

ASSEMBLY BILL

No. 1587

Introduced by Committee on Agriculture (Galgiani (Chair), Tom Berryhill (Vice Chair), Conway, Fuller, Ma, Mendoza, and Yamada)

September 8, 2009

An act to amend Sections 19547, 19601.4, 19605.9, and 19614 of, and to repeal Sections 19418, 19418.1, 19418.2, 19418.3, 19606.1, 19608.3, 19608.5, 19608.6, 19608.7, 19608.8, 19620, 19620.1, 19620.2, 19621, 19621.1, 19621.2, 19621.3, 19622.1, 19622.2, 19622.3, 19622.4, 19623, 19627.5, 19628, 19629, 19630, 19630.5, 19631, 19632, 19632.5, 19632.6, 19635, 19636, 19637, 19638, 19638.5, and 19639 of, the Business and Professions Code, and to amend Sections 3200, 3851, 4003, and 4701 of, to add Sections 3201, 3202, 3203, 3204, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212, 3213, 3214, 3215, 3216, 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, and 3227 to, to add Chapter 2.5 (commencing with Section 3150) to Part 1 of Division 3 of, and to repeal Sections 3852, 3853, 3854, 3855, 3856, 3856.5, 3857, 3858, 3859, 3860, 3861, 3862, 3863, 3864, 3865, 3866, 3867, 3868, 3869, 3870, 3871, 3872, 3873, 3874, 3875, 3876, 3877, 3878, 3879, 3880, 3881, 3882, 3883, 3884, 3885, 3886, 3887, 3888, 3889, 3890, 3891, 3892, 3893, 3894, 3895, 3896, 3897, 3898, 3899, 3900, 3901, 3901.5, 3902, 3903, 3904, and 4509 of, the Food and Agricultural Code, relating to fairs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1587, as introduced, Committee on Agriculture. Fairs.

Existing provisions of the Business and Professions Code define district agricultural associations and their locations, county fairs and their locations, and citrus fairs and their locations, and funding for these entities.

This bill would repeal these provisions in the Business and Professions Code and would revise and recast these provisions as new provisions in the Food and Agricultural Code, and would make additional conforming changes.

Existing provisions of the Business and Professions Code regulate various aspects of financial management of state, county, and local fairs, including revenue from horse racing and impose various duties on the Secretary of the Department of Food and Agriculture for those purposes.

This bill would repeal these provisions of the Business and Professions Code and add these provisions to the Food and Agricultural Code, and make conforming technical changes.

Existing provisions of law establish a continuously appropriated fund providing supplemental purses at fair meetings in Los Angeles and Orange Counties, as specified.

This bill would instead directly pay a racing fair held in the County of Los Angeles the supplemental purse, as specified.

Existing law establishes the Fair and Exposition Fund, a continuously appropriated fund, and specifies various purposes for which moneys in that fund may be expended.

This bill would, in addition, authorize expenditures from that fund for renewable energy generation projects.

By authorizing a new purpose for money in the continuously appropriated Fair and Exposition Fund, this bill would make an appropriation.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

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

- 1 SECTION 1. Section 19418 of the Business and Professions
- 2 Code is repealed.
- 3 19418. (a) ~~“State designated fairs,” referred to in this chapter~~
- 4 ~~as fairs, means the California Exposition and State Fair in the City~~

1 of Sacramento and those fairs specified in Sections 19418.1,
2 19418.2, and 19418.3 that may receive financial support or are
3 otherwise governed pursuant to this chapter. These fairs may also
4 be referred to as part of the “network of California fairs.”

5 (b) A nonprofit organization that holds an annual fair pursuant
6 to Section 4163 of the Food and Agricultural Code may elect to
7 be a member of the network of California fairs on terms and
8 conditions mutually agreed upon by the Department of Food and
9 Agriculture and the nonprofit corporation.

10 SEC. 2. Section 19418.1 of the Business and Professions Code
11 is repealed.

12 19418.1. The district agricultural associations and their
13 locations are as follows:

- 14 (1) District 1, held in the City of Oakland.
- 15 (2) District 1-A, held in the City of San Francisco.
- 16 (3) District 2, held in the City of Stockton.
- 17 (4) District 3, held in the City of Chico.
- 18 (5) District 4, held in the City of Petaluma.
- 19 (6) District 5, held in the City of San Francisco.
- 20 (7) District 7, held in the City of Monterey.
- 21 (8) District 9, held in the City of Eureka.
- 22 (9) District 10, held in the City of Yreka.
- 23 (10) District 10-A, held in the City of Tulelake.
- 24 (11) District 12, held in the City of Ukiah.
- 25 (12) District 13, held in the City of Yuba City.
- 26 (13) District 14, held in the City of Watsonville.
- 27 (14) District 15, held in the City of Bakersfield.
- 28 (15) District 16, held in the City of Paso Robles.
- 29 (16) District 17, held in the City of Grass Valley.
- 30 (17) District 18, held in the City of Bishop.
- 31 (18) District 19, held in the City of Santa Barbara.
- 32 (19) District 20, held in the City of Auburn.
- 33 (20) District 21, held in the City of Fresno.
- 34 (21) District 21-A, held in the City of Madera.
- 35 (22) District 22, held in the City of Del Mar.
- 36 (23) District 23, held in the City of Antioch.
- 37 (24) District 24, held in the City of Tulare.
- 38 (25) District 24-A, held in the City of Hanford.
- 39 (26) District 25, held in the City of Napa.
- 40 (27) District 26, held in the City of Plymouth.

- 1 ~~(28) District 27, held in the City of Anderson.~~
- 2 ~~(29) District 28, held in the City of Victorville.~~
- 3 ~~(30) District 29, held in the City of Sonora.~~
- 4 ~~(31) District 30, held in the City of Red Bluff.~~
- 5 ~~(32) District 31, held in the Town of Ventura.~~
- 6 ~~(33) District 32, held in the City of Costa Mesa.~~
- 7 ~~(34) District 33, held in the City of Hollister.~~
- 8 ~~(35) District 34, held in the Town of Cedarville.~~
- 9 ~~(36) District 35, held in the City of Merced.~~
- 10 ~~(37) District 35-A, held in the Town of Mariposa.~~
- 11 ~~(38) District 36, held in the City of Dixon.~~
- 12 ~~(39) District 37, held in the City of Santa Maria.~~
- 13 ~~(40) District 38, held in the City of Turlock.~~
- 14 ~~(41) District 39, held in the Town of Angels Camp.~~
- 15 ~~(42) District 40, held in the City of Woodland.~~
- 16 ~~(43) District 41, held in the City of Crescent City.~~
- 17 ~~(44) District 42, held in the City of Orland.~~
- 18 ~~(45) District 44, held in the City of Colusa.~~
- 19 ~~(46) District 45, held in the City of Imperial.~~
- 20 ~~(47) District 46, held in the City of Perris.~~
- 21 ~~(48) District 48, held in the City of City of Industry.~~
- 22 ~~(49) District 49, held in the City of Lakeport.~~
- 23 ~~(50) District 50, held in the City of Lancaster.~~
- 24 ~~(51) District 51, held in the San Fernando Valley.~~
- 25 ~~(52) District 52, held in the City of Sacramento.~~
- 26 ~~(53) District 53, held in the City of Ridgecrest.~~
- 27 ~~(54) District 54, held in the City of Blythe.~~
- 28 SEC. 3. Section 19418.2 of the Business and Professions Code
- 29 is repealed.
- 30 19418.2.—The county fairs and their locations are as follows:
- 31 ~~(1) The Alameda County Fair, held in the City of Pleasanton.~~
- 32 ~~(2) The Butte County Fair, held in the City of Gridley.~~
- 33 ~~(3) The El Dorado County Fair, held in the City of Placerville.~~
- 34 ~~(4) The Humboldt County Fair, held in the City of Ferndale.~~
- 35 ~~(5) The Lassen County Fair, held in the City of Susanville.~~
- 36 ~~(6) The Los Angeles County Fair, held in the City of Pomona.~~
- 37 ~~(7) The Madera County Fair, held in the City of Chowchilla.~~
- 38 ~~(8) The Marin County Fair, held in the City of San Rafael.~~
- 39 ~~(9) The Mendocino County Fair, held in the Town of Boonville.~~
- 40 ~~(10) The Merced County Fair, held in the City of Los Banos.~~

1 ~~(11) The Monterey County Fair, held in the City of King City.~~

2 ~~(12) The Napa County Fair, held in the City of Calistoga.~~

3 ~~(13) The Placer County Fair, held in the City of Roseville.~~

4 ~~(14) The Plumas County Fair, held in the Town of Quincy.~~

5 ~~(15) The Riverside County Fair, held in the City of Indio.~~

6 ~~(16) The San Benito County Fair, held in the City of Hollister.~~

7 ~~(17) The San Francisco County Fair, held in the City of San~~
8 ~~Francisco.~~

9 ~~(18) The San Joaquin County Fair, held in the City of Lodi.~~

10 ~~(19) The San Mateo County Fair, held in the City of San Mateo.~~

11 ~~(20) The Santa Clara County Fair, held in the City of San Jose.~~

12 ~~(21) The Shasta County Fair, held in the Town of McArthur.~~

13 ~~(22) The Solano County Fair, held in the City of Vallejo.~~

14 ~~(23) The Sonoma County Fair, held in the City of Santa Rosa.~~

15 ~~(24) The Trinity County Fair, held in the Town of Hayfork.~~

16 SEC. 4. Section 19418.3 of the Business and Professions Code
17 is repealed.

18 ~~19418.3. The citrus fruit fairs and their locations are as follows:~~

19 ~~(1) The Cloverdale Citrus Fair, held in the City of Cloverdale.~~

20 ~~(2) The National Orange Show, held in the City of San~~
21 ~~Bernardino.~~

22 SEC. 5. Section 19547 of the Business and Professions Code
23 is amended to read:

24 19547. Notwithstanding Section 19490, no deposit shall be
25 required for any horse racing meeting conducted by a state
26 designated fair, *as defined in Sections 3150 to 3153, inclusive, of*
27 *the Food and Agricultural Code.*

28 SEC. 6. Section 19601.4 of the Business and Professions Code
29 is amended to read:

30 19601.4. (a) Notwithstanding any other provision of law, a
31 fair, combination of fairs, or an association conducting racing at
32 a fair, may, after approval from the board, deduct an additional 1
33 percent from the total amount handled daily in its conventional
34 and exotic pools. The additional 1 percent shall be deposited into
35 the Inclosure Facilities Improvement Fund, which is hereby created
36 as a special fund in the State Treasury, the moneys of which are
37 available upon appropriation by the Legislature in the annual
38 Budget Act. Any moneys deducted from the handle pursuant to
39 this section shall be used solely for the purpose of facilities
40 maintenance and improvements at a fair's racetrack inclosure for

1 those fairs that contribute to, or for those fairs where an association
2 conducting racing at that fair contributes to, the Inclosure Facilities
3 Improvement Fund.

4 (b) The secretary shall appoint a committee of not more than
5 five and no fewer than three individuals with expertise in financing,
6 constructing, and managing horse racing facilities, to advise in the
7 administration of the funds. The secretary shall have oversight
8 over the committee. The secretary shall adhere to the same
9 oversight responsibilities as outlined in Section ~~19620~~ 3207 of the
10 *Food and Agricultural Code* when administering the funds
11 contributed and disbursed pursuant to this section.

12 (c) The secretary shall include in the annual expenditure plan
13 required pursuant to Section ~~19621~~ 3209 of the *Food and*
14 *Agricultural Code* any allocations made pursuant to this section.

15 (d) For purposes of this section, “secretary” means the Secretary
16 of Food and Agriculture.

17 SEC. 7. Section 19605.9 of the Business and Professions Code
18 is amended to read:

19 19605.9. (a) Except as provided in subdivision (b), in the
20 central and southern zones, all of the funds distributed for purses
21 from satellite wagering facilities shall go to the purse program of
22 the association conducting the racing meeting.

23 (b) Notwithstanding subdivision (a), all funds for distribution
24 as purses at satellite wagering facilities which are racing fairs in
25 the County of Los Angeles from wagering on thoroughbred
26 horseracing conducted at the 22nd District Agricultural Association
27 Fairgrounds shall be ~~deposited in a separate account in the fund~~
28 ~~and, notwithstanding Section 13340 of the Government Code, are~~
29 ~~hereby continuously appropriated to the Department of Food and~~
30 ~~Agriculture paid to a racing fair in the County of Los Angeles for~~
31 ~~supplementing purses at fair meetings in Los Angeles and Orange~~
32 ~~Counties. The department shall distribute these funds on an equal~~
33 ~~basis to each racing fair in these counties for distribution in all~~
34 ~~nonstakes races and among all breeds the fair meeting.~~
35 Commencing January 1, 1992, the funds distributed for purses
36 from satellite wagering facilities pursuant to this subdivision shall
37 not exceed the amount distributed during the 1990 calendar year.
38 Any funds in excess of this amount shall be distributed as purses
39 at the racing meeting conducted by the association.

