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## **Assembly Bill 438**

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Good afternoon State Affairs and Government Operations members, and thank you for allowing me to testify on AB 438.

Senator Harsdorf and I have brought forward this legislation to bring current statute concerning local and state fairs in line with current practices. We have worked together in conjunction with the Wisconsin Association of Fairs and Wisconsin Department of Agriculture, Trade, and Consumer Protection to remove obsolete sections and update other portions of Wis. Stat. 93.23.

This bill eliminates certain requirements relating to horse racing at local fairs and makes changes to the regulation of local fairs:

1. Eliminates provisions relating to prizes won in harness races where state aid is provided. Also eliminates provisions regarding what types of horses are eligible for harness racing, the number of entries, and the amount of fees that may be charged.
  - a. There are 12 fairs in Wisconsin that offer harness racing but they do not run them through the WI DATCP, thus not receiving state aided premiums for them. Therefore, this part of the statute is obsolete.
2. Changes the deadline for the filing of financial reports relating to a local fair from the December 31 of the year in which the fair is held to the January 31 following the year in which the fair is held.
  - a. Several of the state's local fairs have a year-end date of December 31, which makes it nearly impossible for them to meet the current filing deadline. A January 31 date would allow all fairs enough time to submit the necessary financial materials on time.
3. Allows an entity operating a fair to limit the total number of fairs at which an exhibitor may participate and still be eligible for a premium award at that entity's fair.
  - a. This change would give the fair the authority to determine which exhibitors are permitted at their fair. Back in 1983, this rule was re-written incorrectly and never properly changed afterwards. It was always the intent that the fairs had the final say to who could exhibit at their fairs, not the exhibitor. Current law could possibly render the fairs responsible for payment of extra tent rentals, clean-up, electricity, etc. if their barns and buildings are full. Fairs

should not be burdened with the extra expenses and should have the final say in who exhibits.

4. This bill removes DATCP and the principal officers of the Northern Wisconsin state fair or an industrial society from having full jurisdiction and control over their fairgrounds and provides this authority only to county agricultural societies.
  - a. The Northern WI State Fair reference is obsolete and has been for many years. The fair should have jurisdiction of what they allow in regard to Police Power. The Northern WI State Fair currently has no jurisdiction on any other fair in the state except for their own.
5. Removes the limit on the amount of entry fee that may be charged for an exhibit at an agricultural fair or exhibition.
  - a. Fairs no longer institute a maximum entry fee so this limitation in current statute is obsolete.
6. Removes provisions in current law that require the Department of Administration (DOA) to audit the financial reports of an entity that has operated a local fair before providing state aid to the entity for that fair.
  - a. DOA has not participated in the audit process for more than 15 years. DATCP currently does this audit and will continue to do so under this bill.

This bill simply removes outdated provisions in current law regarding our local fairs and amends statute to reflect current practices.

You will now hear from stakeholders who have worked hard with our offices to craft this legislation. I would also be happy to answer any questions. Thank you again for your time and attention to this legislation.