

CALIFORNIA DEPARTMENT OF AGRICULTURE
SACRAMENTO

1972
EXTRACTS

from the
Agricultural Code
Government Code
Business and Professions Code

Pertaining to
FAIRS



RONALD REAGAN, Governor
C. B. CHRISTENSEN, Director of Agriculture

DIVISION OF FAIRS AND EXPOSITIONS

Revised to March 4, 1972

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DIVISION OF FAIRS AND EXPOSITIONS

Revised to March 1, 1973

DIVISION 3. EXPOSITIONS AND FAIRS

PART 1. GENERAL PROVISIONS

CHAPTER 1. FREE ADMISSIONS

Article 1. Definitions

3001. Unless the context otherwise requires, the definitions in this article govern the construction of the chapter.

3002. "Courtesy pass admission" means any admission, without payment of the admission charge, to any state, county, district, or citrus fruit fair, except any of the following:

- (a) Credential admission.
- (b) Admission of any child under 12 years of age.
- (c) Admission of any military personnel in uniform.

3003. "Credential admission" means any admission which is authorized by the board of directors of a state, district, or citrus fruit fair, or by the board of supervisors of a county for admission to a fair without payment of the admission charge when a service is rendered by the person who is admitted which is necessary for the conduct of the fair.

Article 2. Powers and Duties

3021. Every state, district, county, or citrus fruit fair which receives any money from the State Treasury shall permit the admission without payment of the admission charge of all children 12 years of age or under on at least one day, which is designated by the fair, during each fair period.

3022. If a charge is made for admission to enter a state, district, county, or citrus fruit fair, the following persons may be admitted to such fairgrounds without the payment of the established admission price:

- (a) Persons with credential admissions.
- (b) Persons with courtesy pass admissions.
- (c) Military personnel in uniform.

3023. A credential admission may be issued to any individual, association, or body that does any of the following:

- (a) Prepares or services any educational, commercial, industrial, livestock, agricultural, horticultural, or viticultural display or exhibit.
- (b) Services, maintains, or operates any concession.
- (c) Renders, through agreement with the fair, a service to fair patrons.
- (d) Renders a necessary public service.
- (e) Safeguards health.
- (f) Provides for public safety.
- (g) Participates in any parade or event which is necessary for the conduct of the fair.

3024. Credential admissions may, also, be issued to any of the following persons:

- (a) Representatives of press, radio, and television personally engaged in obtaining and transmitting public information.
- (b) Ambulance drivers.
- (c) Firemen on duty.
- (d) Repairmen who are necessary to service utilities.
- (e) Employees of the fair.
- (f) State officials in the performance of their duty.

3025. The words "credential admission" shall be printed on each ticket which is issued as a credential admission.

3026. The percentage of courtesy pass admissions to any state, county, district, or citrus fruit fair shall not exceed 4 percent of the gross paid admission to the fair in the preceding calendar year.

3027. A courtesy pass admission is not transferable.

3028. Each fair shall maintain complete records of the number of credential and courtesy pass admissions which are issued for each fair period.

3029. Each fair shall make an annual report to the department, as prescribed by the department, of the total number of credential and courtesy pass admissions issued and honored at the fair.

CHAPTER 2. HORSERACE MEETINGS AT STATE OR DISTRICT FAIRS

3101. The expenditure of funds for insurance which is authorized by this chapter is a public purpose and is in furtherance of the purposes for which state and district fairs are conducted.

3102. If the Board of Directors of the California State Fair and Exposition or the board of directors of any district agricultural association finds that, in order to conduct a successful horserace meeting with adequate competition and a sufficient number of competent jockeys and exercise boys, it is necessary that it purchase suitable accident and disability insurance for the benefit of the jockeys and exercise boys who are participating in the horserace meeting, it may purchase such insurance to protect them from the physical hazards of such participation.

3103. The accident and disability insurance shall be in addition to the workmen's compensation insurance which is required to be carried by licensed horse owners.

PART 2. STATE EXPOSITIONS AND FAIRS

CHAPTER 1. DEFINITIONS

3301. Unless the context otherwise requires, the definitions in this chapter govern the construction of this part.

3302. "Board" means the Board of Directors of the California State Fair and Exposition.

3303. "Committee" means the California State Exposition and Fair Executive Committee.

3304. "Corporation" means a nonprofit corporation organized under the General Nonprofit Corporation Law, Part 1 (commencing with Section 9000), Division 2, of the Corporations Code.

3305. "Exposition" means the California State Exposition and Fair.

3306. "Exposition site" means the exposition site in Sacramento County adjacent to the American River.

3307. "Fair site" means the Stockton Boulevard site of the State Fair in Sacramento.

3308. "State Fair" means the California State Fair and Exposition.

CHAPTER 2. CALIFORNIA STATE FAIR AND EXPOSITION

Article 1. Organization

3401. There is in the Department of General Services the California State Fair and Exposition. It is a state institution and consists of a board of directors of 14 members.

3402. Twelve of the members of the board shall be appointed by the Governor for a term of four years from the expiration of the respective terms of the members of the board in office at the time this code becomes effective.

3403. The other two members of the board shall be members of the board of directors of a district agricultural association, or of a county fair board. They shall not, however, be members of the board of directors of the same district agricultural association, or county fair board. These two members shall be appointed annually by the Governor on February 1st of each year.

3404. The president of the board shall be designated annually by the Governor on February 1st from among the members of the board.

3405. If the name State Agricultural Society or Board of Directors of the State Agricultural Society is used in any statute, act, law, appropriation, budget, or other place, or in any section of this code, it means the California State Fair and Exposition or Board of Directors of the California State Fair and Exposition, respectively.

Article 2. Powers and Duties

3431. Except as otherwise provided in Article 3 (commencing with Section 3551) of Chapter 3 of this part, the board has all the rights, powers, and responsibilities of the committee with respect to the management and operation of the annual fair and exposition described in Section 3523 at the fair site until such time as the committee declares by resolution that the exposition at the exposition site is operable. This section does not, however, impair the power of the

committee to exercise any of its rights, powers, and responsibilities with respect to the exposition at the exposition site either before or after adoption of such resolution.

3432. The board may appoint all necessary marshals and police to keep order and preserve peace at the annual fair or exposition. The officers who are so appointed shall be vested with the same authority as peace officers for the preservation of order and peace at the fair or exposition.

3433. The board may pay membership fees, join, and participate in the affairs of associations which have for their purpose the interchange of information which relates to livestock, poultry, and other agricultural animals and products; the conduct and management of fairs; or the conducting of horseracing meetings or similar associations which deal with subjects which relate to the powers and duties of the State Fair.

3434. (Repealed by Stats. 1967, Ch. 1636.)

3435. All records of the board, except entries in events which are scheduled for future judging or overnight entries in races on which there is parimutuel wagering prior to such events, judging times, or races, shall be open to inspection by the public during regular office hours.

3436. The state is not liable for any premium which is awarded or any debt which is created by the board.

Article 3. State Fair Fund

3461. The State Fair Fund is continued in existence.

3462. All money which is received by, or appropriated to, the State Fair shall be placed in the State Treasury to the credit of the State Fair Fund.

3463. All money which is received by the board shall be reported at least once a month to the State Controller.

3464. All money in the State Fair Fund is appropriated, without regard to fiscal years, to be expended in accordance with the law for the support of the activities of the board in conducting the State Fair, including construction and improvements and, with the approval of the Department of Finance, the purchase of land in connection with such construction and improvements.

3465. If the name State Agricultural Society Contingent Fund is used in any statute, act, law, appropriation, or other place, it means the State Fair Fund.

CHAPTER 3. CALIFORNIA STATE EXPOSITION AND FAIR

Article 1. Organization

3501. There is in the Department of General Services the California Exposition and Fair Executive Committee. It is a state institution.

3502. Three of the members of the committee first appointed shall be appointed by the Governor from the board

for a period equal to the remainder of their terms on the board. The Director of Finance, the Director of General Services, the Director of Public Works, the Director of Agriculture, the State Controller and the president of the board shall be the remaining members of the first committee.

Upon the declaration by the committee that the exposition site is operationable, the membership of the committee shall be augmented by 10 additional members by adding the non-members of the committee then serving on the board to the committee, whereupon the board shall cease to exist. The members so added shall serve on the committee for the same period they would have been authorized to serve had they remained members of the board.