1 SEC. 8. Section 19606.1 of the Business and Professions Code
2 is repealed.

3 ~~19606.1. (a) All revenues transferred pursuant to Section~~
4 ~~19620.2 shall be deposited in a separate account in the fund and,~~
5 ~~notwithstanding Section 13340 of the Government Code, are~~
6 ~~continuously appropriated from that account to the Department of~~
7 ~~Food and Agriculture, for allocation by the Secretary of Food and~~
8 ~~Agriculture, at his or her discretion, for the purposes set forth in~~
9 ~~paragraphs (1) to (6), inclusive. The concurrence of the Director~~
10 ~~of Finance shall be required for allocations pursuant to paragraphs~~
11 ~~(1) and (2). Allocations pursuant to paragraphs (3) to (6), inclusive,~~
12 ~~shall be made with the concurrence of the Joint Committee on~~
13 ~~Fairs Allocation and Classification.~~

14 ~~(1) For the repayment of the principal of, interest on, and costs~~
15 ~~of issuance of, and as security, including any coverage factor,~~
16 ~~pledged to the payment of, bonds issued or to be issued by a joint~~
17 ~~powers agency or other debt service or expense, including~~
18 ~~repayment of any advances made or security required by any~~
19 ~~provider of credit enhancement or liquidity for those bonds or~~
20 ~~other indebtedness or expenses of maintaining that credit~~
21 ~~enhancement or liquidity, incurred for the purpose of constructing~~
22 ~~or acquiring improvements at a fair's racetrack inclosure, satellite~~
23 ~~wagering facilities at fairs, health and safety repair projects, or~~
24 ~~handicapped access compliance projects at fairs or for the purpose~~
25 ~~of refunding bonds or other indebtedness incurred for those~~
26 ~~purposes. As used in this paragraph, "coverage factor" means~~
27 ~~revenues in excess of the amount necessary to pay debt service on~~
28 ~~the bonds or other indebtedness, up to an amount equal to 100~~
29 ~~percent more than the amount of that debt service, which a joint~~
30 ~~powers agency, pursuant to the resolution or indenture under which~~
31 ~~the bonds or other indebtedness are or will be issued, pledges as~~
32 ~~additional security for the payment of that debt service or is~~
33 ~~required to have or maintain as a condition to the issuance of~~
34 ~~additional bonds or other indebtedness. Notwithstanding any other~~
35 ~~provision of law, the department may also commit any funds~~
36 ~~available for allocation under Article 10 (commencing with Section~~
37 ~~19620) to complete projects funded under this paragraph in the~~
38 ~~priority described in this paragraph.~~

39 ~~(2) For payment to the State Race Track Leasing Commission~~
40 ~~to be pledged for the repayment of debt necessary to construct a~~

1 racetrack grandstand at the 22nd District Agricultural Association
2 fairgrounds. This payment shall be made only if the Secretary of
3 Food and Agriculture determines, annually, that all other pledged
4 revenues have been applied to the repayment of that debt and have
5 been determined by the secretary to be inadequate for that purpose.

6 ~~(3) For the payment of expenses incurred in establishing and
7 operating satellite wagering facilities at fairs.~~

8 ~~(4) For the support of an equipment and operating fund to
9 produce and display a consolidated California signal at satellite
10 wagering facilities and fairs.~~

11 ~~(5) For health and safety repair projects at fairs, which includes
12 fire and life safety improvement projects, California Code of
13 Regulations compliance projects, and long-term deferred
14 maintenance projects.~~

15 ~~(6) For the development and payment of revenue generating
16 projects, the establishment of pilot projects to restructure the
17 current fair system, and for projects realizing a cost savings for
18 more efficient utilization of existing fair resources.~~

19 ~~(b) The Secretary of Food and Agriculture may not make an
20 allocation for purposes of paragraphs (2) to (6), inclusive, of
21 subdivision (a) until the payments required in any fiscal year
22 pursuant to paragraph (1) of subdivision (a) have been funded.~~

23 ~~(c) Pursuant to subdivision (a), the Joint Committee on Fairs
24 Allocation and Classification shall review and concur, or not
25 concur, with the secretary's determination of the allocations to be
26 made pursuant to paragraphs (3) to (6), inclusive, of subdivision
27 (a) in total, and the committee may not add to, or delete projects
28 or line items from, the proposed allocations.~~

29 ~~(d) Approval of the Joint Committee on Fairs Allocation and
30 Classification is deemed complete when one of the following
31 conditions is met:~~

32 ~~(1) The annual budget act is enacted.~~

33 ~~(2) If the secretary's recommendations are received by the Joint
34 Committee on Fairs Allocation and Classification after the
35 enactment of the annual budget act, the recommendations shall be
36 deemed approved 30 days after they are received unless they are
37 rejected by the committee.~~

38 ~~(e) If the Joint Committee on Fairs Allocation and Classification
39 does not concur with the secretary's recommendations, the~~

1 secretary may submit another set of recommendations to the
2 committee pursuant to this section.

3 (f) The payments required in any fiscal year for the purposes
4 of paragraphs (1) to (3), inclusive, of subdivision (a) shall be made
5 before any transfer is made pursuant to subdivision (g).

6 (g) Except as otherwise provided in subdivision (f), when the
7 revenues deposited in the separate account exceed eleven million
8 dollars (\$11,000,000) in any fiscal year, the amount in excess of
9 eleven million dollars (\$11,000,000) shall be transferred to the
10 Fair and Exposition Fund for allocation in accordance with Sections
11 19620.1 and 19630.

12 (h) All of the costs of administering the accounts created by
13 subdivision (a) and Section 19606.3 shall be charged to the
14 respective accounts.

15 SEC. 9. Section 19608.3 of the Business and Professions Code
16 is repealed.

17 19608.3. (a) Funds allocated by the Director of Food and
18 Agriculture pursuant to paragraph (3) of subdivision (a) of Section
19 19606.1 for fire and life safety improvement projects, California
20 Code of Regulations compliance projects, and long-term
21 maintenance projects at fairs in the northern zone shall be allocated
22 in accordance with a project schedule determined by the
23 Department of Food and Agriculture in compliance with this
24 section.

25 (b) The department shall prepare a three-year schedule of these
26 projects which commences July 1, 1987, and shall annually update
27 the schedule. The schedule shall list individual project costs,
28 contain a project description, and specify estimated project
29 completion dates.

30 SEC. 10. Section 19608.5 of the Business and Professions
31 Code is repealed.

32 19608.5. All revenues payable to the state and deposited in a
33 separate account in the fund pursuant to Section 19606.1 that are
34 allocated by the Secretary of Food and Agriculture for the purposes
35 of paragraph (1) of subdivision (a) of Section 19606.1 are hereby
36 pledged for the repayment of the principal of, and interest on,
37 bonds issued by a joint powers agency, or of other debt service or
38 expense incurred for the purposes described in that paragraph (1).

39 SEC. 11. Section 19608.6 of the Business and Professions
40 Code is repealed.

1 ~~19608.6.— (a) Any joint powers agency requesting money in~~
2 ~~connection with the issuance of bonds for the purposes described~~
3 ~~in paragraph (1) of subdivision (a) of Section 19606.1 shall file~~
4 ~~an application with the Secretary of Food and Agriculture, in the~~
5 ~~form required by the secretary.~~

6 ~~(b) The secretary shall, upon review of the applications, prepare~~
7 ~~a statement of allocation of money to the joint powers agency, in~~
8 ~~the priority the director deems appropriate.~~

9 ~~(c) The secretary shall adopt regulations governing the allocation~~
10 ~~procedures to be followed in implementing this section.~~

11 SEC. 12. Section 19608.7 of the Business and Professions
12 Code is repealed.

13 ~~19608.7.— It is the intent of the Legislature in enacting Sections~~
14 ~~19608.5, 19608.6, and 19608.8 to provide the revenues necessary~~
15 ~~for the financing by joint powers agencies of the described facilities~~
16 ~~and projects which shall be deemed to be public capital~~
17 ~~improvements within the meaning of Article 4 (commencing with~~
18 ~~Section 6584) of Chapter 5 of Division 7 of Title 1 of the~~
19 ~~Government Code. Deposits into the account in the fund in~~
20 ~~accordance with paragraph (1) of subdivision (a) of Section~~
21 ~~19606.1 shall continue through and including either the 20th year~~
22 ~~after the initial calendar year in which the revenues are collected,~~
23 ~~or whatever period of time is necessary to repay any borrowings~~
24 ~~of joint powers funding mechanism, including, but not limited to,~~
25 ~~retirement of bonded indebtedness, loan repayments, and monthly~~
26 ~~payments involving lease-purchase programs made by a joint~~
27 ~~powers agency to finance described facilities and projects,~~
28 ~~whichever time is longer.~~

29 SEC. 13. Section 19608.8 of the Business and Professions
30 Code is repealed.

31 ~~19608.8.— The State of California does hereby pledge to and~~
32 ~~agree with the holders of any bonds or other indebtedness issued,~~
33 ~~and with those joint powers agencies which may enter into project~~
34 ~~agreements with fairs or other third parties or authorize bonds or~~
35 ~~other indebtedness to be issued, in reliance on the allocations set~~
36 ~~forth in subdivision (a) of Section 19606.1, that the state will not~~
37 ~~alter or change the structure of funding and deposits set forth in,~~
38 ~~or the pledge of funds for debt service, security, including any~~
39 ~~coverage factors, and expenses, pursuant to that section until the~~
40 ~~bonds and other indebtedness are fully paid or discharged and the~~

1 ~~project is fully performed or discharged. However, nothing~~
2 ~~precludes any alteration or change, if and when, adequate provision~~
3 ~~has been made by law for the protection from impairment of the~~
4 ~~contracts represented by the bonds, other indebtedness and projects,~~
5 ~~and the right to so alter or change is hereby reserved. Joint powers~~
6 ~~agencies may include this pledge and undertaking of the state in~~
7 ~~the bonds, agreements evidencing other indebtedness, and project~~
8 ~~agreements.~~

9 SEC. 14. Section 19614 of the Business and Professions Code
10 is amended to read:

11 19614. (a) Notwithstanding Sections 19611 and 19612, and
12 except for an association that qualifies pursuant to Section 19612.6,
13 for a fair conducting a live racing meeting, 1 percent of the total
14 amount handled on live races, excluding wagering at a satellite
15 facility, shall be retained by the fair association for payment to the
16 state as a license fee.

17 (b) Additionally, 0.48 percent of the total amount handled on
18 live racing, excluding wagering at a satellite facility, shall be
19 deposited with the official registering agency pursuant to
20 subdivision (a) of Section 19617.2, and shall thereafter be
21 distributed in accordance with subdivisions (b), (c), and (d) of
22 Section 19617.2.

23 (c) After distribution of the applicable amounts as set forth in
24 subdivisions (a) and (b) and the payments made pursuant to other
25 relevant sections of this chapter, all funds remaining from the
26 deductions provided in Section 19610 shall be distributed 47.5
27 percent as commissions and 52.5 percent as purses. From the
28 amount distributed as thoroughbred purses, a sum equal to 0.07
29 percent of the total handle shall be held by the association to be
30 deposited with the official registering agency pursuant to
31 subdivision (a) of Section 19617.2, and shall thereafter be
32 distributed in accordance with subdivisions (b), (c), and (d) of
33 Section 19617.2.

34 Any additional amount generated for purses and not distributed
35 during the previous corresponding meeting shall be added to the
36 purses at the current meeting.

37 (d) In addition to the amounts deducted pursuant to Section
38 19610, any fair racing association shall deduct 1 percent from the
39 total amount handled in its daily conventional and exotic
40 parimutuel pools. The additional 1 percent shall be deposited in

1 the Fair and Exposition Fund and is hereby appropriated for the
 2 purposes specified in Section ~~19630~~ 3221 of the *Food and*
 3 *Agricultural Code*.

