

Chapter 15.76 RCW
AGRICULTURAL FAIRS, YOUTH SHOWS, EXHIBITIONS

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County fairs: Chapter 36.37 RCW.

County property, lease for agricultural purposes: RCW 36.34.145.

RCW 15.76.100 Declaration of public interest—Allocation of state funds authorized. It is hereby declared that it is in the public interest to hold agricultural fairs, including the exhibition of livestock and agricultural produce of all kinds, as well as related arts and manufactures; including products of the farm home and educational contest, displays, and demonstrations designed to train youth and to promote the welfare of farm people and rural economic development. Fairs qualifying hereunder shall be eligible for allocations from the state fair fund and for capital funding when appropriated to the department of agriculture, as provided in this chapter. [2018 c 280 § 1; 2012 c 221 § 1; 1961 c 61 § 1.]

RCW 15.76.110 Definitions. (1) "Agricultural fair" means a fair or exhibition which is intended to promote agriculture and support rural economic development by including a balanced variety of exhibits of livestock and agricultural products, as well as related arts and manufactures; including products of the farm home and educational contests, displays, and demonstrations designed to train youth and to promote the welfare of farm people and rural living.

(2) "Department" means the state department of agriculture.

(3) "Director" means the director of agriculture.

(4) "Commission" means the fairs commission created by this chapter.

(5) "State allocations" means allocations from the state fair fund. [2018 c 280 § 2; 2012 c 221 § 2; 1961 c 61 § 2.]

RCW 15.76.115 Fair fund—Created—Treasurer's transfer—Purpose.

(1) The fair fund is created in the custody of the state treasury.

(2) All moneys received by the department of agriculture for the purposes of this fund and from RCW 67.16.105 shall be deposited into the fund. Each fiscal year, the state treasurer shall transfer into the fair fund from the general fund an amount appropriated in the omnibus operating appropriations act equal to:

- (a) \$2,000,000 for fiscal year 2021;
- (b) \$2,750,000 in each fiscal year 2022 and 2023;
- (c) \$3,500,000 in each fiscal year 2024 and 2025; and
- (d) \$4,000,000 in fiscal year 2026 and each fiscal year thereafter.

(e) To support inclusiveness at fair events, a portion of the additional funds provided to fairs as a result of chapter 245, Laws of 2021 must be prioritized to be spent on educational programs and outreach that are reflective of the diversity within a fair's local population.

(3) Expenditures from the fund may be used only for assisting fairs in the manner provided in this chapter. Only the director of agriculture or the director's designee may authorize expenditures from the fund. The fund is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures. [2021 c 245 § 2; 2018 c 280 § 3; 2011 1st sp.s. c 50 § 926; 2011 c 103 § 10; 2010 1st sp.s. c 37 § 912; 2001 2nd sp.s. c 16 § 1; 1998 c 345 § 2.]

Findings—2021 c 245: "(1) The legislature found in 1961 that it is in the public interest to hold agricultural fairs to train youth, to educate the public about the production of food and fiber, and to promote the welfare of farm people and rural living. The legislature finds that the fair fund was created for the purpose of encouraging agricultural fairs and training rural youth. The legislature finds that despite the original expectations, the fair fund has not increased, and this lack of increased support has made it difficult to maintain youth programs. Research has shown that youth who participate in fairs are more likely to get better grades, attend college, and positively contribute to their families and communities.

(2) The legislature finds that fairs also contribute to economic vitality and cultural heritage by: (a) Providing an opportunity for small businesses to reach a larger customer base; (b) providing agricultural suppliers a platform to showcase new technology; (c) creating numerous seasonal jobs; (d) playing a vital role in fund-raising for nonprofit organizations; and (e) providing a venue for community and cultural events.

(3) The legislature further finds that events held on fairgrounds support both the cultural and economic development of rural communities. The legislature finds that connecting the fair fund to revenue generated on fairgrounds encourages fairs to work with local businesses to increase economic opportunity. Thirty-seven counties have a fair. Benton and Franklin counties share a fair. Mason county currently does not have a fair." [2021 c 245 § 1.]

Effective dates—2011 1st sp.s. c 50: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [June 15, 2011], except for section 951 of this act which takes effect June 30, 2011." [2011 1st sp.s. c 50 § 1802.]

Purpose—2011 c 103: See note following RCW 15.26.120.

Effective date—2010 1st sp.s. c 37: See note following RCW 13.06.050.

Severability—Effective date—Contingent effective date—1998 c 345: See notes following RCW 15.04.090.

RCW 15.76.120 Categories of fairs. The following categories of agricultural fairs held in the state may be eligible for state allocations:

(1) Area fairs, which serve an area larger than one county; have both open and junior participation and an extensive diversification of classes, displays, and exhibits; and are not under county commissioner jurisdiction;

(2) County fairs, organized to serve the interests of single counties; have both open and junior participation but not as extensive diversification of classes, displays, and exhibits as area fairs; and are under county commissioner jurisdiction. An individual county must have no more than one county fair, but the county commissioners of two or more counties, by resolution, may jointly sponsor a county or district fair as limited by RCW 36.37.050;

(3) Community fairs, which serve an area smaller than area or county fairs and have either or both open or junior classes, displays, or exhibits. There may be more than one community fair in a county; and

(4) Youth shows and fairs, which serve three or more counties, have the purpose of educating and training rural youth in matters of rural living, and are approved under the authority of the Washington State University or the office of the superintendent of public instruction. [2018 c 280 § 4; 1993 c 163 § 1; 1991 c 238 § 74; 1961 c 61 § 3.]