3503. Two Members of the Senate appointed by the Senate Committee on Rules and two Members of the Assembly appointed by the Speaker shall meet with and, except as otherwise provided by the Constitution, advise with the committee to the extent that such advisory participation is not incompatible with their duties as Members of the Legislature. The members of the committee and the advisory Members of the Legislature serving with them are entitled to be reimbursed from the State Fair Fund for any actual and necessary expenses incurred in connection with the performance of their duties.

3504. All vacancies among the appointees of the Governor, or in the positions representing the 10 additional members added to the committee when the board ceases to exist, shall be filled by the Governor for a term of four years.

3505. The chairman of the committee shall be designated annually on February 1, by the Governor, from among the members of the committee.

Article 2. Powers and Duties

3521. Except as otherwise provided in Section 3431, the committee succeeds to all the rights, powers, and responsibilities of the board.

3522. Upon the declaration by the committee that the exposition site is operationable, the board is abolished.

The abolition of the board in the manner provided for in this section shall not, however, abridge the succession of the committee to the rights, powers, and responsibilities that the board possessed while in existence.

3523. The committee, subject to the approval of the Department of General Services, shall provide for and manage a permanent exposition as provided for in the California State Exposition and Fair Law, Article 3 (commencing with Section 3551) of this chapter, and an annual fair and exposition in one or more seasonal divisions in Sacramento County of the industries and industrial products of this state and commercial products exported and imported through the ports of this state. The exposition and fair shall be designated as the California State Exposition and Fair.

3524. If in any year during which an international exposition is held in this state which is conducted in whole or in part under the auspices of the state and endorsed by the United States government, and the committee deems it inexpedient to hold a State Fair, the funds which are available for the State Fair for that year only may be expended, with the approval of the Director of General Services, in cooperation with the management of the international exposition to provide for a proper exhibition of the industries of California at the international exposition. This section does not impair the power and authority of a nonprofit corporation to provide for and manage such exposition and fair pursuant to the California State Exposition and Fair Law.

3525. The committee, with the approval of the Director of General Services, may lease or license the use of any real or personal property under its jurisdiction and control to any person or public body for whatever purpose may be approved by such committee and the Director of General Services. Any lease of the exposition site is, however, subject to the California State Exposition and Fair Law, Article 3 (commencing with Section 3551) of this chapter.

Article 3. California State Exposition and Fair Law

3551. This article shall be known as the "California State Exposition and Fair Law."

3552. It is the desire of the Legislature that the plan of organization for the exposition on the exposition site, as now or hereafter constituted, shall be put into effect through the provision of a corporation, subject to such changes, modifications, or augmentations in such plan as may be deemed advisable. It is the view of the Legislature that the implementation of the exposition requires such creative talents and flexibility of operation that it can be adequately and competently performed only through the medium of corporations.

3553. The committee may contract with a corporation for the construction, operation, and maintenance of the exposition on terms and conditions which it determines are in the best interests of the state. The contract between the committee and the corporation shall provide for all of the following:

(a) The lease to the corporation of all or such portion of the exposition site for such period of time as the committee deems advisable.

(b) The operation of a permanent exposition, and annual fair in one or more seasonal divisions.

(c) Construction on the exposition site of such exposition and fair facilities as are approved by the committee.

(d) The operation of such intermittent, seasonal, or continuous activities on the exposition site as the parties deem beneficial to the exposition.

(e) The development and operation of horse racing on the exposition site by the corporation.

(f) The preservation of appropriate records and documents pertaining to activities and expenditures of the corporation and their availability for examination by the committee, and audit by the Director of General Services at the expense of the corporation.

3554. The contract between the committee and the corporation shall also provide for all of the following:

(a) The terminability of the contract by the committee, with the approval of the Director of General Services.

(b) All revenues accruing from the operations of the exposition being deemed to be assets of the corporation to be used solely for the purpose of discharging its duties under the contract, subject to such budgetary controls as are required by this article.

(c) The utilization by the corporation of civil service personnel employed by the committee, who shall remain employees of the state, and the reimbursement to the state by the corporation of all costs connected with their employment by the state.

(d) Employment of personnel of the corporation, except such persons or categories as may be exempted by the committee, in accordance with a merit system embodied in rules and regulations of the corporation which are approved by the committee.

(e) Two members of the committee to serve as members of the board of directors of the corporation.

(f) Such other provisions as in the judgment of the state should be included in the contract, not inconsistent with this article or other provisions of law.

3555. Any contract or lease between the corporation and the committee, including any amendments to it, is subject to the approval of the Director of General Services.

3556. The State Personnel Board may contract with the corporation to furnish services to implement any merit system established by the corporation in a manner not inconsistent with the rules and regulations of the corporation that affect such system. The State Personnel Board shall charge the corporation what it deems is the fair cost of providing such service.

3557. The Director of General Services may lease for such term as he deems advisable, or sell, any portion of the exposition site for commercial or industrial development in areas of the exposition site which are designated in writing by the committee, subject to such consideration and other provisions as the Director of General Services deems will best serve the interests of the state. Any consideration which is received from sale or lease of the property shall be credited to the State Fair Fund, except to the extent any consideration from any such property which is leased is permitted, with the approval of the Director of General Services, to be assigned for value received by the corporation. The Director of General Services may make any conveyance which is necessary to effectuate and implement such sale or lease, including, but not limited to, any easement

which is necessary to permit utilization of the property by a lessee or vendee.

3558. The corporation shall be deemed to hold any real or personal property received from the state or other sources, and any proceeds derived therefrom or through the use thereof, directly or indirectly, as trustee solely for the performance of its activities in connection with the exposition. Such real or personal property, and any possessory interest therein on the part of the corporation, is exempt from taxation to the same extent as other real or personal property which is owned and solely occupied by the state for governmental purposes.

3559. Except for any money of the corporation which is placed in demand or time deposits which are insured in full by an agency of the United States Government, all money of the corporation, whether received from the state, the activities of the exposition, or otherwise, shall, until needed by the corporation, be invested, with the approval of the Director of Finance, only in bonds or other obligations specified in Section 16430 of the Government Code.

3560. Any contract entered into by the corporation for personnel or for the services of independent contractors, or for the hiring of equipment other than from the State Public Works Board, if in excess of, or which may be in excess of, two years, is subject to the written approval of the committee.

3561. The corporation shall not transfer, mortgage, pledge, or dispose of any real property on the exposition site. It may, however, with the written approval of the committee, dispose of surplus fixtures which are to be removed from the exposition site. In addition, it shall not assign, transfer, mortgage, pledge, hypothecate, or dispose of any anticipated assets or revenues, except with the approval of the Director of General Services. The corporation may dispose of personal property with the sole consent of the committee.

3562. The corporation shall submit an annual report to the committee which shall include a statement of its operations, receipts, and disbursements during the last preceding calendar year, within a reasonable period of time, as designated by the committee, after the conclusion of such calendar year. The corporation shall also submit to the committee special reports, analyses, or information requested by the committee.

3563. If state appropriations are disbursed to pay principal or interest on the revenue bonds which are referred to in Section 3574, the corporation may be required by the committee to repay such amounts to the state with such interest as the Director of Finance determines is the average interest which is being received by the state at the time the disbursements are made, as soon as funds above normal operating requirements, as determined by the committee, are available to the corporation.

3564. The persons constituting the board of directors of the corporation shall receive their actual expenses incurred in attending meetings or otherwise performing their duties,

but shall receive no compensation or emoluments otherwise from the corporation in any capacity. Neither the directors nor members of the corporation, if any, nor their immediate families, shall have any interest in any contract made with the corporation. This section does not, however, prohibit any interest of a remote nature which is disclosed to the board.

3565. The board of directors of the corporation shall have sole authority to manage and operate the corporation. Neither the members of the corporation, if any, nor the board of directors of the corporation may limit the number of original directors or the terms of office of original directors. The board of directors may, however, remove any director for good cause and shall have sole authority to fill any vacancy which occurs in the board. The corporation shall not be deemed to be an agency of the state.

3566. No member of the board of directors, officer, or employee of the corporation is liable in his personal capacity for any obligations of the corporation, nor is the state liable for any debts or obligations of the corporation, except as provided in this article.