4 SEC. 15. Section 19620 of the Business and Professions Code
 5 is repealed.

6 ~~19620. (a) The Legislature finds and declares that the~~
 7 ~~Department of Food and Agriculture is responsible for ensuring~~
 8 ~~the integrity of the Fair and Exposition Fund, administering~~
 9 ~~allocations from the fund to the network of California fairs, as~~
 10 ~~defined in Sections 19418 to 19418.3, inclusive, and providing~~
 11 ~~oversight of activities carried out by each California fair.~~

12 ~~(b) Oversight shall include, but not be limited to, the following:~~

13 ~~(1) Monitoring the solvency of the Fair and Exposition Fund.~~

14 ~~(2) Distributing available state resources to the network of~~
 15 ~~California fairs based on criteria for state allocations approved by~~
 16 ~~the Secretary of Food and Agriculture. The criteria for the~~
 17 ~~distribution of available state resources to the network of California~~
 18 ~~fairs shall not include a consideration of the structure that governs~~
 19 ~~the fair.~~

20 ~~(3) Creating a framework for administration of the network of~~
 21 ~~California fairs allowing for maximum autonomy and local~~
 22 ~~decisionmaking authority, and conducting, or causing to be~~
 23 ~~conducted, annual fiscal audits and periodic compliance audits.~~

24 ~~(4) Conducting fiscal and performance audits of county fairs~~
 25 ~~and citrus fruit fairs that are requested by the fair that is the subject~~
 26 ~~of the audit, and that the Department of Food and Agriculture~~
 27 ~~deems to be necessary.~~

28 ~~(5) Guiding and providing incentives to fairs to seek matching~~
 29 ~~funds and generate new revenue from a variety of sources.~~

30 ~~(6) Supporting continuous improvement of fair programming~~
 31 ~~to ensure that California fairs remain highly relevant community~~
 32 ~~institutions.~~

33 SEC. 16. Section 19620.1 of the Business and Professions
 34 Code is repealed.

35 ~~19620.1. (a) From the total revenue received by the board,~~
 36 ~~including revenues transferred from the Satellite Wagering Account~~
 37 ~~pursuant to subdivision (g) of Section 19606.1, but excluding~~
 38 ~~money received pursuant to Sections 19640 and 19641, the sum~~
 39 ~~of two hundred sixty-five thousand dollars (\$265,000) plus an~~
 40 ~~amount equal to $\frac{62}{100}$ of 1 percent of the gross amount of money~~

1 handled in the annual parimutuel pool generated within this state,
2 or the maximum amount received by the state from the parimutuel
3 pool of a racing meeting held in this state, whichever is less, shall
4 be paid into the State Treasury to the credit of the Fair and
5 Exposition Fund.

6 (b) From the total revenue received by the board, exclusive of
7 money received pursuant to Sections 19640 and 19641, and in
8 addition to the funds paid into the State Treasury to the credit of
9 the Fair and Exposition Fund as specified in subdivision (a), the
10 Legislature shall annually appropriate and the board shall deposit
11 to the credit of the Fair and Exposition Fund, such sums as it deems
12 necessary for the following purposes:

13 (1) For the support of the board, including any costs and
14 expenses incurred by the Attorney General in the enforcement of
15 this chapter as shall be authorized by the board, including,
16 compensation including any fringe benefits paid to stewards and
17 to the official veterinarian, and an amount not less than the amount
18 expended in the 1994-95 fiscal year for the costs of laboratory
19 testing related to horse racing pursuant to Section 19580.

20 (2) To the Department of Food and Agriculture for the oversight
21 of the network of California fairs receiving money from the fund.

22 (3) To the Department of Food and Agriculture for the
23 contributions, or the cost of benefits in lieu of contributions,
24 payable to the Unemployment Fund by the network of California
25 fairs receiving funds pursuant to this article, as a result of
26 unemployment insurance coverage pursuant to Section 605 of the
27 Unemployment Insurance Code.

28 (4) To the Department of Food and Agriculture for the auditing
29 of all district agricultural association fairs, county fairs, and citrus
30 fruit fairs.

31 SEC. 17. Section 19620.2 of the Business and Professions
32 Code is repealed.

33 19620.2. Notwithstanding any other provision of law, on July
34 1, 2009, and on each July 1 thereafter, 32 million dollars
35 (\$32,000,000) shall be transferred from the General Fund and paid
36 into the State Treasury to the credit of the separate account of the
37 Fair and Exposition Fund specified in Section 19606.1 and shall
38 be continuously appropriated for allocation as specified in that
39 section and Section 19620.1 only for the financial support of the
40 network of California fairs.

1 SEC. 18. Section 19621 of the Business and Professions Code
2 is repealed.

3 ~~19621. (a) Not more than 5 percent of the Fair and Exposition
4 Fund may be used during any fiscal year to augment the budget
5 of the Department of Food and Agriculture to develop and
6 administer an operational and policy framework for the network
7 of California fairs.~~

8 ~~(b) The Secretary of Food and Agriculture shall annually project
9 the available revenues from this source and submit a
10 recommendation to the Governor for the additional staff and
11 contracts necessary to oversee the network of California fairs.~~

12 ~~(c) The Secretary of Food and Agriculture shall prepare an
13 annual expenditure plan for funds available from the Fair and
14 Exposition Fund for review and approval by the Joint Committee
15 on Fairs Allocation and Classification. The Joint Committee on
16 Fairs Allocation and Classification shall review and concur, or not
17 concur, with the spending plan in total, and may not add to, or
18 delete projects or line items from, the budget.~~

19 ~~(d) Approval of the Joint Committee on Fairs Allocation and
20 Classification is deemed complete when one of the following
21 conditions is met:~~

- 22 ~~(1) The annual budget act is enacted.~~
- 23 ~~(2) If the secretary's recommendations are received by the Joint
24 Committee on Fairs Allocation and Classification after the
25 enactment of the annual budget act, the recommendations shall be
26 deemed approved 30 days after they are received unless they are
27 rejected by the committee.~~

28 ~~(e) If the Joint Committee on Fairs Allocation and Classification
29 does not concur with the secretary's recommendations, the
30 secretary may submit another set of recommendations to the
31 committee pursuant to this section.~~

32 SEC. 19. Section 19621.1 of the Business and Professions
33 Code is repealed.

34 ~~19621.1. Notwithstanding any other provision of law, neither
35 the state nor the Department of Food and Agriculture is liable for
36 any contract or tort of, or any action taken or any failure to act by,
37 any fair in the network of California fairs that does not comply
38 with the requirements of Section 19622.3.~~

39 ~~No member of the fair board, or any employee or agent thereof,
40 is personally liable for the contracts or actions of the fair board,~~

1 and no member of the fair board or employee or agent thereof is
2 responsible individually in any way to any other person for error
3 in judgment, mistakes, or other acts, either of commission or
4 omission, as principal, agent, or employee, except for his or her
5 own individual acts of dishonesty or crime. No member of the fair
6 board shall be held responsible individually for any act or omission
7 of any other member of the fair board. The liability of the members
8 of the fair board is several and not joint, and no member is liable
9 for the default of any other member.

10 SEC. 20. Section 19621.2 of the Business and Professions
11 Code is repealed.

12 ~~19621.2. The Secretary of Food and Agriculture shall prepare~~
13 ~~and submit to the Department of Finance an estimate of the~~
14 ~~contributions, or the cost of benefits in lieu of contributions, that~~
15 ~~are payable to the Unemployment Fund by all California fairs~~
16 ~~receiving funds pursuant to this article. The Director of Finance~~
17 ~~shall include those estimates in the Budget Bill submitted to the~~
18 ~~Legislature.~~

19 SEC. 21. Section 19621.3 of the Business and Professions
20 Code is repealed.

21 ~~19621.3. (a) The Secretary of Food and Agriculture shall~~
22 ~~prepare and submit to the Department of Finance an estimate of~~
23 ~~revenue to be deposited in the fund and allocations to be made~~
24 ~~from the fund for each fiscal year.~~

25 ~~The Director of Finance may authorize short-term, cash-flow~~
26 ~~loans from the unappropriated surplus of the General Fund to the~~
27 ~~Fair and Exposition Fund if all of the following conditions are~~
28 ~~met:~~

29 ~~(1) The loan will be repaid during the same fiscal year in which~~
30 ~~it is made.~~

31 ~~(2) No loan exceeds the amount remaining to be allocated in~~
32 ~~any fiscal year or 75 percent of the revenue estimated to be~~
33 ~~deposited in the Fair and Exposition Fund during the remainder~~
34 ~~of the fiscal year.~~

35 ~~(b) The Secretary of Food and Agriculture shall notify the State~~
36 ~~Controller when loans under this section are no longer required~~
37 ~~and any unnecessary loan funds shall be returned to the General~~
38 ~~Fund.~~

39 SEC. 22. Section 19622.1 of the Business and Professions
40 Code is repealed.

1 ~~19622.1. (a) In order to maintain their eligibility to receive~~
2 ~~funds or to utilize state assets, the fairs specified in Section 19418~~
3 ~~shall do all of the following:~~

4 ~~(1) File an annual statement of operations with the Department~~
5 ~~of Food and Agriculture.~~

6 ~~(2) Conduct an annual fair that includes agriculture and other~~
7 ~~community-relevant exhibits and competitions.~~

8 ~~(b) The Department of Food and Agriculture may withhold or~~
9 ~~restrict allocations to fairs that do not comply with this section or~~
10 ~~the fiscal standards or administrative standards established by the~~
11 ~~department. The department shall establish an appeal process for~~
12 ~~fairs regarding funds that are withheld or restricted.~~

13 ~~SEC. 23. Section 19622.2 of the Business and Professions~~
14 ~~Code is repealed.~~

15 ~~19622.2. (a) The authority of the Department of Food and~~
16 ~~Agriculture shall include, but is not limited to, requiring the~~
17 ~~California Exposition and State Fair to meet all applicable~~
18 ~~standards prescribed by the department.~~

19 ~~(b) The department may delegate approval authority for such~~
20 ~~matters as the department may determine to the Board of Directors~~
21 ~~of the California Exposition and State Fair if the fair complies with~~
22 ~~this section.~~

23 ~~(c) Notwithstanding any other provision of law, the department~~
24 ~~may assume all rights, duties, and powers of the Board of Directors~~
25 ~~of the California Exposition and State Fair if the department~~
26 ~~determines there is insufficient fiscal or administrative control.~~
27 ~~The board of directors shall again exercise these rights, duties, and~~
28 ~~powers when the department determines that the fair has been~~
29 ~~restored to solvency and is in compliance with this section.~~

30 ~~(d) The department may petition a court of competent~~
31 ~~jurisdiction for an order appointing the department, or a person~~
32 ~~designated by the department, as a receiver if it determines that~~
33 ~~the California Exposition and State Fair is insolvent, or is in~~
34 ~~imminent danger of insolvency. The court shall appoint a receiver~~
35 ~~upon showing that the fair is insolvent, or is in imminent danger~~
36 ~~of insolvency.~~

37 ~~(e) For the purposes of this section, “insolvency” means that~~
38 ~~the California Exposition and State Fair is unable to discharge its~~
39 ~~debts as they become due in the usual course of business.~~

1 ~~(f) The General Fund and the Fairs and Exposition Fund shall~~
2 ~~be held harmless from any debts, liabilities, settlements, judgments,~~
3 ~~or liens incurred by the California Exposition and State Fair,~~
4 ~~including any deficiency in operating funds.~~

5 SEC. 24. Section 19622.3 of the Business and Professions
6 Code is repealed.

7 ~~19622.3.—(a) The authority of the Department of Food and~~
8 ~~Agriculture shall include, but is not limited to, requiring district~~
9 ~~agricultural associations to meet all applicable standards prescribed~~
10 ~~by the Department of Food and Agriculture.~~

11 ~~(b) The department may delegate approval authority for such~~
12 ~~matters as the department may determine to the board of directors~~
13 ~~if the board complies with this section. The department shall report~~
14 ~~annually to the Joint Committee on Fairs Allocation and~~
15 ~~Classification the names of fairs that are delegated that authority.~~

16 ~~(c) Notwithstanding any other provision of law, and in order to~~
17 ~~protect the integrity of the Fair and Exposition Fund, the~~
18 ~~department may assume any or all rights, duties, and powers of~~
19 ~~the board of directors of a district agricultural association if the~~
20 ~~department reasonably determines that there is insufficient fiscal~~
21 ~~or administrative control. The board of directors shall again~~
22 ~~exercise these rights, duties, and powers when the department~~
23 ~~determines that the fair is in compliance with this section. The~~
24 ~~department shall report annually to the Joint Committee on Fairs~~
25 ~~Allocation and Classification the names of fairs with respect to~~
26 ~~which the department has taken the action prescribed in this~~
27 ~~subdivision and subdivision (d).~~

