

AMENDED IN ASSEMBLY AUGUST 9, 2006

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN ASSEMBLY JUNE 20, 2006

AMENDED IN ASSEMBLY APRIL 19, 2006

AMENDED IN ASSEMBLY JUNE 22, 2005

AMENDED IN SENATE MAY 11, 2005

AMENDED IN SENATE APRIL 11, 2005

**SENATE BILL**

**No. 1041**

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**Introduced by Senator Denham**

(Coauthors: Assembly Members La Malfa, Maze, Nakanishi, Spitzer,  
and Vargas)

February 22, 2005

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~~An act to add Section 3350 to the Food and Agricultural Code, relating to agricultural associations.~~ *An act to amend Section 10320 of the Public Contract Code, relating to state procurement.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1041, as amended, Denham. ~~District agricultural associations.~~ *Purchasing delegation program: district agricultural association.*

*Existing law requires the Department of General Services to prepare annually a purchasing delegation program for district agricultural associations, to be administered by the Department of Food and Agriculture and the Department of General Services, pursuant to specified criteria.*

*This bill would instead require the Secretary of Food and Agriculture to annually prepare, subject to the Department of General*

*Services approval, a purchasing delegation program for district agricultural associations, to be administered solely by the Department of Food and Agriculture, pursuant to specified criteria.*

~~Existing law provides for the organization of the California Exposition and State Fair and other district agricultural fairs within the Department of Food and Agriculture.~~

~~This bill would require the department to establish procurement and contracting guidelines, as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 10320 of the Public Contract Code is*  
2     *amended to read:*

3     10320. (a) ~~The department~~ *Notwithstanding any other*  
4     *provision of law, the Secretary of Food and Agriculture shall*  
5     *annually prepare, subject to department approval, a delegation*  
6     *program for district agricultural associations to be administered*  
7     *by the Department of Food and Agriculture and the department*  
8     *pursuant to the following criteria:*

9     (1) *The department shall annually review acquisitions to be*  
10    *included in the program and the amount of delegation for each*  
11    *type of acquisition.*

12    (2) ~~The department shall annually review with the Department~~  
13    ~~of Food and Agriculture~~ *the aggregate limit for the delegation*  
14    *program.*

15    (3) *The department shall annually communicate with each fair*  
16    *eligible for the delegation program, information relating to the*  
17    *procedure to be followed for using the delegation, including, but*  
18    *not limited to, the things included in the delegation program.*

19    (4) *Nothing in this section shall be construed to diminish*  
20    *Section 19130 of the Government Code.*

21    (b) *The Division of Fairs and Expositions in the Department of*  
22    *Food and Agriculture shall include, as part of its annual*  
23    *expenditure review and approval process presented to the Joint*  
24    *Committee on Fairs Allocation and Classification, a section*  
25    *describing the purchasing delegation authority granted to all*  
26    *district agricultural associations pursuant to subdivision (a). This*  
27    *information shall include, but need not be limited to, the annual*

1 amount of purchasing delegation authority requested by, and  
2 delegated to, each district agricultural association.

3 ~~SECTION 1. Section 3350 is added to the Food and~~  
4 ~~Agricultural Code, to read:~~

5 ~~3350. (a) The department shall develop contracting and~~  
6 ~~procurement guidelines for district agricultural associations and~~  
7 ~~the California Exposition and State Fair. These guidelines shall~~  
8 ~~do both of the following:~~

9 ~~(1) Comply with all relevant provisions of the Public Contract~~  
10 ~~Code and the Government Code.~~

11 ~~(2) Recognize the unique business activities and opportunities~~  
12 ~~of district agricultural associations and the California Exposition~~  
13 ~~and State Fair.~~

14 ~~(b) The guidelines shall be developed in consultation with the~~  
15 ~~interested stakeholders including, but not limited to, the~~  
16 ~~Department of General Services and representatives of~~  
17 ~~recognized employee organizations and fair management.~~