3567. The corporation shall, at least 60 days prior to any calendar year, submit an annual budget to the committee in the form prescribed by the Director of General Services which shows estimated revenues and proposed expenditures from all sources during the ensuing calendar year for approval in writing by the committee and by the Director of General Services. Failure to obtain both approvals prior to the calendar year for which it is proposed constitutes, effective at the start of such calendar year, a cancellation and termination of all leases and contracts between the corporation and the committee. Expenditures by the corporation for any item or subitem in the budget during the calendar year for which it is approved shall be limited to the amount prescribed therein. Any person who incurs any expenditures in excess of such amount is personally liable for the amount of such excess. The committee and Director of General Services, both concurring, may (a) approve any amendment of the budget at any time, at the request of the corporation, or (b) direct such amendment in accordance with action initiated by either the committee or Director of General Services.

3568. The corporation shall provide such premiums or exhibits at the annual exposition, in amounts, and in accordance with policies, which are indicated in writing by the committee. In this regard, the corporation shall submit its proposals relating to premiums for review by the committee.

3569. The corporation shall provide at its own expense insurance in amounts and for purposes determined by the committee, covering improvements, equipment, and facilities on the site, and protecting the corporation and the state against liability to third parties arising out of the operation and maintenance of the exposition and the grounds of the exposition.

3570. The corporation may, with the approval of the committee, lease property on the exposition grounds proper for such period of time, consideration, and other terms and conditions, as are approved by the Director of General Services.

3571. The corporation shall not at any time undertake any construction on the site unless the plans, specifications, and contracts therefor have been approved by the committee. This section does not, however, apply to any construction undertaken by the corporation on any part of the site leased, by virtue of authority given under other provisions of this article, by the Director of General Services, or by the corporation with the approval of the Director of General Services.

3572. All contracts which are entered into by the corporation shall contain a provision that the successor or assignee of the corporation may enforce them.

3573. The corporation may receive any of the following:

(a) Such grants by the committee, State Public Works Board, and Director of Finance, in such amounts and under such terms and conditions as they deem appropriate, from funds available for use in connection with the exposition, or any activity thereof, which grants are hereby authorized.

(b) Grants and donations from any other source, public or private, not prohibited by law.

The corporation may utilize the grants referred to in subdivision (a) of this section for any purpose, relative to the exposition, for which the grantor could have utilized such grants.

3574. The State Public Works Board may, in lieu of undertaking such construction itself, authorize the corporation to undertake the construction which is provided for in Section 1 of Chapter 1072 of the Statutes of 1957. If it does so, the plans and specifications for the construction shall be subject to the approval of the State Public Works Board as provided in sections of Chapter 1072 of the Statutes of 1957, and to the provisions of Section 3571. In connection with such construction, the State Public Works Board may convey such easements on the exposition site as it deems necessary for the construction.

Notwithstanding any other provision of law, revenue bonds which are authorized to be issued by the State Public Works Board under Section 1 of Chapter 1072 of the Statutes of 1957 may be sold at public or private sale with or without competitive bids. Except as provided in this section, the State Public Works Board shall follow the requirements of such section as if the buildings and facilities had been constructed by it.

Nothing in this chapter shall be construed to impair any of the rights given the holders of bonds sold by the State Public Works Board pursuant to the State Building Construction Act of 1955, Part 10b (commencing with Section 15800), Division 3, Title 2 of the Government Code.

3575. If the corporation's contracts and leases with the committee are cancelled or terminated, or the corporation is

dissolved after it has entered into a contract with the committee respecting the operation of the exposition:

(a) The assets of the corporation, of any kind whatever, shall ipso facto become the property of the state under the jurisdiction of the committee, and the corporation shall promptly execute any documents, and do any and all other acts deemed necessary or desirable by the committee, to facilitate the committee's receipt of such assets and the continuation of operations by the committee.

(b) The committee shall continue the operation of the exposition, in the absence of a further contract between the committee and another corporation therefor.

3576. While the committee is operating the exposition it shall:

(a) Have all rights, privileges, and grants which the corporation would have had if it had continued to operate the exposition and all of the powers respecting the operation of the exposition which the committee would have been authorized to grant pursuant to any contract with a nonprofit corporation.

(b) Assume by operation of law all the lawful obligations incurred by the corporation, including any rental payments which are due or to be due to the State Public Works Board. Such obligations shall, however, be discharged solely from such assets and revenues as would have been available to the corporation for the discharge of the obligations if it had continued to operate the exposition.

3577. If the contract between the committee and a corporation is canceled or terminated, the committee may enter into a contract with another corporation, and the provisions of this article shall apply as if a corporation so contracting had been the original contracting corporation.

3578. Any contracting corporation subsequent to the original contracting corporation shall assume by operation of law all remaining liabilities incurred by previous nonprofit corporations in connection with their operation of the exposition and the committee shall be relieved from such liabilities. The committee shall transfer to any subsequent contracting nonprofit corporation all the assets of the exposition, other than such title to real property of the exposition site and improvements situated on the exposition site as it may possess.

3579. The committee shall submit a report to the Legislature and Governor during the first 30 days of each general session of the State Legislature respecting the financial condition, present operations, and future planned activities of the exposition. It may require the corporation to furnish any information or material which is necessary to make such report.

3580. Section 19482 of the Business and Professions Code does not prevent the California Horse Racing Board from granting a license to a nonprofit corporation or other applicant for the operation of horseracing on the exposition site.

PART 3. DISTRICT AGRICULTURAL ASSOCIATIONS

CHAPTER 1. DEFINITIONS

3801. Unless the context otherwise requires, the definitions in this chapter govern the construction of this part.

3802. "Association" means a district agricultural association which is formed pursuant to this chapter.

3803. "Board" means the board of directors of an association.

3804. "Director" means a member of the board of directors of an association.

3805. "District" means an agricultural district which is formed pursuant to this chapter.

3806. For the purposes of Article 1 (commencing with Section 4101) of Chapter 6 of this part, "department" means the Department of Commerce. (Added by Stats. 1969, Ch. 138.

CHAPTER 2. BOUNDARIES

3851. The state is divided into the agricultural districts which are prescribed by this article.

3852. District 1 is the County of Alameda.

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

3854. District 2 is the County of San Joaquin.

3855. District 3 is the County of Butte.

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

3857. District 6 is all that portion of Los Angeles County which is not included in District 48 and District 50, and, notwithstanding any other provision of this chapter, also includes that portion of Los Angeles County within the boundaries of the 29th Senatorial District. District 6 shall be known and designated as the California Museum of Science and Industry.

(Amended, Stats. 1971, Ch. 474)

3858. District 7 is the County of Monterey.

3859. District 9 is the County of Humboldt.

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

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

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

3862. District 12 is the County of Mendocino.
3863. District 13 is the Counties of Sutter and Yuba.
3864. District 14 is the County of Santa Cruz.
3865. District 15 is the County of Kern.
3866. District 16 is the County of San Luis Obispo.
3867. District 17 is the County of Nevada.
3868. District 18 is the Counties of Mono, Inyo, and Alpine.
3869. District 19 is all that portion of Santa Barbara County which lies east of Gaviota and south of the Santa Ynez Mountains.
3870. District 20 is the County of Placer.
3871. District 21 is the County of Fresno.
3872. District 21a is the County of Madera.
3873. District 22 is the County of San Diego.
3874. District 23 is the County of Contra Costa.
3875. District 24 is the County of Tulare.
3876. District 24a is the County of Kings.
3877. District 25 is the County of Napa.
3878. District 26 is the County of Amador.
3879. District 27 is the County of Shasta.
3880. District 28 is the County of San Bernardino.
3881. District 29 is the County of Tuolumne.
3882. District 30 is the County of Tehama.
3883. District 31 is the County of Ventura.
3884. District 32 is the County of Orange.
3885. District 33 is the County of San Benito.
3886. District 34 is that portion of the County of Modoc which is not included in District 10a.
3887. District 35 is the County of Merced.
3888. District 35a is the County of Mariposa.
3889. District 36 is the County of Solano.
3890. District 37 is all that portion of Santa Barbara County which is not included in District 19.
3891. District 38 is the County of Stanislaus.
3892. District 39 is the County of Calaveras.
3893. District 40 is the County of Yolo.
3894. District 41 is the County of Del Norte.
3895. District 42 is the County of Glenn.
3896. District 44 is the County of Colusa.
3897. District 45 is the County of Imperial.
3898. District 46 is the County of Riverside.
3899. District 48 is all that portion of Los Angeles County which is described as follows:

Beginning at the intersection of a southerly extension of the east line of Atlantic Avenue with the Pacific Ocean, proceed north to the east line of Atlantic Avenue; thence north along the east line of Atlantic Avenue to its intersection with the south line of Anaheim Street; thence west along the south line of Anaheim Street to Alameda Street; thence north along west line of Alameda Street to south line of Palmer Avenue; thence west along south line of Palmer Avenue

to east line of Wilmington Avenue; thence north along east line of Wilmington Avenue to north line of Rosecrans Avenue; thence west along north line of Rosecrans Avenue to east line of Avalon Boulevard; thence north along the east line of Avalon Boulevard to its intersection with the south line of Slauson Avenue; thence west along the south line of Slauson Avenue to La Brea Boulevard; thence north along west line of La Brea Boulevard to north line of Exposition Boulevard; thence east along north line of Exposition Boulevard to west line of Crenshaw Boulevard; thence south along the west line of Crenshaw Boulevard to south line of Vernon Avenue; thence east along south line of Vernon Avenue to Main Street; thence north along west line of Main Street to the north line of Valley Boulevard; thence east along the north line of Valley Boulevard to the east line of State Highway No. 39; thence south along east line of State Highway No. 39 to the Orange county line; thence south along the Orange county line to its intersection with the Pacific Ocean; thence west along the Pacific Coast to point of beginning.