28 ~~(d) The department may petition a court of competent~~
29 ~~jurisdiction for an order appointing the department, or a person~~
30 ~~designated by the department, as a receiver if it determines that~~
31 ~~the fair is insolvent, or is in imminent danger of insolvency. The~~
32 ~~court shall appoint a receiver upon a showing that the fair is~~
33 ~~insolvent, or is in imminent danger of insolvency.~~

34 ~~(e) For the purposes of this section, “insolvency” means that~~
35 ~~the district agricultural association is unable to discharge its debts~~
36 ~~as they become due in the usual course of business.~~

37 SEC. 25. Section 19622.4 of the Business and Professions
38 Code is repealed.

1 ~~19622.4. The authority of the Department of Food and~~
2 ~~Agriculture shall include, but is not limited to, requiring county~~
3 ~~fairs and citrus fruit fairs to do all of the following:~~

4 ~~(a) Meet all applicable standards prescribed by the Department~~
5 ~~of Food and Agriculture.~~

6 ~~(b) Submit to the department for review and approval every five~~
7 ~~years a written agreement specifying the operational, financial,~~
8 ~~and administrative responsibilities between the entity producing~~
9 ~~the fair and the host county, or the host agency.~~

10 SEC. 26. Section 19623 of the Business and Professions Code
11 is repealed.

12 ~~19623. Funds appropriated from the Fair and Exposition Fund~~
13 ~~may be expended for the payment of premiums, for capital outlay~~
14 ~~purposes, including the purchase of land and equipment for~~
15 ~~construction and improvements, and for the general support and~~
16 ~~maintenance of the network of California fairs and for the~~
17 ~~department's oversight of the network of California fairs.~~

18 SEC. 27. Section 19627.5 of the Business and Professions
19 Code is repealed.

20 ~~19627.5. Notwithstanding Section 19623, any unanticipated~~
21 ~~revenues, other than any allocation from the state, which are in~~
22 ~~excess of the approved budget for any fiscal or calendar year of~~
23 ~~any California fair shall be retained by that fair and may be~~
24 ~~expended for any purpose specified in Section 19630.~~

25 ~~These funds may be expended, without regard to any fiscal year,~~
26 ~~by any fair to which Section 19623 applies, upon positive action~~
27 ~~by the board of directors of that fair, which shall be recorded in~~
28 ~~the official minutes of the fair approving a plan of expenditure for~~
29 ~~those funds for the purposes specified in Section 19630.~~

30 SEC. 28. Section 19628 of the Business and Professions Code
31 is repealed.

32 ~~19628. If any California fair does not hold a fair in any year~~
33 ~~because of war conditions, or because the grounds or buildings of~~
34 ~~the fair have been taken over and occupied by the United States~~
35 ~~or its armed forces, or that fair is not held due to an act of God, or~~
36 ~~any unavoidable catastrophe, natural or human made, the fair shall~~
37 ~~nevertheless submit an annual statement of operations and shall~~
38 ~~not resume operations without a budget that has been approved by~~
39 ~~the Department of Food and Agriculture.~~

1 SEC. 29. Section 19629 of the Business and Professions Code
2 is repealed.

3 ~~19629. The Department of Food and Agriculture may make
4 and may administer loans from the Fair and Exposition Fund to
5 any fair in the network of California fairs according to agreements
6 that are specific to the circumstances that gave rise to a receiving
7 fair's need for a loan, subject to the fair's demonstrated ability to
8 repay the loan.~~

9 SEC. 30. Section 19630 of the Business and Professions Code
10 is repealed.

11 ~~19630. (a) Any unallocated balance from subdivision (a) of
12 Section 19620.1 is hereby appropriated without regard to fiscal
13 years for allocation by the Secretary of Food and Agriculture for
14 capital outlay to California fairs for fair projects involving public
15 health and safety, for fair projects involving major and deferred
16 maintenance, for fair projects necessary due to any emergency,
17 for projects that are required by physical changes to the fair site,
18 for projects that are required to protect the fair property or
19 installation, such as fencing and flood protection, and for the
20 acquisition or improvement of any property or facility that will
21 serve to enhance the operation of the fair.~~

22 ~~(b) A portion of the funds subject to allocation pursuant to
23 subdivision (a) may be allocated to California fairs for general
24 operational support. It is the intent of the Legislature that these
25 moneys be used primarily for those fairs whose sources of revenue
26 may be limited for purposes specified in this section.~~

27 SEC. 31. Section 19630.5 of the Business and Professions
28 Code is repealed.

29 ~~19630.5. Notwithstanding any other provision of law, any fair
30 qualified to receive an allocation that has complied with the
31 requirements set forth in subdivision (b) of Section 19622.1, with
32 the approval of the Department of Food and Agriculture, may
33 expend available funds for the construction or operation of
34 recreational and cultural facilities of general public interest.~~

35 SEC. 32. Section 19631 of the Business and Professions Code
36 is repealed.

37 ~~19631. Notwithstanding any other provision of law, the 1-A
38 District Agricultural Association may, with the approval of the
39 Department of Food and Agriculture, expend any money available
40 for expenditure by it, for construction, repairs, and equipment.~~

1 SEC. 33. Section 19632 of the Business and Professions Code
2 is repealed.

3 ~~19632. All license fees for conducting horseracing meetings,
4 other than those attributable to breakage, not payable into the Fair
5 and Exposition Fund shall be paid as follows:~~

6 ~~(a) During each fiscal year there shall be paid into the Wildlife
7 Restoration Fund, which fund is hereby continued in existence, to
8 carry out the provisions of the Wildlife Conservation Act of 1947,
9 the sum of seven hundred fifty thousand dollars (\$750,000):~~

10 ~~(b) During each fiscal year there is appropriated to the
11 Department of Education the sum of five hundred thousand dollars
12 (\$500,000), or so much thereof as may be requested by the
13 Superintendent of Public Instruction, to maintain and strengthen
14 statewide secondary vocational student organizations authorized
15 and sponsored by the Department of Education in agriculture,
16 business, home economics, and industrial education. The
17 Superintendent of Public Instruction shall develop a budget
18 procedure for the disbursement of funds appropriated under this
19 section to ensure equal treatment of participating students and to
20 further ensure that such funds do not supplant existing money
21 currently provided from other public sources. The appropriated
22 money shall be used for the following purposes:~~

23 ~~(1) Improving the ability of the Department of Education to
24 equip vocational education students with competencies necessary
25 to enter the labor market and to assume successful roles in society
26 by conducting leadership development programs for student
27 officers; preparing instructional materials for teacher advisors;
28 maintaining student membership and financial records; giving
29 in-service training to the vocational teachers who advise the student
30 organizations; maintaining affiliation with national vocational
31 student organizations; and supplying support services necessary
32 to carry out these activities.~~

33 ~~(2) Training and preparing new and future vocational education
34 teachers to organize, manage, and conduct vocational education
35 student organization activities as an instructional strategy in the
36 vocational curriculum by providing an opportunity for their
37 involvement in actual participatory experiences in vocational
38 student organization activities and by conducting college and
39 university workshops to accomplish this purpose.~~

1 ~~(3) Training and preparing vocational students to take an active~~
2 ~~part in developing and participating in vocational fairs and other~~
3 ~~activities related to fairs for the purpose specified in Section 51004~~
4 ~~of the Education Code by cooperating with the Department of~~
5 ~~Food and Agriculture to conduct annually a statewide workshop~~
6 ~~for this purpose.~~

7 ~~The Department of Education shall include within the report~~
8 ~~required pursuant to subdivision (a) of Section 8007.5 of the~~
9 ~~Education Code, a report on the activities funded pursuant to this~~
10 ~~subdivision.~~

11 ~~(e) Except as otherwise provided by this article, the remainder~~
12 ~~shall be paid into the General Fund in the State Treasury.~~

13 ~~SEC. 34. Section 19632.5 of the Business and Professions~~
14 ~~Code is repealed.~~

15 ~~19632.5. (a) After the payments required pursuant to~~
16 ~~subdivisions (a) and (b) of Section 19632, but prior to any~~
17 ~~payments pursuant to subdivision (c) of that section, ten million~~
18 ~~dollars (\$10,000,000) of the license fees specified in Section 19632~~
19 ~~shall be deposited in a special account in the Fair and Exposition~~
20 ~~Fund and those moneys, including any earnings on the moneys so~~
21 ~~deposited, shall be used solely by the 51st District Agricultural~~
22 ~~Association for the acquisition or development, or both, of a~~
23 ~~fairgrounds site.~~

24 ~~(b) The moneys in the account are hereby appropriated, without~~
25 ~~regard to fiscal years, to the 51st District Agricultural Association~~
26 ~~for the purpose specified in subdivision (a), to be expended, with~~
27 ~~the approval of the Division of Fairs and Expositions in the~~
28 ~~Department of Food and Agriculture, on the basis of 34 percent~~
29 ~~money from the account and 66 percent matching money from~~
30 ~~cities, counties, special districts, or other units of government or~~
31 ~~from any source other than the account. Matching funds may be~~
32 ~~in the form of cash or any other form acceptable to the district. If~~
33 ~~the matching funds are in a form other than cash, they shall be~~
34 ~~approved by the Assistant Director of Food and Agriculture in~~
35 ~~charge of the Division of Fairs and Expositions prior to~~
36 ~~expenditure.~~

37 ~~(c) Any earnings in the account, from inception, shall be~~
38 ~~transferred to the 51st District Agricultural Association on a pro~~
39 ~~rata basis as funds are paid out of the account, in 5 percent~~

1 increments, corresponding to the percentage paid out pursuant to
2 subdivision (b).

3 SEC. 35. Section 19632.6 of the Business and Professions
4 Code is repealed.

5 ~~19632.6. (a) If the moneys provided for in subdivision (b) of
6 Section 19632.5, including matching funds, are less than the total
7 amount of funds determined as proper for the acquisition and
8 development of a fairgrounds site in the study carried out pursuant
9 to subdivision (a) of Section 1 of Chapter 647 of the Statutes of
10 1980, commencing on June 30, 1992, and on June 30th annually
11 thereafter, the Controller shall apportion for the fiscal year ending
12 on that date, until that difference is eliminated, 1 percent of the
13 revenues paid to the state, which exceed the revenues paid to the
14 state during the 1983–84 fiscal year, under Article 4 (commencing
15 with Section 6870) from tide and submerged lands and deposit
16 that amount in the special account in the Fair and Exposition Fund
17 created by subdivision (a) of Section 19632.5 for expenditure
18 pursuant to that section.~~

19 ~~(b) The funds appropriated and allocated in this section are
20 subject to reappropriation or allocation in any fiscal year by the
21 Budget Act for that year; and if the Budget Act for any fiscal year
22 reappropriates or reallocates the funds provided for in this section,
23 the appropriation and allocation in this act shall be inoperative for
24 that fiscal year.~~

25 SEC. 36. Section 19635 of the Business and Professions Code
26 is repealed.

27 ~~19635. During each of the Fiscal Years 1951–52, 1952–53,
28 and 1953–54, out of the license fees for conducting horse racing
29 meetings not payable into the Fair and Exposition Fund, the
30 Wildlife Restoration Fund, or the State College Fund, there is
31 appropriated to the California State Polytechnic College for
32 permanent improvements at the Kellogg and Voorhis Units the
33 sum of one million dollars (\$1,000,000), and the remainder shall
34 be paid into the General Fund in the State Treasury.~~

35 ~~The amounts appropriated by this section shall be transferred to
36 the Capital Outlay and Savings Fund, but the permanent
37 improvements mentioned shall be deferred and no expenditures
38 made therefor until or unless authorized by other legislation.~~

39 ~~The amounts appropriated by this section shall be available for
40 expenditure without regard to fiscal year.~~

1 SEC. 37. Section 19636 of the Business and Professions Code
2 is repealed.

3 ~~19636. All money appropriated pursuant to this article to the~~
4 ~~California Exposition and State Fair, the Los Angeles County Fair,~~
5 ~~the Sixth District Agricultural Association, known and designated~~
6 ~~as the California Science Center, the citrus fruit fairs defined in~~
7 ~~Section 4603 of the Food and Agricultural Code, and the 1-A~~
8 ~~District Agricultural Association, is exempt from Section 16304~~
9 ~~of the Government Code, and shall remain available for expenditure~~
10 ~~from year to year until expended.~~

11 SEC. 38. Section 19637 of the Business and Professions Code
12 is repealed.

13 ~~19637. Appropriations and allocations from the Fair and~~
14 ~~Exposition Fund made pursuant to this article, other than those~~
15 ~~made under subdivision (b) of Section 19620 are exempt from the~~
16 ~~provisions of Section 16304 of the Government Code. The date~~
17 ~~of such executive order is deemed to be the date when the~~
18 ~~appropriation becomes available for expenditure.~~

