

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2409

By: DeWitt

AS INTRODUCED

An Act relating to agriculture; creating the Oklahoma County Fair Development and Promotion Act; defining terms; adding to powers and duties of the State Board of Agriculture relating to county and local fairs; making the board principal, on behalf of state to apply for, receive, administer and disburse federal funds for fairs; authorizing certain grants; creating the Oklahoma County and Local Fair Development Advisory Committee; providing for members and appointment; providing for qualifications, compensation, meetings, elections and duties; requiring certain public input; requiring development and implementation of a matching grants program; providing for application; requiring and providing for contents; requiring promulgation of rules; requiring development and implementation of a merit system to govern distribution of matching funds; providing criteria; requiring audits; requiring reports; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 15-201 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Oklahoma County Fair Development and Promotion Act".

B. For purposes of the Oklahoma County Fair Development and Promotion Act:

1. "Board" means the State Board of Agriculture;

2. "County or local fair" means any agricultural fair, district fair, county fair or exposition, township fair, community fair or

other fair established pursuant to Chapter 15 of Title 2 of the Oklahoma Statutes; and

3. "Executive board of directors" means the entity authorized to establish and operate a county or local fair pursuant to Chapter 15 of Title 2 of the Oklahoma Statutes including, but not limited to, the board of county directors, trust or board of directors of a county or local fair.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 15-202 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Agriculture shall have the power and duty to:

1. Assist, foster and encourage economic prosperity and interests of agriculture, livestock, horticulture, forestry and other allied industries throughout this state by promoting the development and expansion of local and county fairs;

2. Cooperate in conjunction with other organizations, public and private, the objectives of which are the promotion and advancement of county and local fair activities in the state;

3. Study, determine and make recommendations regarding the establishment of a source of funding to support development and expansion of county and local fairs;

4. Solicit and encourage support throughout the state for improvement of the quality of and participation at county and local fairs;

5. Formulate and promulgate rules for the grading of participating fairs on a point system for determining eligibility and amount of available grants pursuant to the Oklahoma County Fair Development and Promotion Act;

6. Advise and provide technical assistance to the planning, development, and expansion of Oklahoma's county and local fair organizations with the purpose of coordinating fair activities;

7. Assist in the creation, development, production, distribution, implementation, and evaluation of county and local fair information programs including, but not limited to, publicity, brochures, public relations activities, public service programs, advertising, and other informational aids for the promotion of county and local fairs to the general public and the media;

8. Encourage the consolidation of small county and local fairs and assist in the consolidation;

9. Cooperate and participate with neighboring states and the federal government to promote the Oklahoma county and local fair industry;

10. Coordinate, advise, and provide technical assistance to cities, counties, and regional organizations in the promotion of county and local fair activities, group meetings, conferences, and conventions;

11. Develop timely research data to measure attendance volume and economic impact, determine attendee profiles, evaluate, and analyze market and advertising effectiveness;

12. Plan, coordinate, and conduct statewide conferences, seminars, and workshops to inform and educate representatives from the state's public and private sector regarding programs and trends which affect the fair industry; and

13. Administer matching grant programs to county and local fair organizations that are in concert and coordinated with the Oklahoma County Fair Development and Promotion Act. Such matching grant programs shall be supported out of appropriations or other monies made available by the Legislature for such purpose.

B. The Board shall seek advice from the general public, professional associations, academic groups and institutions, and individuals with the knowledge and interest in areas of county and local fair development, expansion and planning.

C. 1. The Board shall be designated as the agent of this state for the purpose of applying for, receiving, administering and disbursing federal funds and other public monies for the benefit of any county or local fairs, as may be available under applicable federal law or other laws.

2. The Board, as principal on behalf of the state, may enter into any contracts with the United States or with any person which may be required in connection with a grant or loan of federal monies for county or local fair development or expansion purposes. Any federal monies accepted under this paragraph shall be accepted and transferred or expended by the Board upon such terms and conditions as are prescribed by the United States and the Oklahoma County Fair Development and Promotion Act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 15-203 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created until June 1, 2004, the Oklahoma County and Local Fair Development Advisory Committee. The Committee shall consist of the following fourteen (14) members:

1. The President of the State Department of Agriculture or designee;

2. The Secretary of Commerce or designee;

3. The Director of the Oklahoma Department of Commerce or designee;

4. One member appointed by and representing Oklahoma State University;

5. Three members appointed by the Speaker of the House of Representatives:

a. one of which represents the Future Farmers of America organization in this state,

b. one of which represents the Oklahoma Farm Bureau in this state, and

c. one of which is a producer of agricultural products;

6. Three members appointed by the President Pro Tempore of the Senate:

a. one of which represents the Oklahoma Farmers Union,

b. one of which represents the livestock industry in this state with expertise in marketing or trading, and

c. one of which represents the chamber of commerce from a city under two hundred fifty thousand (250,000) population;

7. Three members appointed by the Governor:

a. one of which represents the chamber of commerce from a city over two hundred fifty thousand population (250,000),

b. one of which is a producer of livestock, and

c. one of which is engaged in general farming in this state; and

8. One member from each county participating in the program established by the Oklahoma County Fair Development and Promotion Act appointed by the county commissioners of such counties.