3900. District 49 is the County of Lake.

3901. District 50 is all that portion of Los Angeles County which lies north of the south line of Township 5 North, San Bernardino base.

3902. District 52 is the County of Sacramento.

CHAPTER 3. ORGANIZATION AND ADMINISTRATION

3951. Fifty or more persons, who are residents of a district, may form an association to be known as and designated as the _____ District Agricultural Association, for the following purposes:

(a) Holding fairs, expositions and exhibitions for the purpose of exhibiting all of the industries and industrial enterprises, resources and products of every kind or nature of the state with a view toward improving, exploiting, encouraging, and stimulating them.

(b) Constructing, maintaining, and operating recreational and cultural facilities of general public interest.

3952. Copies of the articles of association shall be filed with the Governor, the Secretary of State, and the department.

3953. Each association is a state institution.

3954. Each association by its name has perpetual succession. It may have a seal. An association may be sued and, with approval of the department, may sue and may do any and all things necessary to carry out the powers and the objects and purposes for which the association is formed.

3955. Claims against an association shall be presented to the State Board of Control in accordance with Part 3 (commencing with Section 900) and Part 4 (commencing with Section 940), Division 3.6, Title 1 of the Government Code.

3956. The officers of the association shall consist of a board of directors of nine members. The directors shall be citizens and residents of the district.

3957. If two or more counties constitute a district, each county shall be represented on the board by at least two persons who are citizens and residents of such county.

3958. If, by reason of the formation of a new district, a director in one district becomes a resident of another district, his term of office as director expires 60 days after the formation of the new district.

3959. The directors shall be appointed by the Governor.

3960. The term of office of each director, except that of a member of the first board, is four years from the beginning of the term for which he is appointed. Any vacancy shall be filled for the unexpired term.

(Amended by Stats. 1970, Ch. 50.)

3961. The term of office of each member of the first board shall be so fixed by the Governor that the terms of the directors of such board shall expire in three groups of two, and one group of three, on the 15th day of January of each year following the formation of the association.

3962. The directors are state officers.

3963. The directors shall meet at a place within the district and organize by the election of one of their number as president. The term of office of the president shall be one year and until his successor is elected.

3964. The directors shall also elect a secretary and treasurer from among persons who are not members of the board. One person may be both secretary and treasurer.

3965. The board may, with the approval of the department:

(a) Fix the term of office, the amount of bond, salary, and prescribe the duties of the secretary and of the treasurer.

(b) Manage the affairs of the association.

(c) Make all necessary bylaws, rules, and regulations for the government of the association.

(d) With the approval of the Department of General Services, arrange for and conduct, or cause to be conducted, or by contract permit to be conducted, by any other individual, institution, corporation, or association, upon its property at such time as it may deem advisable, any activity, notwithstanding any other provisions of the code.

(e) Delegate, as it may deem advisable, to its officers or employees any of the powers which are vested in the board under subdivisions (b) and (d) of this section. Any such delegation of powers may be revoked at any time.

3966. The board shall annually make to the department such report as such department may direct.

3967. Any director who misses three consecutive regular meetings of the board without the permission of the board is deemed to have resigned as a director.

(Added by Stats. 1970, Ch. 50.)

3968. Records of the board which are entries in events which are scheduled for future judging and for overnight entries in races on which there is parimutuel wagering prior to such events, judging times, or races, shall not be open to inspection by the public.

(Amended by Stats. 1969, Ch 371.)

CHAPTER 4. FISCAL PROVISIONS

4001. Any money which is received by any association, other than from the sale of real property or pursuant to a lease, easement, or agreement for the extraction of oil or gas from lands owned or controlled by it, shall be retained and used by the association for its:

- (a) General use and purposes.
- (b) Maintenance.
- (c) Membership in livestock registry associations and fair associations.
- (d) Support and operation.
- (e) Acquisition, installation, maintenance, and operation of recreational and cultural facilities at its fairgrounds.

4002. The proceeds of the sale of any interest in real property which is owned by any association shall be paid into the Fair and Exposition Fund. The amount which is paid into the fund shall be available for expenditure by the association, with the approval of the department and the State Public Works Board, for any of the following purposes:

- (a) Permanent improvements for fair purposes on the property of the association.
- (b) Purchase of equipment for fair purposes.
- (c) Acquisition or purchase of real property, including costs of appraisal or other incidental costs, to be used as sites for the permanent improvements.

The execution of any lease, easement, or agreement for the extraction of any oil or gas from lands owned or controlled by an association is not a sale of an interest in real property within the meaning of this section.

4003. Any money which is not expended within three years after being paid into the Fair and Exposition Fund pursuant to Section 4002 shall be added to and become a part of the amount available pursuant to Section 19630 of the Business and Professions Code for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, or the purchase of equipment for fair purposes, or the acquisition or purchase of real property, including costs of appraisal or other incidental costs, to be used as sites for such permanent improvements, in such amounts as may be allocated by executive order of the Director of Agriculture.

4004. All revenue which is received by any association pursuant to any lease, easement, or agreement for the extraction of oil or gas from any land that is owned or controlled by it shall be paid into the General Fund.

4005. The fiscal year for each association is from January 1 to December 31.

CHAPTER 5. POWERS AND DUTIES GENERALLY

4051. An association, with the approval of both the Department of Agriculture and the Department of General Services, may do any of the following:

- (a) Contract.
- (b) Purchase, acquire, hold, sell, exchange, or convey any interest in real or personal property and beautify or improve such property. Any acquisition of land or other real property shall be subject to the Property Acquisition Law, Part 11 (commencing with Section 15850), Division 3, Title 2 of the Government Code.
- (c) Lease, let, or grant licenses for the use of its real estate or personal property, or any portion of such property to any person or public body for whatever purpose may be approved by the board.
- (d) Use or manage its real estate or personal property or any portion of such property for any or all of the purposes of this section jointly with any lessee, sublessee or licensee, or otherwise use or manage the property in connection with such lease, sublease or license which is made or granted.
- (e) Lease or let its real property for public park, recreational, or playground purposes.
- (f) Rent or permit the use of its premises for any purpose which is beneficial to the agricultural industry, including but not limited to the holding of sales or auctions of cattle or other livestock.

(g) Contract with any county or county fair association for holding a fair jointly with the county or county fair association. The joint fair is a district fair of the association.

(h) Make permanent improvements upon publicly owned real property adjacent to real property of the district when such improvements materially benefit the property of the district.

4052. An association shall not lease its racetrack for running races of horses to any private person, firm, or corporation, except to a national or international exposition or its affiliated corporations or associations for the period of time which is now permitted by law for fairs.

(Amended by Stats. 1967, Ch. 221 and Ch. 1579.)

4053. The Director of Agriculture may make available for the use of any association any property of the state which is suitable for the purposes of the association, that has been obtained by the state by gift from any county or city, or otherwise, without cost to the state.

4054. If the board of an association, by resolution adopted by vote of two-thirds of all its members, finds and determines that the public interest and necessity require the acquisition of any building or improvement which is situated on property that is owned by the association, in trust or otherwise, or of any outstanding rights to such property, the association may, with the approval of the department, acquire such building, improvement, or outstanding rights by condemnation.

The use by the association of its property shall be considered a more necessary public use than the use of the property by any grantee, lessee, or licensee for the purposes which are specified in Section 4051 of this chapter.