19 ~~All appropriations and allocations made by this article which~~
20 ~~are not exempted by this section from the provisions of Section~~
21 ~~16304 of the Government Code are subject to those provisions.~~

22 SEC. 39. Section 19638 of the Business and Professions Code
23 is repealed.

24 ~~19638. The Controller shall pay from the fund to the 1-A~~
25 ~~District Agricultural Association the appropriation for the support~~
26 ~~of that organization.~~

27 SEC. 40. Section 19638.5 of the Business and Professions
28 Code is repealed.

29 ~~19638.5. The Controller shall pay from the fund to the 48th~~
30 ~~District Agricultural Association the appropriation for its support.~~

31 SEC. 41. Section 19639 of the Business and Professions Code
32 is repealed.

33 ~~19639. The books and records of any county or citrus fruit fair~~
34 ~~or exposition receiving an appropriation or an allocation from the~~
35 ~~Fair and Exposition Fund, insofar as they relate to revenues and~~
36 ~~expenditures for fair or exposition purposes, may be audited by~~
37 ~~the Department of Finance.~~

38 ~~When any county or citrus fruit fair or exposition receiving an~~
39 ~~appropriation or allocation from the Fair and Exposition Fund~~
40 ~~contracts with an association to conduct such fair or exposition,~~

1 ~~the contract shall include a provision that the books and records~~
2 ~~of such association shall be subject to audit by the Department of~~
3 ~~Finance at the discretion of the department.~~

4 SEC. 42. Chapter 2.5 (commencing with Section 3150) is added
5 to Part 1 of Division 3 of the Food and Agricultural Code, to read:

6
7
8
9

CHAPTER 2.5. FAIRS AND DISTRICT AGRICULTURAL
ASSOCIATIONS

10 3150. (a) “State designated fairs,” referred to in this chapter
11 as fairs, means the California Exposition and State Fair in the City
12 of Sacramento and those fairs specified in Sections 3151, 3152,
13 and 3153 that may receive financial support or are otherwise
14 governed pursuant to this chapter. These fairs may also be referred
15 to as part of the “network of California fairs.”

16 (b) A nonprofit organization that holds an annual fair pursuant
17 to Section 4163 may elect to be a member of the network of
18 California fairs on terms and conditions mutually agreed upon by
19 the department and the nonprofit corporation.

20 3151. The district agricultural associations and their locations
21 are as follows:

- 22 (a) District 1 is the County of Alameda.
- 23 (b) District 1-A is the County of San Mateo and the City and
24 County of San Francisco.
- 25 (c) District 2 is the County of San Joaquin.
- 26 (d) District 3 is the County of Butte.
- 27 (e) District 4 is the Counties of Sonoma and Marin.
- 28 (f) District 5 is the City and County of San Francisco.
- 29 (g) District 6 is all that portion of Los Angeles County that is
30 not included in District 48, District 50, and District 51, and,
31 notwithstanding any other provision of this chapter, also includes
32 that portion of Los Angeles County within the boundaries of the
33 29th Senatorial District. District 6 shall be known and designated
34 as the California Science Center.
- 35 (h) District 7 is the County of Monterey.
- 36 (i) District 9 is the County of Humboldt.
- 37 (j) District 10 is that portion of the County of Siskiyou which
38 is not included in District 10-A.
- 39 (k) District 10-A is all that portion of Siskiyou and Modoc
40 Counties which is described as follows:

- 1 Beginning at the intersection of west longitude 122 degrees 10
2 minutes with the Oregon-California boundary line, thence southerly
3 along said line of longitude to north latitude 41 degrees 30 minutes,
4 thence easterly along said line of latitude to the point where it
5 intersects west longitude 121 degrees 10 minutes, thence northerly
6 along said line of longitude to the Oregon state line, thence westerly
7 along said state line to the point of beginning.
- 8 (l) District 12 is the County of Mendocino.
- 9 (m) District 13 is the Counties of Sutter and Yuba.
- 10 (n) District 14 is the County of Santa Cruz.
- 11 (o) District 15 is all that portion of the County of Kern which
12 is not included in District 53.
- 13 (p) District 16 is the County of San Luis Obispo.
- 14 (q) District 17 is the County of Nevada.
- 15 (r) District 18 is the Counties of Mono, Inyo, and Alpine.
- 16 (s) District 19 is all that portion of Santa Barbara County which
17 lies east of Gaviota and south of the Santa Ynez Mountains.
- 18 (t) District 20 is the County of Placer.
- 19 (u) District 21 is the County of Fresno.
- 20 (v) District 21-A is the County of Madera.
- 21 (w) District 22 is the County of San Diego.
- 22 (x) District 23 is the County of Contra Costa.
- 23 (y) District 24 is the County of Tulare.
- 24 (z) District 24-A is the County of Kings.
- 25 (aa) District 25 is the County of Napa.
- 26 (ab) District 26 is the County of Amador.
- 27 (ac) District 27 is the County of Shasta.
- 28 (ad) District 28 is the County of San Bernardino.
- 29 (ae) District 29 is the County of Tuolumne.
- 30 (af) District 30 is the County of Tehama.
- 31 (ag) District 31 is the County of Ventura.
- 32 (ah) District 32 is the County of Orange.
- 33 (ai) District 33 is the County of San Benito.
- 34 (aj) District 34 is that portion of the County of Modoc which is
35 not included in District 10-A.
- 36 (ak) District 35 is the County of Merced.
- 37 (al) District 35-A is the County of Mariposa.
- 38 (am) District 36 is the County of Solano.
- 39 (an) District 37 is all that portion of Santa Barbara County which
40 is not included in District 19.

- 1 (ao) District 38 is the County of Stanislaus.
- 2 (ap) District 39 is the County of Calaveras.
- 3 (aq) District 40 is the County of Yolo.
- 4 (ar) District 41 is the County of Del Norte.
- 5 (as) District 42 is the County of Glenn.
- 6 (at) District 44 is the County of Colusa.
- 7 (au) District 45 is the County of Imperial.
- 8 (av) District 46 is all that portion of the County of Riverside
- 9 which is not included in District 54.
- 10 (aw) District 48 is the County of Los Angeles.
- 11 (ax) District 49 is the County of Lake.
- 12 (ay) District 50 is all that portion of Los Angeles County which
- 13 lies north of the south line of Township 5 North, San Bernardino
- 14 base.
- 15 (az) District 51 is all the portion of Los Angeles City which is
- 16 described as follows:
- 17 From a point commencing where the most northerly boundary
- 18 of the City of Los Angeles intersects with the Golden State
- 19 Freeway and following on the city boundary in an easterly direction
- 20 where the boundary first intersects with the boundary of the City
- 21 of Burbank; thence continuing southeasterly along the Burbank
- 22 City boundary to its intersection with Barham Boulevard; thence
- 23 in a southerly direction on Barham Boulevard to its intersection
- 24 with Cahuenga Boulevard; thence in a southeasterly direction on
- 25 Cahuenga Boulevard to Mulholland Drive; thence along
- 26 Mulholland Drive to the Los Angeles City boundary; thence
- 27 following the Los Angeles City boundary west and northerly until
- 28 the boundary intersects with the Los Angeles-Ventura County line,
- 29 thence following the Los Angeles County line north to the Kern
- 30 County line, and east to the Golden State Freeway, and thence in
- 31 a southerly direction on the Golden State Freeway to the starting
- 32 point at the Golden State Freeway.
- 33 (ba) District 52 is the County of Sacramento.
- 34 (bb) District 53 is all of the portion of Kern County east of the
- 35 Los Angeles Aqueduct. District 53 shall be known and designated
- 36 as the Desert Empire Fair, and the fair site shall be near Ridgecrest.
- 37 (bc) District 54 is all of the portion of Riverside County east of
- 38 the Coachella Branch of the All-American Canal and east of the
- 39 line running due north from the northernmost point of that canal.
- 40 3152. The county fairs and their locations are as follows:

- 1 (a) The Alameda County Fair, held in the City of Pleasanton.
- 2 (b) The Butte County Fair, held in the City of Gridley.
- 3 (c) The El Dorado County Fair, held in the City of Placerville.
- 4 (d) The Humboldt County Fair, held in the City of Ferndale.
- 5 (e) The Lassen County Fair, held in the City of Susanville.
- 6 (f) The Los Angeles County Fair, held in the City of Pomona.
- 7 (g) The Madera County Fair, held in the City of Chowchilla.
- 8 (h) The Marin County Fair, held in the City of San Rafael.
- 9 (i) The Mendocino County Fair, held in the Town of Boonville.
- 10 (j) The Merced County Fair, held in the City of Los Banos.
- 11 (k) The Monterey County Fair, held in the City of King City.
- 12 (l) The Napa County Fair, held in the City of Calistoga.
- 13 (m) The Placer County Fair, held in the City of Roseville.
- 14 (n) The Plumas County Fair, held in the Town of Quincy.
- 15 (o) The Riverside County Fair, held in the City of Indio.
- 16 (p) The San Benito County Fair, held in the City of Hollister.
- 17 (q) The San Francisco County Fair, held in the City of San
- 18 Francisco.
- 19 (r) The San Joaquin County Fair, held in the City of Lodi.
- 20 (s) The San Mateo County Fair, held in the City of San Mateo.
- 21 (t) The Santa Clara County Fair, held in the City of San Jose.
- 22 (u) The Shasta County Fair, held in the Town of McArthur.
- 23 (v) The Solano County Fair, held in the City of Vallejo.
- 24 (w) The Sonoma County Fair, held in the City of Santa Rosa.
- 25 (x) The Trinity County Fair, held in the Town of Hayfork.
- 26 3153. The citrus fruit fairs and their locations are as follows:
- 27 (a) The Cloverdale Citrus Fair, held in the City of Cloverdale.
- 28 (b) The National Orange Show, held in the City of San
- 29 Bernardino.
- 30 3154. The provisions of this chapter insofar as they are
- 31 substantially the same as existing code provisions relating to the
- 32 same subject matter shall be construed as restatements and
- 33 continuations thereof, and not as new enactments.
- 34 SEC. 43. Section 3200 of the Food and Agricultural Code is
- 35 amended to read:
- 36 3200. Notwithstanding any other provision of law, all funds
- 37 appropriated for California fairs and expositions pursuant to
- 38 ~~Sections 19622, 19627, 19627.1, and subdivision (e) of Section~~
- 39 ~~19627.2 of the Business and Professions Code for the 1995-96~~
- 40 ~~fiscal year shall not be utilized for the purposes specified in those~~

1 ~~sections but shall, instead, the provisions of this chapter shall be~~
 2 ~~utilized for the purposes specified in Section 19630 of the Business~~
 3 ~~and Professions Code Sections 3202 and 3221, and may be~~
 4 ~~allocated by the Secretary of Food and Agriculture secretary to~~
 5 ~~all state designated fairs as defined by Section 19418 of the~~
 6 ~~Business and Professions Code 3150, for the purposes specified~~
 7 ~~in Section 19630 Sections 3202 and 3221.~~

8 SEC. 44. Section 3201 is added to the Food and Agricultural
 9 Code, to read:

10 3201. Notwithstanding any other provision of law, on July 1,
 11 2009, and on each July 1 thereafter, thirty-two million dollars
 12 (\$32,000,000) shall be transferred from the General Fund and paid
 13 into the State Treasury to the credit of the Fair and Exposition
 14 Fund specified in Section 3202 and shall be continuously
 15 appropriated for allocation as specified in that section and Section
 16 3221 for the financial support of the network of California fairs.

17 SEC. 45. Section 3202 is added to the Food and Agricultural
 18 Code, to read:

19 3202. (a) All revenues transferred pursuant to Section 3201
 20 shall be deposited in the Fair and Exposition Fund, and,
 21 notwithstanding Section 13340 of the Government Code, are
 22 continuously appropriated from the fund to the department, for
 23 allocation by the secretary, at his or her discretion, for the purposes
 24 set forth in paragraphs (1) to (5), inclusive. The concurrence of
 25 the Director of Finance shall be required for allocations pursuant
 26 to paragraphs (1) and (2). Allocations pursuant to paragraphs (3)
 27 to (5), inclusive, shall be made with the concurrence of the Joint
 28 Committee on Fairs Allocation and Classification.

