

HOUSE BILL NO. HB0130

State fair endowment.

Sponsored by: Representative(s) Henderson, Blake, Clausen, Harshman and Hunt and Senator(s) Emerich, Hicks and Moniz

A BILL

for

1 AN ACT relating to the state fair; creating the state fair  
2 endowment account and the state fair matching funds account  
3 to be administered by the state treasurer; authorizing  
4 distribution of investment earnings as specified; amending  
5 provisions for the establishment of fees; providing for the  
6 distribution of fee revenue as specified; requiring  
7 rulemaking; amending reporting requirements; providing an  
8 appropriation; and providing for an effective date.

9

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

11

12 **Section 1.** W.S. 11-10-118 is created to read:

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14 **11-10-118. State fair endowment; accounts;**  
15 **administration; costs; rulemaking authority.**

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2 (a) The state fair endowment account is created. The  
3 state treasurer shall invest funds within the endowment  
4 account in accordance with law. All investment earnings  
5 shall be credited to the endowment account. Notwithstanding  
6 W.S. 9-2-1008, 9-2-1012(e) and 9-4-207, funds within the  
7 endowment account shall not lapse or revert until directed  
8 by the legislature and shall remain available for  
9 distribution as provided in this section.

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11 (b) The state fair matching funds account is created.  
12 The state treasurer shall invest funds within the matching  
13 funds account in accordance with law. Funds within the  
14 matching funds account shall remain inviolate and only the  
15 earnings from investments of the monies in the account may  
16 be distributed as provided in this section.

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18 (c) The state treasurer shall administer the state  
19 fair endowment account and state fair matching funds  
20 account established under this section. The state  
21 treasurer shall:

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1           (i) To the extent funds are available, transfer  
2 funds from the endowment account to the matching funds  
3 account to equally match each cash gift received by the  
4 department and deposited to the matching funds account. A  
5 match shall be paid by the state treasurer at the time any  
6 accumulated amounts actually deposited to the matching  
7 funds account total ten thousand dollars (\$10,000.00) or  
8 more;

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10           (ii) Make transfers to the matching funds  
11 account not later than the end of the calendar quarter  
12 following the quarter during which deposits to the matching  
13 funds account total at least ten thousand dollars  
14 (\$10,000.00). If gifts are made through a series of  
15 payments or transfers, no matching funds shall be  
16 transferred under this section until the total value of all  
17 payments or transfers actually received totals at least ten  
18 thousand dollars (\$10,000.00);

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20           (iii) Transfer investment earnings from the  
21 matching funds account to the department of agriculture  
22 quarterly to be distributed as provided in this section.

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1           (d) Reasonable costs of administering the state fair  
2 endowment account and the state fair matching funds account  
3 shall be borne by the department of agriculture.

4

5           (e) The department shall distribute investment  
6 earnings from the state fair matching funds account in  
7 accordance with rules adopted by the state board of  
8 agriculture. The state board of agriculture shall retain  
9 discretion to determine the total amount of investment  
10 earnings that will be distributed in any fiscal year.

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12           (f) The rules adopted by the state board of  
13 agriculture shall establish criteria and other requirements  
14 the state board of agriculture determines necessary to  
15 ensure the investment earnings from the state fair matching  
16 funds account are used to support the operation of the  
17 state fair and the operation and maintenance of the state  
18 fairgrounds, which may include any of the following:

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20           (i) Capital improvements or special projects  
21 that maintain, enhance or restore the state fairground  
22 facilities for the benefit of programs and activities at  
23 the state fair;

1

2 (ii) Support for operations and maintenance that  
3 directly benefit programs and activities at the state fair;

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5 (iii) Increases to the corpus of the matching  
6 funds account.

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8 **Section 2.** W.S. 11-10-106 and 11-10-107 are amended  
9 to read:

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11 **11-10-106. Admission charges; other revenues;**  
12 **distribution of fee revenue.**

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14 (a) There shall be charged at the gates of the  
15 fairground an admission fee to be set by the board. An  
16 extra charge may be made for seats in the grandstand or  
17 other structure providing added comforts. The charge for  
18 vehicles driven or stock ridden into the grounds may be  
19 fixed by the board. All fees collected shall be deposited  
20 in the Wyoming state fair account and the state fair  
21 endowment account created under W.S. 11-10-118(a) as  
22 provided in subsection (c) of this section.

23

1           (b) The department of agriculture may receive any  
2 money or property of any kind or character donated, granted  
3 or bequeathed for any activities of the state fair. Monies  
4 shall be credited to the Wyoming state fair account except  
5 as otherwise provided by W.S. 11-10-118 and this  
6 subsection. The department shall include within its  
7 biennial budget request submitted under W.S. 9-2-1013 a  
8 report itemizing all gifts, income and expenditures under  
9 this subsection and W.S. 11-10-118 for each of the  
10 immediately preceding two (2) fiscal years. The department  
11 may receive cash gifts for the state fair matching funds  
12 account, which shall be matched and administered in  
13 accordance with W.S. 11-10-118.

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15           (c) All fees collected under this section, W.S.  
16 11-10-105 and 11-10-107 shall be deposited as follows:

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18                   (i) One-half percent (.5%) to the state fair  
19 endowment account created under W.S. 11-10-118(a); and

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21                   (ii) The remainder to the Wyoming state fair  
22 account.

23

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

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5           (a) The board may acquire by donation or lease in the  
6 name of the state any lands necessary for conducting the  
7 state fair, and may make all rules and regulations  
8 necessary for the conduct and government of the  
9 exhibitions, the sale of privileges, and the proper  
10 control, operation and conduct of the state fair not  
11 inconsistent with the constitution and laws of this state.

12  
13           (b) The 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 permit the grounds and facilities to be used for other  
19 purposes and ~~may shall~~ charge fees ~~as it deems necessary to~~  
20 ~~pay the expenses of maintaining the grounds and facilities~~  
21 in an amount that ensures the total revenue generated from  
22 fees approximates the associated costs of the operation and  
23 maintenance of the state fairgrounds.

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2       (c) The board shall not permit any gambling device of  
3 any nature to be operated on the grounds, or permit any  
4 unlawful betting, or permit any intoxicating liquors to be  
5 sold thereon except as provided by W.S. 12-4-505.

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7       **Section 3.**

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9       (a) As soon as practicable, the director of the  
10 department of agriculture shall submit recommendations to  
11 the state board of agriculture for the establishment of the  
12 fees specified under W.S. 11-10-107(b).

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14       (b) Notwithstanding any other provision of law, of  
15 the total revenue received in fiscal year 2019 from fees  
16 acquired from a county to host a county fair on the state  
17 fairgrounds, fifty percent (50%) shall be deposited to the  
18 state fair endowment account created under W.S.  
19 11-10-118(a) and fifty percent (50%) shall be deposited to  
20 the Wyoming state fair account referenced in W.S.  
21 11-10-106. Funds deposited to the state fair endowment  
22 account shall only be transferred as provided by W.S.  
23 11-10-118.



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2           **Section 4.** There is appropriated one hundred thousand  
3 dollars (\$100,000.00) from the Wyoming state fair account  
4 referenced in W.S. 11-10-106 to the state fair endowment  
5 account created under W.S. 11-10-118(a). This appropriation  
6 shall only be transferred as provided by W.S. 11-10-118.

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8           **Section 5.** This act is effective immediately upon  
9 completion of all acts necessary for a bill to become law  
10 as provided by Article 4, Section 8 of the Wyoming  
11 Constitution.

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13

(END)