Notwithstanding any provision of Sections 14256 and 14792 of the Government Code, the board of an association, by resolution adopted by vote of two-thirds of all its members, may purchase materials and lease equipment for not in excess of twenty thousand dollars (\$20,000) when such purchase or lease is made in conjunction with donated labor construction improvements on the grounds of the association.

(Amended, Stats. 1971, Ch. 875)

4055. Associations, by majority vote of their respective boards, may cooperate in the holding of a fair in any of the districts.

4056. An association may pay membership fees, and join and participate in the affairs of any organization which has the following purposes:

(a) Interchange of information that relates to livestock, poultry, and other agricultural animals and products.

(b) Conduct and management of fairs.

(c) Conducting of horseracing meetings.

An association may also pay membership fees, join and participate in affairs of any similar organization that deals with subjects that are related to powers and duties of the association.

4057. The state is not liable for any premium which is offered or award that is made, or on account of any contract which is made, by any association.

CHAPTER 6. PROVISIONS REGARDING
PARTICULAR ASSOCIATIONS

Article 1. California Museum of Science and Industry

4101. The Sixth District Agricultural Association shall be known as the California Museum of Science and Industry. It is within the Department of Commerce, which is a unit of the Agriculture and Services Agency.
(Amended by Stats. 1969, Ch. 138.

4102. The California Museum of Science and Industry with the approval of the Department of Commerce, may build, construct, and maintain and operate a stadium or any arena, pavilion, or other building which is to be used for the holding of sports events, athletic contests, contests of skill, exhibitions, spectacles, and other public meetings. It may lease, let, or grant licenses for the use of such stadium, arena, pavilion, or other building.
(Amended by Stats. 1969, Ch. 138.

4103. The California Museum of Science and Industry may establish a space age museum in its building at Exposition Park in the City of Los Angeles.

Article 2. 1-A District Agricultural Association

4131. The City and County of San Francisco may appropriate and pay over to the 1-A District Agricultural Association for the general uses and purposes of the association such sums of money as the city and county may determine.

Article 3. 22nd District Agricultural Association

4155. The 22nd District Agricultural Association may expend up to two hundred fifty thousand dollars (\$250,000) annually for the operation of a fair pursuant to Section 4001 for the purposes enumerated therein from the money received by the district from a lease of district property for horseracing purposes. Any such money received by the district over two hundred fifty thousand dollars (\$250,000) may be expended in furtherance of the master plan developed pursuant to Section 4156. Any such money not expended in such manner, or accumulated to be expended in furtherance of the master plan,

including the amortization of revenue bonds, shall be transferred by the district to the General Fund upon executive order of the Director of Agriculture.

4156. The State Race Track Leasing Commission shall prepare a master plan for the long-range comprehensive development and improvement of, and construction upon, the property of the 22nd District Agricultural Association. Such plan shall prescribe the amounts which may be expended for the various features of the plan, the period authorized for the completion of each such feature, and the terms of any revenue bond financing undertaken with respect to such plan. Such plan is subject to amendment by the commission.

(Added by Stats. 1967, Ch. 1579.)

Article 4. Former 51st District Agricultural Association

4181. The 51st District Agricultural Association is abolished. All property, both real and personal, of the association is transferred to the Department of General Services to be held by it until the Legislature determines, by appropriate act, that the property should be used to meet the educational needs of San Fernando Valley State College or devoted to some other urgent educational use. Pending the determination by the Legislature pursuant to this section, the Department of General Services may lease or otherwise use such property, on such terms and conditions as the Director of General Services deems are in the best interests of the state.

Article 5. Associations Representing More Than One County

4191. A city may not impose any tax, except a sales or use tax, on any association that represents more than one county and owns land in each of the counties it represents. A city may not, without the consent of the board of such an association, impose any tax, except a sales or use tax, on any of the concessionaires or rental contractors of the association as to events which take place on the property of the association.

CHAPTER 7. WAR MEMORIALS

4251. Any association and any county may jointly construct a building to constitute a war memorial. The war memorial may be used for any purpose for which real property of an association may be used.

4252. The war memorial may be constructed and managed under such terms and conditions as may be agreed upon by the board of the association, with the approval of the department, and the board of supervisors of the county. It shall be owned and used jointly by the association and county.

4253. Any construction work which is done pursuant to an agreement shall be performed in accordance with, and subject to, the provisions of the State Contract Act, Chapter 3 (commencing with Section 14250), Division 3, Part 3, Title 2 of the Government Code.

CHAPTER 8. SALE OF TICKETS ON ASSOCIATION
PROPERTY

4301. It is unlawful for any person to sell or engage in the sale, upon any property of an association, of any ticket of admission or any other evidence of the right of entry to a stadium or an arena, pavilion, or other building which is for holding sports arena events, athletic contests, contests of skill, exhibition spectacles, and other public meetings, places of amusement, or entertainment, contests or performances at any premium or price which is in excess of such maximum price that is printed or indorsed upon it, plus lawful taxes, unless he has first procured a written permit which is issued by such association.

CHAPTER 9. STATE RACE TRACK LEASING COMMISSION

(Chapter 9 added by Stats. 1967, Ch. 1579. See note following Section 4052.)

4351. There is hereby created the State Race Track Leasing Commission which shall be composed of the Director of Agriculture, the Director of Finance, the Director of General Services and three individuals, appointed by the Governor, who are members of the Board of Directors of the 22nd District Agricultural Association, one of whom shall be the president of the board. The Director of Finance shall serve as chairman of the commission. All meetings of the commission shall be open and public.

(Added by Stats. 1967, Ch. 1579. See note following Section 4052.)

4352. The Department of Finance shall provide clerical services to the commission. The Departments of Agriculture and General Services and the California Horse Racing Board shall cooperate with the commission, and, insofar as possible, shall, on request, allow the commission to utilize their staffs as needed by the commission; provided, that the sole counsel for the commission shall be the Attorney General, as provided in Section 4357.

(Added by Stats. 1967, Ch. 1579. See note following Section 4052.)

4353. The State Race Track Leasing Commission has the authority to lease the Del Mar Race Track and any other property owned or controlled by the 22nd District Agricultural Association which the commission shall deem necessary to provide horseracing at Del Mar Race Track. Any such lease shall be on behalf of the 22nd District Agricultural Association, and the district shall continue in control of its property, subject to the conditions and terms of such lease.

4356. The California Horse Racing Board shall, on request of the commission, certify the eligibility of any prospective lessee to be licensed to conduct horseracing at the Del Mar Race Track.

4357. The Attorney General shall serve as counsel for, and adviser to, the commission.

(Added by Stats. 1967, Ch. 1579. See note following Section 4052.)

4358. The commission shall follow the same procedures, insofar as appropriate, in leasing the Del Mar Race Track as the Department of General Services follows in leasing other state real property. The leasing of the Del Mar Race Track shall not be contingent upon the adoption of a master plan. The commission shall, prior to awarding a lease of the Del Mar Race Track, consider all factors concerning appropriate capital improvement of such racetrack, the financing thereof, additional racing opportunities, and any use of new or additional properties or facilities, including, but not limited to, a grandstand, which factors must be considered in the award of the lease. The commission shall also consult with any affected local governing bodies, prior to awarding the lease.

(Added by Stats. 1967, Ch. 1579. See note following Section 4052.)

4359. When the commission makes a determination pursuant to this chapter as to the action it proposes to take in awarding the Del Mar Race Track lease, it shall report to the Legislature, setting forth the procedures followed by the commission in reaching its determination and the reasons the proposed award is in the best interests of the state. It shall also make recommendations regarding any additional legislation which it deems necessary. However, no legislative action is required to make effective and operative any lease awarded by the commission. The commission shall also make a similar report to the Legislature upon the master plan when such plan is completed.

(Added by Stats. 1967, Ch. 1579. See note following Section 4052.)

4360. After the award of a lease of the Del Mar Race Track, the commission shall meet from time to time to review the operation of the lease, and the master plan, and any other related matters. It shall also make such recommendations as it deems proper to the Legislature, other state agencies, including, but not limited to, the 22nd District Agricultural Association, and to the lessee.

(Added by Stats. 1967, Ch. 1579. See note following Section 4052.)

4361. The commission is a "department" for the purposes of hearings pursuant to Article 2 (commencing with Section 11180) of Chapter 2 of Part 1 of Division 3 of the Government Code.

