

State of Wisconsin



2015 Senate Bill 318

Date of enactment: **March 1, 2016**
Date of publication*: **March 2, 2016**

2015 WISCONSIN ACT 207

AN ACT *to repeal* 93.23 (1) (d), 93.23 (1) (j), 93.23 (5) and 93.23 (6); and *to amend* 93.23 (1) (a) 2., 93.23 (1) (e), 93.23 (1) (f), 93.23 (3) and 93.23 (4) of the statutes; **relating to:** state aid to local fairs and regulation of horse racing.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 93.23 (1) (a) 2. of the statutes is amended to read:

93.23 (1) (a) 2. In order to have a more equitable distribution of state aid among fairs and to effect wider participation and interest by the public in exhibits, the department may prescribe uniform premium lists setting forth classes of exhibits which will be approved for the purposes of state aid, premium awards in such classes and entry qualifications, fees and charges for exhibitors. All fairs shall receive aid in the same manner ~~and there may be no restrictions on the number of fairs at which an exhibitor may participate and be eligible to receive state-aided premium awards, except that an entity operating a fair may impose restrictions on the total number of fairs at which an exhibitor may participate in order to be eligible for premium awards for exhibits at that fair.~~

SECTION 2. 93.23 (1) (d) of the statutes is repealed.

SECTION 3. 93.23 (1) (e) of the statutes is amended to read:

93.23 (1) (e) Not later than 30 days after the close of the fair each year the county clerk, or the person appointed to file the statements under this paragraph by the county board, agricultural society, association, or board claiming state aid, shall file with the department, on forms provided by the department, an itemized state-

ment verified on oath, showing net premiums actually paid or to be paid at the preceding fair, which must correspond with uniform premium lists and other requirements under par. (a). The statement shall also include a statement that at the fair all gambling devices whatsoever, the sale of intoxicating liquors, excepting fermented malt beverages, as defined in s. 125.02 (6), and wine, as defined in s. 125.02 (22), and exhibitions of immoral character were prohibited and excluded from the fairgrounds and all adjacent grounds under the authority or control of the county board, agricultural society, association, or board claiming state aid. On or before ~~December~~ the January 31 ~~of following~~ the year in which the fair is held, the person filing the statements under this paragraph shall furnish the department a ~~statement~~ finance report of receipts and disbursements, attendance, and any other information that the department requires. Upon receipt of the required report, each fair shall be paid 100%, or the prorated percentage, of the aid due the preceding year.

SECTION 4. 93.23 (1) (f) of the statutes is amended to read:

93.23 (1) (f) If it appears from such report, and the department ~~shall be~~ is satisfied that such county agricultural fairs have been maintained pursuant to the rules and regulations prescribed by it, and that the premiums are the net amount actually paid or to be paid in cash to bona fide exhibitors, it shall ~~certify to the department of~~

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

administration provide the payment of state aid in favor of each such county agricultural society, association or board the amounts due under the provisions of par. (a) and the department of administration shall then audit such report. If it appears from any such report that any premiums have been paid to other than bona fide exhibitors, or that premiums have been paid or used in any way contrary to the intent of this subsection, then the department may withhold payment of such state aid until suitable adjustment is made.

SECTION 5. 93.23 (1) (j) of the statutes is repealed.

SECTION 6. 93.23 (3) of the statutes is amended to read:

93.23 (3) ENTRY FEE TO EXHIBIT MAY BE CHARGED. Any board, fair association, society or other agency conducting an agricultural fair or exhibition may charge an entry fee for each exhibit which shall not exceed 10% of the total amount of the value of the premiums offered for the class of which such proposed exhibit will be a part if entered.

SECTION 7. 93.23 (4) of the statutes is amended to read:

93.23 (4) POLICE POWER. The department and the principal officers of the Northern Wisconsin state fair and of any A county agricultural or industrial society have full jurisdiction and control of the grounds on which the department or society may exhibit, and all the streets and alleys and other grounds adjacent to the grounds during exhibitions, so far as may be necessary to exclude from there all other exhibitions, booths, stands or other temporary places for the retail or sale of any kind of alcohol beverages or other articles that they deem objectionable. The department, the president of any such society, or, in the president's absence, any vice president, may appoint necessary police officers to assist in preserving the peace and enforcing the regulations upon the ground and adjacent streets, who, for this purpose, shall have all the powers of a constable and be entitled to similar fees.

SECTION 8. 93.23 (5) of the statutes is repealed.

SECTION 9. 93.23 (6) of the statutes is repealed.

SECTION 10. Initial applicability.

(1) The treatment of section 93.23 (1) (j) 5. of the statutes first applies to statements required to be filed in 2015.