

AN ACT

ENTITLED, An Act to revise the powers and composition of the South Dakota State Fair Commission within the Department of Agriculture.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 1-21-1 be amended to read as follows:

1-21-1. There is created a State Fair Commission within the Department of Agriculture. The commission shall act in an advisory capacity to the secretary of agriculture. The commission may consist of up to thirteen members appointed by and serving at the pleasure of the Governor. Seven of the members may be appointed at large; an additional six members may be appointed from each of the following: 4-H Clubs of South Dakota, a resident of the city of Huron, a resident of Beadle County, a vendor, an exhibitor, and an employee of the South Dakota State University. Not all of the members may be of the same political party. The commission shall meet periodically at the call of the secretary and shall assist the Department of Agriculture in planning, promoting, and presenting the state fair and such other duties as assigned by the secretary.

Section 2. That § 1-21-1.1 be repealed.

Section 3. That § 1-21-4 be amended to read as follows:

1-21-4. The secretary of agriculture shall appoint and may , at pleasure, remove, subject to the approval by the Governor, a state fair manager. The manager shall perform such duties as may be required by the secretary of agriculture. The state fair manager shall serve as an ex-officio member of the State Fair Commission.

Section 4. That § 1-21-7 be repealed.

Section 5. That § 1-21-8 be repealed.

Section 6. That § 1-21-10 be amended to read as follows:

1-21-10. The Department of Agriculture may hold state fairs and other activities at the city of

Huron at such times as it may determine. The secretary of agriculture may promulgate rules pursuant to chapter 1-26 concerning:

- (1) Traffic and camping regulation;
- (2) Advertising on the fairgrounds;
- (3) Admission policies;
- (4) Employee policies;
- (5) Exhibitor policies;
- (6) Maintenance responsibilities;
- (7) Entry requirements;
- (8) Department superintendent duties;
- (9) Health and heredity requirements for animals;
- (10) The provision of feed and forage;
- (11) Administration of stalls;
- (12) Judges and judging;
- (13) Protests and appeals;
- (14) Premiums and awards;
- (15) Space rental provisions and requirements;
- (16) The establishment of opening and closing dates;
- (17) The establishment and collection of fees for admission, parking, camping, entry, and exhibits, solicitation booths, and commercial exhibits; and
- (18) Terms, conditions, and fees for the use of the fairgrounds and fairgrounds facilities when the state fair is not in progress.

The department may collect exhibits, offer and pay premiums, fix the terms and times of admission to the grandstand and outside gate, appoint judges, employ personnel, and do any act

necessary in the conduct of the state fairs and other activities. The department may adopt special rules governing specific premiums, awards, entry, and exhibit requirements and related policies pursuant to subdivision 1-26-1(7) within the scope of the general rules authorized pursuant to this section.

Section 7. That § 1-21-11 be repealed.

Section 8. That § 1-21-12 be repealed.

Section 9. That § 1-21-14 be amended to read as follows:

1-21-14. All sums received for admissions, concessions, and privileges, or for any purpose, by the secretary of agriculture, shall be placed in the state fair fund and shall be budgeted and expended in accordance with Title 4 on warrants drawn by the state auditor upon vouchers approved by the secretary of agriculture.

Section 10. That § 1-21-17 be amended to read as follows:

1-21-17. The terms of any contract and the negotiations for any contract between the secretary of agriculture and any performers or entertainers may be kept confidential. However, sixty days after the expiration of such contract, the terms of such contract shall become a public record.

Section 11. That chapter 1-21 be amended by adding thereto a NEW SECTION to read as follows:

Unless inconsistent with other provisions of this chapter, all rules that are in effect on July 1, 2003, as adopted by the State Fair Commission, shall continue with full force and effect until they are specifically altered, amended, or revoked by the adoption of superseding rules by the secretary of agriculture.

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I certify that the attached Act originated in the

SENATE as Bill No. 199

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 199
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State