B. Members of the Committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses as provided in the State Travel Reimbursement Act by their appointing authority.

C. The Oklahoma Department of Agriculture shall provide space for meetings of the Committee and shall provide other assistance and staffing needs of the Committee.

D. Members shall serve at the pleasure of their appointing authority. Vacancies occurring on the Advisory Committee shall be filled by their appointing authority.

E. The Director of the Department of Agriculture shall call the first meeting by September 1, 2002. At the first meeting the Advisory Committee shall elect a chair and vice-chair. A majority

of the members on the Advisory Committee shall represent a quorum and a majority present at a meeting may act for or on behalf of the Advisory Committee.

F. The Committee shall:

1. Conduct a systematic review and study of the fair industry in Oklahoma and in other states;

2. Study the feasibility of developing and enhancing the fair industry in Oklahoma;

3. Study processing, market development, promotion, distribution, and research on county and local fairs;

4. Methodology best to cooperate with private industry to establish or expand fair facilities in Oklahoma to create demand for agricultural products and expand participation and fair attendance;

5. Encourage the production of educational and advisory materials regarding development and expansion of county and local fairs;

6. Identify small county and local fairs which may be consolidated;

7. Identify and recommend areas of research needed to better understand and quantify the development and expansion of county and local fairs;

8. Study methods of funding or supporting development and expansion of county and local fairs and marketing, including, but not limited to, matching grants, loans or other economic and revenue enhancements;

9. Make any other recommendations deemed necessary by the Committee pursuant to the Oklahoma County Fair Development and Promotion Act; and

10. Develop and propose recommendations for any rules deemed necessary by the Board.

G. The Committee shall actively seek and consider input from the public, the business community, environmental organizations,

public interest organizations, trade groups, professional organizations or any other group or persons who has an interest in county and local fairs, their infrastructure and the work of the Committee. The Committee shall solicit and accept written comments, recommendations and proposals and shall hold public hearings to obtain comments from the public.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 15-204 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Agriculture shall develop and implement a program of matching grants to promote and establish or expand county and local fairs that have been approved by the State Department of Agriculture and which have complied with the provisions of the Oklahoma County Fair Development and Promotion Act.

B. Any county or local fair wishing to receive funding pursuant to the Oklahoma County Fair Development and Promotion Act shall present to the State Department of Agriculture an application for a matching grant signed by the executive board of directors of the fair. The application shall contain the following information:

1. The opening and closing dates of the proposed fair;
2. A statement that the main purpose of the fair is to conduct and operate the proposed fair for the benefit and development of the educational, agricultural, horticultural, livestock, charitable, historical, civic, cultural, scientific, and other resources of the geographical area the fair represents and serves. The statement shall be in writing, shall be subscribed, and shall be acknowledged by the executive board of directors of the fair;
3. A premium list of the most current fair to be conducted or a copy of the previous year's premium list showing all premiums and awards to be offered or offered to exhibitors in various departments of the fair including, but not limited to, art exhibition, beef cattle, county exhibits, dairy cattle, horticulture, swine, women's

department, 4-H Club activities, Future Farmers of America activities, Future Homemakers of America activities, poultry and egg exhibits, and community exhibits;

4. Proof of liability insurance insuring the association against liability for injury to persons, in an amount to be determined by the State Board of Agriculture;

5. A list of all current members of the executive board of directors and their home addresses; and

6. Such other information deemed necessary by the Department.

C. The Board shall promulgate rules, not inconsistent with the Oklahoma County Fair Development and Promotion Act as to the form and contents of the application for the matching grant and any reports that it may deem necessary in enforcing the provisions of the Oklahoma County Fair Development and Promotion Act. Such rules shall be promulgated with the assistance of the Oklahoma County Fair Development Advisory Committee.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 15-205 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Agriculture shall establish, and from time to time may revise, a merit rating system to govern distribution of matching funds.

B. Not later than January 1 of each calendar year, the Board shall pay to the executive board of directors of the various county fairs such amounts, if any, as the Board considers appropriate on the basis of the merit rating system.

C. In addition to such other factors as the Board considers appropriate, the merit rating system shall take into consideration:

1. Area and population served;
2. Open or youth participation;
3. Attendance and gate receipts;
4. Number and type of exhibits;



5. Premiums and prizes paid;

6. Evidence of successful achievement of the aims and purposes of the fair;

7. Nature of improvements made to grounds and facilities from year to year;

8. Year-round usage of grounds and facilities; and

9. Overall condition and appearance of grounds and facilities.

D. 1. The State Department of Agriculture is directed to make an audit of all expenditures of state funds paid over to the executive board of directors of the respective county and local fairs receiving state funds.

2. For the purpose of facilitating the making of the audits, the executive officer of the executive board of directors of each county and local fair shall file with the Department, upon request, an itemized list of all expenditures.

SECTION 6. This act shall become effective November 1, 2002.

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