**PART 4. COUNTY AND DISTRICT
AGRICULTURAL FAIRS****CHAPTER 1. STATE MONEY**

4401. Subject to the limitations which are specified in Section 19627 of the Business and Professions Code, the department shall apportion any money which is appropriated by the state for the encouragement of county, district agricultural association, or combined county and district agricultural association fairs to the various agricultural fairs on the basis of the amount which each fair actually pays each year in premiums for agricultural, horticultural, mineral, and livestock exhibits, and exhibits of domestic arts, agricultural mechanics, and industrial education that are made or manufactured for other than commercial purposes.

4402. The amount of the premiums used in determining an apportionment shall be the amount of premiums which are paid by a county or district agricultural association in the calendar year which precedes the fiscal year in which the apportionment is made. The amount of any apportionment is, however, subject to the limitations which are specified in Section 19627 of the Business and Professions Code.

4403. Six thousand dollars (\$6,000) shall be the maximum base of apportionment paid any fair for its first year of operation. In each subsequent year in which a fair is held, the maximum base of apportionment shall increase by 10 percent over the maximum base for the year in which a fair was last held.

4404. If the premiums which are paid for any year in which a fair is held are less than the maximum base of apportionment for that year, the base of apportionment for that year shall be the premiums which are paid for such year.

4405. For any fair that was operated prior to 1933 which received, or was qualified to receive, money from appropriations for the support of agricultural fairs, the maximum apportionment bases may be increased 10 percent for each year in which a fair was held from the time the fair was first held. If, however, no fair was held by the county or district for a period of five or more years, the percentage of increase shall apply only from the year in which the first fair was held after that period.

4406. A fair which was held in the calendar years 1942 to 1946, inclusive, shall not be considered as a fair held for the purpose of determining the maximum base of apportionment.

4407. Any fair may pay premiums in an amount greater than that which is used as the base of apportionment to it.

4408. The county auditor of any county, or secretary of any association which conducts a fair that is eligible for, and desires an apportionment of, state money shall file with the department on or before December 31st, of each year, a sworn

statement which sets forth the actual amount that was paid for premiums by the fair which was held in that year.

4409. If the audited total of the eligible premiums paid by any fair in any year differs from the total that is set forth in the sworn statement which is filed with the department, the amount of the apportionment which is made to the fair on the basis of such year shall be recalculated on the basis of the audited total of eligible premiums which were paid multiplied by the factor that was used in calculating the original apportionment.

4410. If the recalculated apportionment is less than the original apportionment, the amount of the difference shall be returned to the Fair and Exposition Fund and be added to and become a part of the funds which are appropriated for the encouragement of agricultural fairs by Section 19627 of the Business and Professions Code, during the fiscal year in which the difference is returned to the fund.

CHAPTER 2. RESTRICTIONS

4431. Except as otherwise provided in this chapter, on or after January 1, 1943, apportionments shall be made only to counties or district agricultural associations which received apportionments on the basis of the premiums which were paid at fairs held by them during the calendar year 1941.

4432. Merced, Madera, Santa Cruz, and Solano Counties may each receive an apportionment although they held no fairs in the calendar year 1941 and the agricultural associations of the agricultural districts which comprise such counties each received an apportionment during the calendar year 1941.

4433. Marin County may receive an apportionment although that county held no fair in the calendar year 1941 and the agricultural association of the agricultural district of which Marin County is a part received an apportionment during the calendar year 1941.

4434. A district agricultural association of a district created subsequent to January 1, 1943, may receive an apportionment.

4435. A district agricultural association which did not receive an apportionment on the basis of the premiums which were paid at a fair that was held during the calendar year 1941 may receive an apportionment unless a county whose area lies in whole or in part within the boundaries of the agricultural district received an apportionment on the basis of the premiums which were paid at a fair that was held during the calendar year 1941.

4436. A district agricultural association which did not receive an apportionment on the basis of the premiums which were paid at a fair that was held by it during the calendar year 1941, may receive an apportionment if the board of supervisors of each county which is in whole or in part within

the boundaries of the agricultural district in which the association is formed and which received an apportionment on the basis of the premiums which were paid at a fair that was held during the calendar year 1941, by resolution, announces its intention to discontinue permanently the holding of fairs for which the county would be eligible to receive an apportionment.

4437. A certified copy of the resolution shall be filed with the department.

4438. After the board of supervisors adopts and files the resolution, the county is no longer eligible to receive any apportionment and the district agricultural association which thereby becomes eligible to receive an apportionment shall, for the purpose of determining its maximum base of apportionment, be entitled to receive credit for the fairs which were previously held by the county. They shall be considered as fairs which were held by the association in calculating the maximum apportionment base for the association.

4439. Within one year from and after the date the resolution is adopted, the county shall pay to the district agricultural association the unexpended balance of any money which was previously apportioned to the county.

4440. No apportionment shall be made for more than one fair in any one year in any county or district.

4441. A county or district agricultural association may contract with each other or with a county fair association to hold an agricultural fair without loss of any apportionment to which it otherwise is entitled separately. However, no county or district agricultural association may receive an apportionment for a joint or combined fair which is held by them.

4442. No fair for which a separate appropriation is made by the state shall participate in the apportionment of any money appropriated for the encouragement of county and district agricultural association fairs.

4443. If a district agricultural association fair is conducted in any county of the state, no county fair, except a county fair which received apportionments prior to September 9, 1953, shall be paid any apportionment.

4444. No apportionment shall be made to any fair held in Sacramento County after January 1, 1948, other than a fair conducted by the California State Fair and Exposition, the California State Exposition and Fair Executive Committee or by a district agricultural association in Agricultural District 52.

CHAPTER 3. PAYMENT

4461. Any funds that are appropriated for the encouragement of county, district agricultural association, or combined county and district agricultural association fairs which, pursuant to law, are apportioned by the department shall be paid monthly to the several eligible counties and district agricultural associations in such amounts as the department determines

during the fiscal year in which the apportionment is made. The aggregate of the monthly apportionments to each of the several counties and district agricultural associations shall not exceed the maximum apportionment for the year.

CHAPTER 4. DEPOSIT AND EXPENDITURE

4481. The county or district agricultural association shall deposit in a bank account that is approved by the Director of General Services in accordance with Section 16506 of the Government Code any state money which is apportioned to it for the encouragement of the fair which it conducts.

The money which is so deposited may be expended for any of the following:

- (a) Premiums.
- (b) Capital outlay, including purchase of land, construction improvements, and equipment.
- (c) Acquisition, installation, maintenance, and operation of recreational and cultural facilities at fairgrounds of the county or district agricultural association.
- (d) Support of county or district agricultural association fairs.

4482. Any expenditure shall be made pursuant to a budget which is submitted to the Department of Agriculture and approved by the Department of Finance pursuant to Sections 13320 to 13324, inclusive, of the Government Code.

4483. Any expenditure by a county for construction and improvements is subject to Sections 25450 to 25463, inclusive, of the Government Code.

CHAPTER 5. DEPARTMENT OF AGRICULTURE SUPERVISION

4501. The department shall prescribe regulations for both of the following:

- (a) The judging of exhibits.
- (b) The maximum amount of premiums which may be offered and paid for all classes, sections, and types of exhibits.

4502. The regulations are exempt from provisions of Section 11380 of the Government Code. They may, however, be filed with the Secretary of State pursuant to Section 11385 of the Government Code.

4503. No fair shall receive any apportionment of funds pursuant to this part unless it complies with the regulations of the department.

4504. The department may at any time examine the books and records of any fair to determine the correctness of any statement or report which is filed with the department.

4505. Every county or district agricultural association that conducts a fair for which any apportionment is sought shall file a detailed statement of its operations in the previous calendar year with the department on or before the 20th day of January in each year. The content and form of the statement shall be prescribed by the department.

4506. The department shall review the statements of operation which are filed by the several fairs pursuant to Section 4505. It shall consider such reports, statistics and other information as to the conduct, operation, management of, and other matters which relate to such fairs.

4507. The department shall, from time to time, classify fairs which are required to file reports pursuant to Section 4505. In making classifications, it shall take into consideration all of the following:

(a) The type and class of agricultural, including livestock, industrial, and natural resources that are exhibited, and the amount of premiums which are paid in accordance with the approved premium list of the fair.

(b) Whether the fair is regional in nature, offers a special feature for agriculture, livestock, or industry, or is a sectional fair limiting exhibits to the region in which the fair is held, and such other characteristics and factors as the department deems necessary.

(c) The ratio of attendance at the fair to the population of the area which is served by it.

(d) The efficiency of management, including operational procedures, revenue from sources other than the state, quality of exhibits, and community interest in the fair.

(e) The extent and nature of interim utilization of fair property as promoted by the fair management.