29 (1) For the repayment of the principal of, interest on, and costs
 30 of issuance of, and as security, including any coverage factor,
 31 pledged to the payment of, bonds issued or to be issued by a joint
 32 powers agency or other debt service or expense, including
 33 repayment of any advances made or security required by any
 34 provider of credit enhancement or liquidity for those bonds or
 35 other indebtedness or expenses of maintaining that credit
 36 enhancement or liquidity, incurred for the purpose of constructing
 37 or acquiring capital improvements at fairgrounds, constructing or
 38 acquiring improvements at a fair's racetrack inclosure, satellite
 39 wagering facilities at fairs, health and safety repair projects,
 40 renewable energy generation projects, or handicapped access

1 compliance projects at fairs or for the purpose of refunding bonds
2 or other indebtedness incurred for those purposes. As used in this
3 paragraph, “coverage factor” means revenues in excess of the
4 amount necessary to pay debt service on the bonds or other
5 indebtedness, up to an amount equal to 100 percent more than the
6 amount of that debt service, which a joint powers agency, pursuant
7 to the resolution or indenture under which the bonds or other
8 indebtedness are or will be issued, pledges as additional security
9 for the payment of that debt service or is required to have or
10 maintain as a condition to the issuance of additional bonds or other
11 indebtedness. Notwithstanding any other provision of law, the
12 department may also commit any funds available for allocation
13 under Sections 3207 to 3227, inclusive, to the repayment of debt
14 service on the bonds or other indebtedness to complete projects
15 funded under this paragraph in the priority described in this
16 paragraph.

17 (2) For payment to the State Race Track Leasing Commission
18 to be pledged for the repayment of debt necessary to construct a
19 racetrack grandstand at the 22nd District Agricultural Association
20 fairgrounds. This payment shall be made only if the secretary
21 determines, annually, that all other pledged revenues have been
22 applied to the repayment of that debt and have been determined
23 by the secretary to be inadequate for that purpose.

24 (3) For health and safety repair projects at fairs, including fire
25 and life safety improvement projects, regulatory compliance
26 projects, and long-term deferred maintenance projects.

27 (4) For capital improvements at fairgrounds. In making
28 determinations to fund capital improvements pursuant to this
29 paragraph the secretary may grant priority status to renewable
30 energy generation projects or to projects which meet or exceed the
31 California Environmental Efficiency Standards of the California
32 Environmental Protection Agency.

33 (5) For the payment of expenses incurred in developing and
34 operating revenue generating projects at fairs, or which directly
35 benefit fairs, including the payment of expenses incurred in
36 establishing and operating satellite wagering facilities, the
37 establishment of pilot projects to restructure the current fair system,
38 and for projects realizing a cost savings for more efficient
39 utilization of existing fair resources.

1 (b) The secretary shall not make an allocation for purposes of
2 paragraphs (2) to (5), inclusive, of subdivision (a) until the
3 payments required in any fiscal year pursuant to paragraph (1) of
4 subdivision (a) have been funded.

5 (c) Pursuant to subdivision (a), the Joint Committee on Fairs
6 Allocation and Classification shall review and concur, or not
7 concur, with the secretary's determination of the allocations to be
8 made pursuant to paragraphs (3) to (5), inclusive, of subdivision
9 (a) in total, and the committee shall not add to, or delete projects
10 or line items from, the proposed allocations.

11 (d) Approval of the Joint Committee on Fairs Allocation and
12 Classification is deemed complete when one of the following
13 conditions is met:

14 (1) The annual Budget Act is enacted.

15 (2) If the secretary's recommendations are received by the Joint
16 Committee on Fairs Allocation and Classification after the
17 enactment of the annual Budget Act, the recommendations shall
18 be deemed approved 30 days after they are received unless they
19 are rejected by the committee.

20 (e) If the Joint Committee on Fairs Allocation and Classification
21 does not concur with the secretary's recommendations, the
22 secretary may submit another set of recommendations to the
23 committee pursuant to this section.

24 (f) The payments required in any fiscal year for the purposes
25 of paragraphs (1) and (2) of subdivision (a) shall be made before
26 the secretary may make any allocations pursuant to subdivision
27 (g).

28 (g) Except as otherwise provided in subdivision (f), when the
29 revenues deposited in the Fair and Exposition Fund exceed the
30 amount necessary to satisfy the purposes of subdivision (f), the
31 secretary may utilize the amounts in excess of the amount necessary
32 to satisfy the purposes of subdivision (f) plus the amounts deposited
33 to the credit of the Fair and Exposition Fund pursuant to
34 subdivision (d) of Section 19614 of the Business and Professions
35 Code and any other revenues deposited to the credit of the fund to
36 make allocations from the fund for the purposes of Section 3207.

37 (h) All of the costs of administering the accounts created by
38 subdivision (a) and Section 19606.3 of the Business and
39 Professions Code shall be charged to the respective accounts.

1 SEC. 46. Section 3203 is added to the Food and Agricultural
2 Code, to read:

3 3203. All revenues transferred pursuant to Section 3201 and
4 deposited to the credit of the Fair and Exposition Fund specified
5 in Section 3202 that are allocated by the secretary for the purposes
6 of paragraph (1) of subdivision (a) of Section 3202 are hereby
7 pledged for the repayment of the principal of, and interest on,
8 bonds issued by a joint powers agency, or of other debt service or
9 expense incurred for the purposes described in that paragraph (1).

10 SEC. 47. Section 3204 is added to the Food and Agricultural
11 Code, to read:

12 3204. (a) Any joint powers agency requesting money in
13 connection with the issuance of bonds for the purposes described
14 in paragraph (1) of subdivision (a) of Section 3202 shall file an
15 application with the secretary, in the form required by the secretary.

16 (b) The secretary shall, upon review of the application, prepare
17 a statement of allocation of money to the joint powers agency, in
18 the priority the secretary deems appropriate.

19 (c) The secretary shall adopt regulations governing the allocation
20 procedures to be followed in implementing this section.

21 SEC. 48. Section 3205 is added to the Food and Agricultural
22 Code, to read:

23 3205. It is the intent of the Legislature in enacting Sections
24 3203, 3204, and 3206 to provide the revenues necessary for the
25 financing by joint powers agencies of the described facilities and
26 projects which shall be deemed to be public capital improvements
27 within the meaning of Article 4 (commencing with Section 6584)
28 of Chapter 5 of Division 7 of Title 1 of the Government Code.
29 Transfers and deposits into the Fair and Exposition Fund in
30 accordance with paragraph (1) of subdivision (a) of Section 3202
31 shall continue through and including either the 20th year after the
32 initial calendar year in which the revenues are collected, or
33 whatever period of time is necessary to repay any borrowings of
34 joint powers funding mechanism, including, but not limited to,
35 retirement of bonded indebtedness, loan repayments, and monthly
36 payments involving lease-purchase programs made by a joint
37 powers agency to finance described facilities and projects,
38 whichever time is longer.

39 SEC. 49. Section 3206 is added to the Food and Agricultural
40 Code, to read:

1 3206. The State of California does hereby pledge to and agree
2 with the holders of any bonds or other indebtedness issued, and
3 with those joint powers agencies that may enter into project
4 agreements with fairs or other third parties or authorize bonds or
5 other indebtedness to be issued, in reliance on the transfers set
6 forth in Section 3201 or the allocations set forth in subdivision (a)
7 of Section 3202, that the state will not alter or change the structure
8 of funding or the transfers or deposits set forth in, or the pledge
9 of funds for debt service, security, including any coverage factors,
10 and expenses, pursuant to those sections until the bonds and other
11 indebtedness are fully paid or discharged and the project is fully
12 performed or discharged. However, nothing precludes any
13 alteration or change, if and when, adequate provision has been
14 made by law for the protection from impairment of the contracts
15 represented by the bonds, other indebtedness and projects, and the
16 right to so alter or change is hereby reserved. Joint powers agencies
17 may include this pledge and undertaking of the state in the bonds,
18 agreements evidencing other indebtedness, and project agreements.

19 SEC. 50. Section 3207 is added to the Food and Agricultural
20 Code, to read:

21 3207. (a) The Legislature finds and declares that the
22 department is responsible for ensuring the integrity of the Fair and
23 Exposition Fund, administering allocations from the fund to the
24 network of California fairs, as defined in Sections 3150 to 3153,
25 inclusive, and providing oversight of activities carried out by each
26 California fair.

27 (b) Oversight shall include, but not be limited to, the following:

28 (1) Monitoring the solvency of the Fair and Exposition Fund.

29 (2) Distributing available state resources to the network of
30 California fairs based on criteria for state allocations approved by
31 the secretary. The criteria for the distribution of available state
32 resources to the network of California fairs shall not include a
33 consideration of the structure that governs the fair.

34 (3) Creating a framework for administration of the network of
35 California fairs allowing for maximum autonomy and local
36 decisionmaking authority, and conducting, or causing to be
37 conducted, annual fiscal audits and periodic compliance audits.

38 (4) Conducting fiscal and performance audits of county fairs
39 and citrus fruit fairs that are requested by the fair that is the subject
40 of the audit, and that the department deems to be necessary.

1 (5) Guiding and providing incentives to fairs to seek matching
2 funds and generate new revenue from a variety of sources.

3 (6) Supporting continuous improvement of fair programming
4 to ensure that California fairs remain highly relevant community
5 institutions.

6 SEC. 51. Section 3208 is added to the Food and Agricultural
7 Code, to read:

8 3208. (a) From the total revenue available for allocation
9 pursuant to subdivision (g) of Section 3202, including the revenue
10 deposited in the Fair and Exposition Fund pursuant to subdivision
11 (d) of Section 19614 of the Business and Professions Code and
12 any other revenue deposited to the credit of the fund, but excluding
13 revenue deposited pursuant to the provisions of Section 19578 of
14 the Business and Professions Code, the sum of two hundred
15 sixty-five thousand dollars (\$265,000) shall be allocated by the
16 secretary for the support of the California Exposition and State
17 Fair.

18 (b) In addition to the funds paid into the State Treasury to the
19 credit of the Fair and Exposition Fund as specified in subdivision
20 (a), the Legislature shall annually appropriate and the General
21 Fund shall deposit to the credit of the Fair and Exposition Fund,
22 the sums that it deems necessary for the following purposes:

23 (1) To the department for the oversight of the network of
24 California fairs receiving money from the fund.

25 (2) To the department for the contributions, or the cost of
26 benefits in lieu of contributions, payable to the Unemployment
27 Fund by the network of California fairs receiving funds pursuant
28 to this chapter, as a result of unemployment insurance coverage
29 pursuant to Section 605 of the Unemployment Insurance Code.

30 (3) To the department for the auditing of all district agricultural
31 association fairs, county fairs, and citrus fruit fairs.

32 SEC. 52. Section 3209 is added to the Food and Agricultural
33 Code, to read:

34 3209. (a) Not more than 5 percent of the amount transferred
35 from the General Fund on July 1, 2009, and on each July 1
36 thereafter, and paid into the State Treasury to the credit of the Fair
37 and Exposition Fund may be used during any fiscal year to augment
38 the budget of the department to develop and administer an
39 operational and policy framework for the network of California
40 fairs.

1 (b) The secretary shall annually project the available revenues
2 from the Fair and Exposition Fund and submit a recommendation
3 to the Governor for the additional staff and contracts necessary to
4 oversee the network of California fairs and include that amount in
5 the annual expenditure plan described in subdivision (c).

6 (c) The secretary shall prepare an annual expenditure plan for
7 funds available from the Fair and Exposition Fund for review and
8 approval by the Joint Committee on Fairs Allocation and
9 Classification. The Joint Committee on Fairs Allocation and
10 Classification shall review and concur, or not concur, with the
11 spending plan in total, and may not add to, or delete projects or
12 line items from, the budget.

13 (d) Approval of the Joint Committee on Fairs Allocation and
14 Classification is deemed complete when one of the following
15 conditions is met:

- 16 (1) The annual Budget Act is enacted.
- 17 (2) If the secretary’s recommendations are received by the Joint
18 Committee on Fairs Allocation and Classification after the
19 enactment of the annual Budget Act, the recommendations shall
20 be deemed approved 30 days after they are received unless they
21 are rejected by the committee.

22 (e) If the Joint Committee on Fairs Allocation and Classification
23 does not concur with the secretary’s recommendations, the
24 secretary may submit another set of recommendations to the
25 committee pursuant to this section.

26 SEC. 53. Section 3210 is added to the Food and Agricultural
27 Code, to read:

28 3210. (a) Notwithstanding any other law, neither the state nor
29 the department is liable for any contract or tort of, or any action
30 taken or any failure to act by, any fair in the network of California
31 fairs that does not comply with the requirements of Section 3215.