RCW 15.76.140 Eligibility requirements for state allocation.

(1) Before any agricultural fair may become eligible for state allocations it must have conducted two successful consecutive annual fairs immediately preceding application for such allocations, and have its application therefor approved by the director.

(2) The director may waive the requirement in subsection (1) of this section if:

(a) A county fair reorganizing as an area fair has, through a current or predecessor organization, received an allocation from the fair fund as a county fair for at least two years; or

(b) A fair is not held due to a natural disaster such as a flood or wildfire. [2018 c 280 § 5; 2001 c 157 § 1; 1995 c 374 § 71; 1965 ex.s. c 32 § 1; 1961 c 61 § 5.]

Effective date—2001 c 157: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 2, 2001]." [2001 c 157 § 2.]

RCW 15.76.150 Allocations from the fair fund. (1) Using the department's forms, the board of trustees of any fair or youth show may apply to the department for allocations from the state fair fund.

(2) (a) The director may allocate ninety-five percent of the state fair fund, including its interest income under RCW 43.79A.040, to applicant agricultural fairs, distributed according to merit as measured by a merit rating to be set up by the director. This merit rating must take into account such factors as area and population served, open and/or youth participation, attendance, gate receipts, number and type of exhibits, premiums paid, community support, evidence of successful achievement of the aims and purposes of the fair, extent of improvements made to grounds and facilities from year to year, and overall condition and appearance of grounds and facilities.

(b) The department may use up to ten percent of the amount allocated in (a) of this subsection for special assistance to any participating fair or fairs.

(c) The department may use the remaining five percent of money in the state fair fund for expenses incurred in the administration of this chapter, which may include the fair commission expenses approved by the director.

(3) The division and payment of funds authorized in this section shall occur at such times as the director may prescribe. [2018 c 280 § 6; 2002 c 313 § 113; 1965 ex.s. c 32 § 2; 1961 c 61 § 6.]

Effective dates—2002 c 313: See note following RCW 15.65.020.

RCW 15.76.160 Purposes for which allocation made—To whom made. Any state allocations made under this chapter shall be made only as a reimbursement in whole or in part for operating expenses incurred. State allocations to fairs under the control of one or more counties must be made to the county treasurer of the county in which the fair is held. State allocations to other fairs or youth shows under RCW 15.76.120 must be made to sponsors of such fairs or shows. [2018 c 280 § 7; 1961 c 61 § 7.]

RCW 15.76.165 Authorization for capital funding to support capital projects that make health or safety improvements to agricultural fairgrounds or fair facilities—Contract requirements.

(1) Subject to the availability of amounts appropriated for this specific purpose, the department may provide capital funding to local governments and nonprofit organizations, on a competitive basis, to support capital projects that make health or safety improvements to agricultural fairgrounds or fair facilities in order to benefit participants and the fair-going public.

(2) The department shall develop and manage appropriate contracts with the selected applicants, monitor project expenditures and grantee performance, report project and contract information, and exercise due diligence and other contract management responsibilities.

(a) The department shall include provisions in the contracts which require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities must be used for the express purpose of the grant.

(b) If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant. [2012 c 221 § 3; 2005 c 443 § 2; 1973 c 117 § 1; 1969 c 85 § 1.]

Finding—Intent—Effective date—2005 c 443: See notes following RCW 82.08.0255.

RCW 15.76.170 Fairs commission—Creation, terms, compensation, powers and duties. There is hereby created a fairs commission to consist of the director of agriculture as ex officio member and chair, and seven members appointed by the director to be persons who are interested in fair activities; at least three of whom shall be from the east side of the Cascades and three from the west side of the Cascades and one member at large. Appointments are for three-year terms, except for an appointment filling a vacancy, which is for the remainder of the original term.

Appointed members of the commission shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses, in accordance with RCW 43.03.050 and 43.03.060 payable on proper vouchers submitted to and approved by the director, and payable from that portion of the state fair fund set aside for administrative costs under this chapter. The commission shall meet at the call of the chair, but at least annually. It shall be the duty of the commission to act as an advisory committee to the director, to evaluate fairs to help determine merit under RCW 15.76.150(2), to assist in the preparation of the merit rating used in determining allocations to be made to fairs, and to perform such other duties as may be required by the director from time to time. [2018 c 280 § 8; 2010 c 8 § 6100; 1984 c 287 § 18; 1975-'76 2nd ex.s. c 34 § 21; 1975 1st ex.s. c 7 § 11; 1961 c 61 § 8.]

Legislative findings—Severability—Effective date—1984 c 287: See notes following RCW 43.03.220.

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 15.76.180 Rules and regulations. The director shall have the power to adopt such rules and regulations as may be necessary or appropriate to carry out the purposes of this chapter. [1961 c 61 § 9.]