(f) The need of the fair for money from state sources.

CHAPTER 6. FAIRS ALLOCATION AND CLASSIFICATION COMMITTEE

4531. The Fairs Allocation and Classification Committee is continued in existence. It consists of seven Members of the Senate and seven Members of the Assembly.

4532. To the extent that it is feasible, appointments to the committee shall be so made that there is one Member of the Senate and one Member of the Assembly on the committee from each of the following areas:

Area 1. Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, and Sierra Counties.

Area 2. Butte, Yuba, Sutter, Glenn, Colusa, Yolo, Sacramento, and Solano Counties.

Area 3. Del Norte, Humboldt, Mendocino, Lake, Sonoma, Napa, and Marin Counties.

Area 4. El Dorado, Amador, Calaveras, Tuolumne, Mariposa, Nevada, and Placer Counties.

Area 5. San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern Counties.

Area 6. San Francisco, Contra Costa, Alameda, San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey, and San Luis Obispo Counties.

Area 7. Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, San Bernardino, Inyo, Mono, Alpine, and Riverside Counties.

4533. The committee shall, from time to time, elect its chairman and vice chairman. The committee may meet at any time, whether or not the Legislature is in session, and shall continue in existence until otherwise provided by law.

4534. (a) The committee shall investigate, study, and analyze, when it deems it necessary, any or all facts and matters relating to the operation and financing of fairs which are subject to this division and the effect and operation of the laws relating thereto.

(b) The committee shall review regularly the administration of the Fair and Exposition Fund by the Division of Fairs and Expositions, or its successor in the department, and make recommendations to improve efficiency and economy in the operation of all fairs.

(c) The committee shall seek methods whereby private financing can be secured for support of all local fairs.

(d) The committee shall review regularly the capability of the Division of Fairs and Expositions, or its successor in the department, to administer and supervise the allocation of moneys from the Fair and Exposition Fund to all local fairs.

(e) The committee shall make recommendations to the Legislature regarding the establishment of new district agricultural associations or local fairs.

(f) The committee shall review regularly the criteria for the classification of fairs specified by Section 4507 and make recommendations for changes whenever appropriate.

(g) The committee shall encourage, where feasible, the conduct on a regular basis of joint or combined fairs pursuant to Section 4441.

4535. The committee shall report to the Legislature at the commencement of each regular session and may report to the Legislature at any time, including in such reports its recommendations, if any, as to necessary or desirable legislative action. The provisions of the Joint Rules of the Senate and Assembly, as they may exist from time to time, which relate to joint investigating committees apply to the committee.

PART 5. CITRUS FRUIT FAIRS

CHAPTER 1. DEFINITIONS

4601. Unless the context otherwise requires, the definitions in this chapter govern the construction of this part.

4602. "Association" means a nonprofit corporation organized and existing under the laws of this state for the purpose of and which engages in conducting and carrying on a citrus fruit fair.

4603. "Citrus fruit fair" means any citrus fruit fair or citrus fruit fair and exposition which satisfies all of the following requirements:

(a) Has been conducted and carried on by an association for not less than 10 nor more than 15 consecutive days during each calendar year for a period of not less than 20 consecutive years.

(b) Citrus fruits are exhibited for prizes and premiums at the fair. The fair has for its purpose the promotion and encouragement of the citrus fruit industry of this state.

CHAPTER 2. BENEFITS AND APPROPRIATIONS

4651. The fair shall be deemed to be a fair and association within the meaning of Chapter 1 (commencing with Section 4401), Part 4 of this division and the association so conducting and holding such citrus fruit fair shall be entitled to participate in the benefits and appropriations provided for in and by Chapter 1 (commencing with Section 4401), Part 4 of this division and shall receive aid, as provided therein and as otherwise provided by law for citrus fruit fairs, in the same manner as if such citrus fruit fair was being conducted and carried on in the manner provided in and under the previous provisions of Chapter 1 (commencing with Section 4401), Part 4 of this division.

4652. An association conducting a citrus fruit fair may receive and use, for the citrus fruit fair, any money which is appropriated for use of a "citrus fruit fair".

CHAPTER 3. POWERS AND DUTIES

4701. An association that conducts and carries on any citrus fruit fair which is eligible to receive apportionments pursuant to Section 19626 of the Business and Professions Code:

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

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

4702. Upon dissolution of any such association, all of its property, after payment of outstanding debts, shall escheat to the state.

4703. All property of any such association which is used exclusively in conducting citrus fruit fairs, and its recreational and cultural facilities which are of general public interest, are exempt from taxation. No affidavit need be filed to claim this exemption.

4704. An association which conducts and carries on a citrus fruit fair which is eligible to receive apportionments pursuant to Section 19626 of the Business and Professions Code shall file a detailed statement of operations in the previous calendar year with the department on or before the 20th day of January in each year. The content and form of such statement shall be prescribed by the department.

GOVERNMENT CODE

Government Code

PART 2, DIVISION 2, TITLE 3

CHAPTER 9. AGRICULTURE AND FAIRS

Article 1. Fairs

25900. The board of supervisors may join and participate in the affairs of associations having for their purpose the interchange of information relating to livestock, poultry, and other agricultural animals and products, the conduct and management of agricultural fairs, and similar associations dealing with subjects related to agricultural fairs, and may expend for these purposes any money allocated to the county by the State for agricultural fair purposes.

25901. The board of supervisors may erect and maintain permanent county fair buildings within the county on lands owned by the county or any municipal corporation or body politic.

25902. If any real property which was acquired or used for fair purposes and which was purchased or improved in whole or in part from funds apportioned or allocated to the county for fair purposes by the state is sold by any county, there shall be paid into the Fair and Exposition Fund in the State Treasury from the proceeds of the sale an amount equal to that proportion of the cost of the real property and improvements which was paid for out of funds apportioned or allocated by the state for fair purposes, less a reasonable allowance for depreciation in value in an amount approved by the Department of Agriculture.

(Amended by Stats. 1965, Ch. 693.)

25903. With the approval of the Department of Agriculture and the State Public Works Board, the amount paid into the Fair and Exposition Fund shall be available for expenditure by the county for permanent improvements for fair purposes on the property of the county, the purchase of equipment for fair purposes, or the acquisition or purchase of real property, including costs of appraisal or other incidental costs, to be used as sites for such permanent improvements. Any portion of such funds which is not so expended within three years after being paid into the State Treasury shall be added to and become a part of the amount available under law for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, or the purchase of equipment for fair purposes, or the acquisition or purchase of real property and appraisal or other incidental costs, to be used as sites for such permanent

improvements, in such amounts as are allocated by executive order of the Director of Agriculture.

(Amended by Stats. 1963, Ch. 224, and by Stats. 1965, Ch. 693.)

25904. The board of supervisors may levy a special tax, not to exceed four cents (\$0.04) on each one hundred dollars (\$100) of taxable property, on the taxable property within the county for the purpose of creating a fund to encourage immigration, increase trade in the products of the State and of the county, and promote the industrial, livestock, agricultural, horticultural, viticultural, and pastoral pursuits of the county.

The fund may be used for the purposes of:

(a) Collecting, preparing, and maintaining an exhibition of the products and industries of the county at any domestic or foreign exposition.

(b) Making contribution to the support of any local fair or exhibition of industrial, agricultural, horticultural, viticultural, or pastoral products maintained by any public agency, county agricultural association, county fair association, or chamber of commerce in the county. If there is no such fair or exhibition in the county, the contribution may be made to the support of a fair or exhibition maintained by a group of counties of which the contributing county is one.

The contribution may be used by the agency for the general conduct of the fair or exhibition, including the giving of premiums, in the name of the county, for competitive excellence in industrial, agricultural, livestock, horticultural, viticultural, and pastoral products at the fair or exhibition.

25905. The board of supervisors may contract with a nonprofit corporation or association for the conducting of an agricultural fair, as agent of the county, for a period not exceeding five years. Such contract may provide for the use, possession, and management of any public park or fairgrounds by such nonprofit corporation, as agent of the county, during the period of the contract.

All net proceeds received by such nonprofit corporation, from whatever source, shall be deposited within 60 days after the conclusion of any fair in a county fair fund which shall be established in the county treasury for such purpose. The moneys in the fund shall be expended only for support of the county fair, including maintenance and operation of the county fair facilities, premiums, purposes incidental to the fair, capital outlay for fair purposes and for the acquisition or purchase of real property to be used for fair purposes.