32 (b) No member of the fair board, or any employee or agent
33 thereof, is personally liable for the contracts or actions of the fair
34 board, and no member of the fair board or employee or agent
35 thereof is responsible individually in any way to any other person
36 for error in judgment, mistakes, or other acts, either of commission
37 or omission, as principal, agent, or employee, except for his or her
38 own individual acts of dishonesty or crime. No member of the fair
39 board shall be held responsible individually for any act or omission
40 of any other member of the fair board. The liability of the members

1 of the fair board is several and not joint, and no member is liable
2 for the default of any other member.

3 SEC. 54. Section 3211 is added to the Food and Agricultural
4 Code, to read:

5 3211. The secretary shall prepare and submit to the Department
6 of Finance an estimate of the contributions, or the cost of benefits
7 in lieu of contributions, that are payable to the Unemployment
8 Fund by all California fairs receiving funds pursuant to this chapter.
9 The Director of Finance shall include those estimates in the Budget
10 Bill submitted to the Legislature.

11 SEC. 55. Section 3212 is added to the Food and Agricultural
12 Code, to read:

13 3212. (a) The secretary shall prepare and submit to the
14 Department of Finance an estimate of revenue to be deposited in
15 the Fair and Exposition Fund and allocations to be made from the
16 fund for each fiscal year. The Director of Finance may authorize
17 short-term, cash-flow loans from the unappropriated surplus of
18 the General Fund to the Fair and Exposition Fund if all of the
19 following conditions are met:

20 (1) The loan will be repaid during the same fiscal year in which
21 it is made.

22 (2) No loan exceeds the amount remaining to be allocated in
23 any fiscal year or 75 percent of the revenue estimated to be
24 deposited in the Fair and Exposition Fund during the remainder
25 of the fiscal year.

26 (b) The secretary shall notify the Controller when loans under
27 this section are no longer required and any unnecessary loan funds
28 shall be returned to the General Fund.

29 SEC. 56. Section 3213 is added to the Food and Agricultural
30 Code, to read:

31 3213. (a) In order to maintain their eligibility to receive funds
32 or to utilize state assets, the fairs specified in Section 3150 shall
33 do all of the following:

34 (1) File an annual statement of operations with the department.

35 (2) Conduct an annual fair that includes agriculture and other
36 community-relevant exhibits and competitions.

37 (b) The department may withhold or restrict allocations to fairs
38 that do not comply with this section or the fiscal standards or
39 administrative standards established by the department. The

1 department shall establish an appeal process for fairs regarding
2 funds that are withheld or restricted.

3 SEC. 57. Section 3214 is added to the Food and Agricultural
4 Code, to read:

5 3214. (a) The authority of the department shall include, but is
6 not limited to, requiring the California Exposition and State Fair
7 to meet all applicable standards prescribed by the department.

8 (b) The department may delegate approval authority for those
9 matters that the department may determine to the Board of
10 Directors of the California Exposition and State Fair if the fair
11 complies with this section.

12 (c) Notwithstanding any other provision of law, the department
13 may assume all rights, duties, and powers of the Board of Directors
14 of the California Exposition and State Fair if the department
15 determines there is insufficient fiscal or administrative control.
16 The board of directors shall again exercise these rights, duties, and
17 powers when the department determines that the fair has been
18 restored to solvency and is in compliance with this section.

19 (d) The department may petition a court of competent
20 jurisdiction for an order appointing the department, or a person
21 designated by the department, as a receiver if it determines that
22 the California Exposition and State Fair is insolvent, or is in
23 imminent danger of insolvency. The court shall appoint a receiver
24 upon showing that the fair is insolvent, or is in imminent danger
25 of insolvency.

26 (e) For the purposes of this section, “insolvency” means that
27 the California Exposition and State Fair is unable to discharge its
28 debts as they become due in the usual course of business.

29 (f) The General Fund and the Fairs and Exposition Fund shall
30 be held harmless from any debts, liabilities, settlements, judgments,
31 or liens incurred by the California Exposition and State Fair,
32 including any deficiency in operating funds.

33 SEC. 58. Section 3215 is added to the Food and Agricultural
34 Code, to read:

35 3215. (a) The authority of the department shall include, but is
36 not limited to, requiring district agricultural associations to meet
37 all applicable standards prescribed by the department.

38 (b) The department may delegate approval authority for those
39 matters that the department may determine to the board of directors
40 if the board complies with this section. The department shall report

1 annually to the Joint Committee on Fairs Allocation and
2 Classification the names of fairs that are delegated that authority.

3 (c) Notwithstanding any other provision of law, and in order to
4 protect the integrity of the Fair and Exposition Fund, the
5 department may assume any or all rights, duties, and powers of
6 the board of directors of a district agricultural association if the
7 department reasonably determines that there is insufficient fiscal
8 or administrative control. The board of directors shall again
9 exercise these rights, duties, and powers when the department
10 determines that the fair is in compliance with this section. The
11 department shall report annually to the Joint Committee on Fairs
12 Allocation and Classification the names of fairs with respect to
13 which the department has taken the action prescribed in this
14 subdivision and subdivision (d).

15 (d) The department may petition a court of competent
16 jurisdiction for an order appointing the department, or a person
17 designated by the department, as a receiver if it determines that
18 the fair is insolvent, or is in imminent danger of insolvency. The
19 court shall appoint a receiver upon a showing that the fair is
20 insolvent, or is in imminent danger of insolvency.

21 (e) For the purposes of this section, “insolvency” means that
22 the district agricultural association is unable to discharge its debts
23 as they become due in the usual course of business.

24 SEC. 59. Section 3216 is added to the Food and Agricultural
25 Code, to read:

26 3216. The authority of the department shall include, but is not
27 limited to, requiring county fairs and citrus fruit fairs to do all of
28 the following:

29 (a) Meet all applicable standards prescribed by the department.

30 (b) Submit to the department for review and approval every five
31 years a written agreement specifying the operational, financial,
32 and administrative responsibilities between the entity producing
33 the fair and the host county, or the host agency.

34 SEC. 60. Section 3217 is added to the Food and Agricultural
35 Code, to read:

36 3217. Funds appropriated from the Fair and Exposition Fund
37 may be expended for the payment of premiums, for capital outlay
38 purposes, including the purchase of land and equipment for
39 construction and improvements, and for the general support and

1 maintenance of the network of California fairs and for the
2 department's oversight of the network of California fairs.

3 SEC. 61. Section 3218 is added to the Food and Agricultural
4 Code, to read:

5 3218. Notwithstanding Section 3217, any unanticipated
6 revenues, other than any allocation from the state, which are in
7 excess of the approved budget for any fiscal or calendar year of
8 any California fair shall be retained by that fair and may be
9 expended for any purpose specified in Section 3221. These funds
10 may be expended, without regard to any fiscal year, by any fair to
11 which Section 3217 applies, upon positive action by the board of
12 directors of that fair, which shall be recorded in the official minutes
13 of the fair approving a plan of expenditure for those funds for the
14 purposes specified in Section 3221.

15 SEC. 62. Section 3219 is added to the Food and Agricultural
16 Code, to read:

17 3219. If any California fair does not hold a fair in any year
18 because of war conditions, or because the grounds or buildings of
19 the fair have been taken over and occupied by the United States
20 or its Armed Forces, or that fair is not held due to an act of God,
21 or any unavoidable catastrophe, natural or human made, the fair
22 shall nevertheless submit an annual statement of operations and
23 shall not resume operations without a budget that has been
24 approved by the department.

25 SEC. 63. Section 3220 is added to the Food and Agricultural
26 Code, to read:

27 3220. The department may make and may administer loans
28 from the Fair and Exposition Fund to any fair in the network of
29 California fairs according to agreements that are specific to the
30 circumstances that gave rise to a receiving fair's need for a loan,
31 subject to the fair's demonstrated ability to repay the loan.

32 SEC. 64. Section 3221 is added to the Food and Agricultural
33 Code, to read:

34 3221. (a) Any unallocated balance from subdivision (a) of
35 Section 3208 is hereby appropriated without regard to fiscal years
36 for allocation by the secretary for capital outlay to California fairs
37 for fair projects involving public health and safety, for fair projects
38 involving major and deferred maintenance, for fair projects
39 necessary due to any emergency, for projects that are required by
40 physical changes to the fair site, for projects that are required to

1 protect the fair property or installation, such as fencing and flood
2 protection, and for the acquisition or improvement of any property
3 or facility that will serve to enhance the operation of the fair.

4 (b) A portion of the funds subject to allocation pursuant to
5 subdivision (a) may be allocated to California fairs for general
6 operational support. It is the intent of the Legislature that these
7 moneys be used primarily for those fairs whose sources of revenue
8 may be limited for purposes specified in this section.

9 SEC. 65. Section 3222 is added to the Food and Agricultural
10 Code, to read:

11 3222. Notwithstanding any other provision of law, any fair
12 qualified to receive an allocation that has complied with the
13 requirements set forth in subdivisions (a) and (b) of Section 3213,
14 with the approval of the department, may expend available funds
15 for the construction or operation of recreational and cultural
16 facilities of general public interest.

17 SEC. 66. Section 3223 is added to the Food and Agricultural
18 Code, to read:

19 3223. Notwithstanding any other provision of law, the 1-A
20 District Agricultural Association may, with the approval of the
21 department, expend any money available for expenditure by it, for
22 construction, repairs, and equipment.

23 SEC. 67. Section 3224 is added to the Food and Agricultural
24 Code, to read:

25 3224. All money appropriated pursuant to this chapter to any
26 state-designated fair and any appropriations and allocations from
27 the Fair and Exposition Fund made pursuant to this chapter, other
28 than those made under subdivision (b) of Section 3208 are exempt
29 from the provisions of Section 16304 of the Government Code
30 and shall remain available for expenditure from year to year until
31 expended. All appropriations and allocations made by this chapter
32 which are not exempted by this section from the provisions of
33 Section 16304 of the Government Code are subject to those
34 provisions.

35 SEC. 68. Section 3225 is added to the Food and Agricultural
36 Code, to read:

37 3225. The Controller shall pay from the Fair and Exposition
38 Fund to the 1-A District Agricultural Association the appropriation
39 for the support of that organization.

1 SEC. 69. Section 3226 is added to the Food and Agricultural
2 Code, to read:

3 3226. The Controller shall pay from the Fair and Exposition
4 Fund to the 48th District Agricultural Association the appropriation
5 for its support.

6 SEC. 70. Section 3227 is added to the Food and Agricultural
7 Code, to read:

8 3227. The books and records of any county or citrus fruit fair
9 or exposition receiving an appropriation or an allocation from the
10 Fair and Exposition Fund, insofar as they relate to revenues and
11 expenditures for fair or exposition purposes, may be audited by
12 the Department of Finance. When any county or citrus fruit fair
13 or exposition receiving an appropriation or allocation from the
14 Fair and Exposition Fund contracts with an association to conduct
15 a fair or exposition, the contract shall include a provision that the
16 books and records of the association shall be subject to audit by
17 the Department of Finance at the discretion of the department.

18 SEC. 71. Section 3851 of the Food and Agricultural Code is
19 amended to read:

20 3851. The state is divided into the agricultural districts which
21 are prescribed by this article *specified in Section 3151*.

