall receive mileage and per diem in
20 the manner provided by the agency, department, board or
21 institution the member represents.

22

1 **Section 2.** The governor and other entities
2 responsible for appointing members to the state fair board
3 shall solicit applications and consider applicants for
4 appointments to the state fair board. Appointments of
5 members to the state fair board shall be made before
6 September 1, 2018. Members appointed to the state fair
7 board pursuant to this act shall begin their terms on
8 September 1, 2018.

9
10 **Section 3.** There is appropriated sixty thousand
11 dollars (\$60,000.00) from the general fund to the
12 department of agriculture. This appropriation shall be for
13 the period beginning with the effective date of this act
14 and ending June 30, 2020. This appropriation shall only be
15 expended for payment of salary, per diem and mileage for
16 state fair board members authorized under W.S.
17 11-10-115(c). Notwithstanding any other provision of law,
18 this appropriation shall not be transferred or expended for
19 any other purpose and any unexpended, unobligated funds
20 remaining from this appropriation shall revert as provided
21 by law on June 30, 2020. This appropriation shall be
22 included in the 2021-2022 standard biennial budget request

1 submitted on behalf of the state fair board by the
2 department of agriculture.

3

4 **Section 4.**

5

6 (a) Except as provided in subsection (b) of this
7 section, this act is effective September 1, 2018.

8

9 (b) Section 2 of this act is effective immediately
10 upon completion of all acts necessary for a bill to become
11 law as provided by Article 4, Section 8 of the Wyoming
12 Constitution.

13

14 (END)