22 SEC. 72. Section 3852 of the Food and Agricultural Code is
23 repealed.

24 ~~3852. District 1 is the County of Alameda.~~

25 SEC. 73. Section 3853 of the Food and Agricultural Code is
26 repealed.

27 ~~3853. District 1a is the County of San Mateo and the City and
28 County of San Francisco.~~

29 SEC. 74. Section 3854 of the Food and Agricultural Code is
30 repealed.

31 ~~3854. District 2 is the County of San Joaquin.~~

32 SEC. 75. Section 3855 of the Food and Agricultural Code is
33 repealed.

34 ~~3855. District 3 is the County of Butte.~~

35 SEC. 76. Section 3856 of the Food and Agricultural Code is
36 repealed.

37 ~~3856. District 4 is the Counties of Sonoma and Marin.~~

38 SEC. 77. Section 3856.5 of the Food and Agricultural Code is
39 repealed.

40 ~~3856.5. District 5 is the City and County of San Francisco.~~

1 SEC. 78. Section 3857 of the Food and Agricultural Code is
2 repealed.

3 ~~3857. District 6 is all that portion of Los Angeles County that~~
4 ~~is not included in District 48, District 50, and District 51, and,~~
5 ~~notwithstanding any other provision of this chapter, also includes~~
6 ~~that portion of Los Angeles County within the boundaries of the~~
7 ~~29th Senatorial District. District 6 shall be known and designated~~
8 ~~as the California Science Center.~~

9 SEC. 79. Section 3858 of the Food and Agricultural Code is
10 repealed.

11 ~~3858. District 7 is the County of Monterey.~~

12 SEC. 80. Section 3859 of the Food and Agricultural Code is
13 repealed.

14 ~~3859. District 9 is the County of Humboldt.~~

15 SEC. 81. Section 3860 of the Food and Agricultural Code is
16 repealed.

17 ~~3860. District 10 is that portion of the County of Siskiyou~~
18 ~~which is not included in District 10a.~~

19 SEC. 82. Section 3861 of the Food and Agricultural Code is
20 repealed.

21 ~~3861. District 10a is all that portion of Siskiyou and Modoc~~
22 ~~Counties which is described as follows:~~

23 ~~Beginning at the intersection of west longitude 122 degrees 10~~
24 ~~minutes with the Oregon-California boundary line, thence southerly~~
25 ~~along said line of longitude to north latitude 41 degrees 30 minutes,~~
26 ~~thence easterly along said line of latitude to the point where it~~
27 ~~intersects west longitude 121 degrees 10 minutes, thence northerly~~
28 ~~along said line of longitude to the Oregon state line, thence westerly~~
29 ~~along said state line to the point of beginning.~~

30 SEC. 83. Section 3862 of the Food and Agricultural Code is
31 repealed.

32 ~~3862. District 12 is the County of Mendocino.~~

33 SEC. 84. Section 3863 of the Food and Agricultural Code is
34 repealed.

35 ~~3863. District 13 is the Counties of Sutter and Yuba.~~

36 SEC. 85. Section 3864 of the Food and Agricultural Code is
37 repealed.

38 ~~3864. District 14 is the County of Santa Cruz.~~

39 SEC. 86. Section 3865 of the Food and Agricultural Code is
40 repealed.

1 ~~3865. District 15 is all that portion of the County of Kern which~~
2 ~~is not included in District 53.~~
3 ~~SEC. 87. Section 3866 of the Food and Agricultural Code is~~
4 ~~repealed.~~
5 ~~3866. District 16 is the County of San Luis Obispo.~~
6 ~~SEC. 88. Section 3867 of the Food and Agricultural Code is~~
7 ~~repealed.~~
8 ~~3867. District 17 is the County of Nevada.~~
9 ~~SEC. 89. Section 3868 of the Food and Agricultural Code is~~
10 ~~repealed.~~
11 ~~3868. District 18 is the Counties of Mono, Inyo, and Alpine.~~
12 ~~SEC. 90. Section 3869 of the Food and Agricultural Code is~~
13 ~~repealed.~~
14 ~~3869. District 19 is all that portion of Santa Barbara County~~
15 ~~which lies east of Gaviota and south of the Santa Ynez Mountains.~~
16 ~~SEC. 91. Section 3870 of the Food and Agricultural Code is~~
17 ~~repealed.~~
18 ~~3870. District 20 is the County of Placer.~~
19 ~~SEC. 92. Section 3871 of the Food and Agricultural Code is~~
20 ~~repealed.~~
21 ~~3871. District 21 is the County of Fresno.~~
22 ~~SEC. 93. Section 3872 of the Food and Agricultural Code is~~
23 ~~repealed.~~
24 ~~3872. District 21a is the County of Madera.~~
25 ~~SEC. 94. Section 3873 of the Food and Agricultural Code is~~
26 ~~repealed.~~
27 ~~3873. District 22 is the County of San Diego.~~
28 ~~SEC. 95. Section 3874 of the Food and Agricultural Code is~~
29 ~~repealed.~~
30 ~~3874. District 23 is the County of Contra Costa.~~
31 ~~SEC. 96. Section 3875 of the Food and Agricultural Code is~~
32 ~~repealed.~~
33 ~~3875. District 24 is the County of Tulare.~~
34 ~~SEC. 97. Section 3876 of the Food and Agricultural Code is~~
35 ~~repealed.~~
36 ~~3876. District 24a is the County of Kings.~~
37 ~~SEC. 98. Section 3877 of the Food and Agricultural Code is~~
38 ~~repealed.~~
39 ~~3877. District 25 is the County of Napa.~~

1 SEC. 99. Section 3878 of the Food and Agricultural Code is
2 repealed.
3 ~~3878. District 26 is the County of Amador.~~
4 SEC. 100. Section 3879 of the Food and Agricultural Code is
5 repealed.
6 ~~3879. District 27 is the County of Shasta.~~
7 SEC. 101. Section 3880 of the Food and Agricultural Code is
8 repealed.
9 ~~3880. District 28 is the County of San Bernardino.~~
10 SEC. 102. Section 3881 of the Food and Agricultural Code is
11 repealed.
12 ~~3881. District 29 is the County of Tuolumne.~~
13 SEC. 103. Section 3882 of the Food and Agricultural Code is
14 repealed.
15 ~~3882. District 30 is the County of Tehama.~~
16 SEC. 104. Section 3883 of the Food and Agricultural Code is
17 repealed.
18 ~~3883. District 31 is the County of Ventura.~~
19 SEC. 105. Section 3884 of the Food and Agricultural Code is
20 repealed.
21 ~~3884. District 32 is the County of Orange.~~
22 SEC. 106. Section 3885 of the Food and Agricultural Code is
23 repealed.
24 ~~3885. District 33 is the County of San Benito.~~
25 SEC. 107. Section 3886 of the Food and Agricultural Code is
26 repealed.
27 ~~3886. District 34 is that portion of the County of Modoc which~~
28 ~~is not included in District 10a.~~
29 SEC. 108. Section 3887 of the Food and Agricultural Code is
30 repealed.
31 ~~3887. District 35 is the County of Merced.~~
32 SEC. 109. Section 3888 of the Food and Agricultural Code is
33 repealed.
34 ~~3888. District 35a is the County of Mariposa.~~
35 SEC. 110. Section 3889 of the Food and Agricultural Code is
36 repealed.
37 ~~3889. District 36 is the County of Solano.~~
38 SEC. 111. Section 3890 of the Food and Agricultural Code is
39 repealed.

1 ~~3890. District 37 is all that portion of Santa Barbara County~~
2 ~~which is not included in District 19.~~
3 SEC. 112. Section 3891 of the Food and Agricultural Code is
4 repealed.
5 ~~3891. District 38 is the County of Stanislaus.~~
6 SEC. 113. Section 3892 of the Food and Agricultural Code is
7 repealed.
8 ~~3892. District 39 is the County of Calaveras.~~
9 SEC. 114. Section 3893 of the Food and Agricultural Code is
10 repealed.
11 ~~3893. District 40 is the County of Yolo.~~
12 SEC. 115. Section 3894 of the Food and Agricultural Code is
13 repealed.
14 ~~3894. District 41 is the County of Del Norte.~~
15 SEC. 116. Section 3895 of the Food and Agricultural Code is
16 repealed.
17 ~~3895. District 42 is the County of Glenn.~~
18 SEC. 117. Section 3896 of the Food and Agricultural Code is
19 repealed.
20 ~~3896. District 44 is the County of Colusa.~~
21 SEC. 118. Section 3897 of the Food and Agricultural Code is
22 repealed.
23 ~~3897. District 45 is the County of Imperial.~~
24 SEC. 119. Section 3898 of the Food and Agricultural Code is
25 repealed.
26 ~~3898. District 46 is all that portion of the County of Riverside~~
27 ~~which is not included in District 54.~~
28 SEC. 120. Section 3899 of the Food and Agricultural Code is
29 repealed.
30 ~~3899. District 48 is the County of Los Angeles.~~
31 SEC. 121. Section 3900 of the Food and Agricultural Code is
32 repealed.
33 ~~3900. District 49 is the County of Lake.~~
34 SEC. 122. Section 3901 of the Food and Agricultural Code is
35 repealed.
36 ~~3901. District 50 is all that portion of Los Angeles County~~
37 ~~which lies north of the south line of Township 5 North, San~~
38 ~~Bernardino base.~~
39 SEC. 123. Section 3901.5 of the Food and Agricultural Code
40 is repealed.

1 ~~3901.5. District 51 is all the portion of Los Angeles City which~~
2 ~~is described as follows:~~

3 ~~From a point commencing where the most northerly boundary~~
4 ~~of the City of Los Angeles intersects with the Golden State~~
5 ~~Freeway and following on the city boundary in an easterly direction~~
6 ~~where the boundary first intersects with the boundary of the City~~
7 ~~of Burbank; thence continuing southeasterly along the Burbank~~
8 ~~City boundary to its intersection with Barham Boulevard; thence~~
9 ~~in a southerly direction on Barham Boulevard to its intersection~~
10 ~~with Cahuenga Boulevard; thence in a southeasterly direction on~~
11 ~~Cahuenga Boulevard to Mulholland Drive; thence along~~
12 ~~Mulholland Drive to the Los Angeles City boundary; thence~~
13 ~~following the Los Angeles City boundary west and northerly until~~
14 ~~the boundary intersects with the Los Angeles-Ventura County line;~~
15 ~~thence following the Los Angeles County line north to the Kern~~
16 ~~County line, and east to the Golden State Freeway, and thence in~~
17 ~~a southerly direction on the Golden State Freeway to the starting~~
18 ~~point at the Golden State Freeway.~~

19 SEC. 124. Section 3902 of the Food and Agricultural Code is
20 repealed.

21 ~~3902. District 52 is the County of Sacramento.~~

22 SEC. 125. Section 3903 of the Food and Agricultural Code is
23 repealed.

24 ~~3903. District 53 is all of the portion of Kern County east of~~
25 ~~the Los Angeles Aqueduct. District 53 shall be known and~~
26 ~~designated as the Desert Empire Fair, and the fair site shall be near~~
27 ~~Ridgecrest.~~

28 SEC. 126. Section 3904 of the Food and Agricultural Code is
29 repealed.

30 ~~3904. District 54 is all of the portion of Riverside County east~~
31 ~~of the Coachella Branch of the All-American Canal and east of~~
32 ~~the line running due north from the northernmost point of that~~
33 ~~canal.~~

34 SEC. 127. Section 4003 of the Food and Agricultural Code is
35 amended to read:

36 4003. Any money which is not expended within three years
37 after being paid into the Fair and Exposition Fund pursuant to
38 Section 4002 shall be added to and become a part of the amount
39 available pursuant to Section ~~19630~~ of the ~~Business and Professions~~
40 ~~Code 3221~~ for permanent improvements upon the property of the

1 ~~state, citrus, county, or district agricultural associations~~ *designated*
 2 *fairs specified in Sections 3150 to 3153, inclusive*, for fair purposes,
 3 or the purchase of equipment for fair purposes, or the acquisition
 4 or purchase of real property, including costs of appraisal or other
 5 incidental costs, to be used as sites for ~~such~~ *those* permanent
 6 improvements, in ~~such~~ *those* amounts as may be allocated by
 7 executive order of the ~~Director of Agriculture~~ *secretary*.

8 SEC. 128. Section 4509 of the Food and Agricultural Code is
 9 repealed.

10 ~~4509. The director shall submit the findings made under Section~~
 11 ~~4507 and the information he receives pursuant to Section 4508 to~~
 12 ~~the Fair Budget Review Board, established pursuant to Section~~
 13 ~~19627.7 of the Business and Professions Code, for its review and~~
 14 ~~recommendations.~~

15 ~~The Fair Budget Review Board shall report its recommendations~~
 16 ~~to the director not later than 45 days after it receives such findings~~
 17 ~~and information.~~

18 SEC. 129. Section 4701 of the Food and Agricultural Code is
 19 amended to read:

20 4701. An association that conducts and carries on any citrus
 21 fruit fair which is eligible to receive ~~apportionments~~ *an allocation*
 22 pursuant to ~~Section 19626 of the Business and Professions Code~~
 23 *Chapter 3 (commencing with Section 3200) of Part 1 of Division*
 24 *3:*

25 (a) Has the same power as a district agricultural association to
 26 construct, maintain and operate recreational and cultural facilities
 27 of general public interest.

28 (b) Is an instrumentality of the state for the purposes mentioned
 29 in subdivision (a) of this section and in Section 4603.

30 SEC. 130. This act is an urgency statute necessary for the
 31 immediate preservation of the public peace, health, or safety within
 32 the meaning of Article IV of the Constitution and shall go into
 33 immediate effect. The facts constituting the necessity are:

34 In order to ensure that the Department of Food and Agriculture
 35 can properly ensure the integrity of the Fair and Exposition Fund,
 36 administer allocations from the fund to the network of California
 37 fairs, including funding for renewable energy generation projects
 38 at fairs, and provide oversight of activities carried out by each

- 1 California fair in the 2009 calendar year, it is necessary for this
- 2 act to take effect immediately.

O