The corporation shall submit an annual budget to the State Department of Agriculture, showing the estimated revenues and the proposed expenditures from all sources during the ensuing calendar year, which budget shall first be approved by the county board of supervisors and shall be considered as complying with the provisions of Part 4 (commencing with

Section 4401) of Division 3 of the Agricultural Code relating to budgets.

Any other provisions of law relating to county fairs as a condition to receiving an allocation of state money for fair purposes shall be observed by such nonprofit corporation.

When such use, possession, and management is granted, the board may also allocate and pay to such nonprofit corporation in advance such sum of money it deems necessary to be used for the purposes for which such use, possession, and management is granted.

SEC. 49. Section 25906 of the Government Code is amended to read:

25906. The board of supervisors of a county may contract with a nonprofit corporation or association for the conducting of an agricultural fair in such county for such period and under such conditions as the board may determine. Such contracts may provide for the use, possession, and management of any public park or fairgrounds by such nonprofit corporation during the period of the contract. When such use, possession, and management is granted, the board may also allocate to such nonprofit corporation such sum of money it deems necessary to be used for any purpose incidental to the fair. If such contract involves the use of property acquired with money derived from the state or if the contract contemplates the use of money allocated or appropriated by the state for such fair, the contract shall be subject to approval by the Department of Agriculture. If such county desires to receive an allocation under the provisions of Section 92 of the Agricultural Code, the corporation shall submit an annual budget to the State Department of Agriculture, showing the estimated revenues and the proposed expenditures from all sources during the ensuing calendar year, which budget shall first be approved by the board of supervisors, and shall be considered as complying with the provisions of Part 4 (commencing with Section 4401) of Division 3 of the Agricultural Code relating to budgets. The corporation shall also observe any other provisions of law relating to county fairs as a condition necessary for the county to receive an allocation of state money for fair purposes. Upon the dissolution of any such corporation all property and assets thereof within the county with which it contracts shall be paid to such county.

25907. The board of supervisors of any county owning or operating any public park or recreation area, shall have authority: (a) to lease, let or grant licenses for the use of its real estate or personal property or any portion thereof for any agricultural, horticultural, viticultural or livestock fairs or expositions, rodeos, floral displays, dog and cat shows, exhibitions of industries and industrial products or federal or state armories; to school organizations or associations thereof for the purpose of conducting athletic events participated in by such schools or associations or to civic, patriotic, benevolent, or fraternal corporations or associations, for the purpose of holding conventions, assemblies or public meetings on subjects of public or community interest; or for the sale of tangible personal property, or for concessions and services incidental to any of such purposes; or to any person, firm or corporation for concessions and services consistent with public park and recreation purposes; or to nonprofit athletic organizations for athletic activities or to nonprofit fair associations or to nonprofit agricultural associations or to municipal corporations for use or reletting for any or all of the foregoing purposes; (b) to rent or permit the use of its premises for the holding of sales or auctions of cattle or other livestock or for other purposes beneficial to the agricultural industry.

(Added by Stats. 1953, Ch. 1518; amended by Stats. 1957, Ch. 2117.)

25908. The board of supervisors of any county owning fairgrounds and fairground facilities may (a) lease, let, or grant licenses for the use of its real estate or personal property or any portion thereof to private individuals or associations for whatever purpose may be approved by said board, which will not interfere with the use of such property for fair purposes; and (b) arrange for and conduct or cause or by contract permit to be conducted by another individual, institution, corporation or association, upon such property at such time as it may deem advisable, any activity which will not interfere with the use of such property for fair purposes.

BUSINESS AND PROFESSIONS CODE

CHAPTER 4, DIVISION 8

Article 10. Revenue

19620. Fees, commissions, and other money received by the board, except that part of any license fee for conducting a horseracing meeting, including the portion attributable to breakage, in excess of 4 percent of the gross amount of money handled in the parimutuel pool or twenty million dollars (\$20,000,000), whichever is the lesser, and except as otherwise provided in Sections 19640 and 19641, shall be paid into the State Treasury to the credit of the "Fair and Exposition Fund."

19621. The Legislature will appropriate annually out of the fund such sums as it deems necessary for the following purposes:

(a) For the support of the board, including any costs and expenses incurred by the Attorney General in the enforcement of this chapter as shall be authorized by the board.

(b) To the Department of Agriculture for the supervision of all fairs, including citrus fruit fairs, and district agricultural associations receiving money from the fund.

(c) To the Department of Finance for the auditing of all fairs, including citrus fruit fairs, and district agricultural associations receiving money from the fund.

19622. The following amounts are hereby annually appropriated out of the fund:

(a) Two hundred sixty-five thousand dollars (\$265,000) for the support of the California State Fair and Exposition.

(b) Two hundred fifty thousand dollars (\$250,000) for the support of the Los Angeles County Fair.

(c) Two hundred fifty thousand dollars (\$250,000) for the support of the 1-A District Agricultural Association.

(d) One hundred twenty-five thousand dollars (\$125,000) for the support of the 48th District Agricultural Association.

19623. The money appropriated for the Los Angeles County Fair and the 48th District Agricultural Association by Section 19622 may be expended for the payment of premiums and, with the approval of the Department of Agriculture for capital outlay purposes, including the purchase of land and construction, improvements, and equipment, and for the support, and maintenance of such fairs.

19625. The balance of the money in the fund after the deduction of the amounts appropriated by the preceding sections of this article, constitutes "the first balance of the fund."

19626. The first balance of the fund is hereby annually appropriated as follows:

(a) Five percent, but not to exceed one hundred eighty thousand dollars (\$180,000), for payment to and the use of the citrus fruit fairs defined in Section 4603 of the Agricultural Code, excluding any district or county fairs, for the purpose of conducting and carrying on annual citrus fruit fairs and expositions to promote and encourage the citrus fruit industry of this State.

(b) One hundred fifty thousand dollars (\$150,000) of such 5 percent is allocated annually to the citrus fruit fairs defined in Section 4603 of the Agricultural Code held in counties with a population in excess of 160,000, as shown by the last federal population census. If there is but one such fair in such counties, all of such one hundred fifty thousand dollars (\$150,000) is allocated to and for the use of such fair.

(c) The balance of the 5 percent is allocated to the citrus fruit fairs defined in Section 4603 of the Agricultural Code in counties with a population of less than 160,000, and to those other citrus fruit fairs and expositions in such counties with a population of less than 160,000 which have been conducted and carried on annually for not less than 20 years by non-profit associations or corporations for the purpose of promoting and encouraging the citrus fruit industry of California.

Each citrus fruit fair held in a county with a population of less than 160,000 shall receive thirty thousand dollars (\$30,000) each year.

(d) No appropriation shall be made under this section to any citrus fruit fair or citrus fruit fair and exposition which did not receive such an appropriation prior to 1959.

19626.2. During the 1960-61 Fiscal Year and each fiscal year thereafter the funds appropriated and allocated for payment to and use of citrus fruit fairs under the provisions of Section 19626 shall be payable from the revenue deposited in the Fair and Exposition Fund and appropriated for said purpose during the fiscal year in which the funds are to be allocated and paid to the several citrus fruit fairs and expositions. The Department of Agriculture shall allocate monthly to the several citrus fruit fairs and expositions, the funds available for such allocation in such amounts as the department shall determine; provided, however, that the aggregate of the monthly allocations to each of the several citrus fruit fairs and expositions shall equal the allocation provided by law.

19627. Forty percent, but not more than four million six hundred eighty thousand dollars (\$4,680,000), of the first balance of the fund is hereby annually appropriated for the encouragement of county, district, or combined county and district fairs (exclusive of the California State Fair and Exposition, the Los Angeles County Fair, 1-A District Agricultural Association, the Sixth District Agricultural Association, known and designated as the California Museum of Science and Industry, the 48th District Agricultural Association, and citrus fruit fairs), to be apportioned by and expended under the supervision of the Department of Agriculture in the manner and for the purpose prescribed by Part 4 (commencing with Section 4401 of Division 3) of the Agricultural Code and other applicable provisions of law including this section.

The Department of Agriculture shall apportion the money appropriated by this section to the several eligible county, district, or combined county and district agricultural fairs on the basis of the need of each such fair for financial assistance from the State during the year for which the apportionment is to be made. No such fair shall receive such an apportionment in excess of such need as established by the department. In determining such need, the department shall take into consideration, as to each such fair, all relevant factors, including, but not limited to, the following:

- (1) The approved budget of the fair.
- (2) The statements of operations of the fair filed pursuant to Section 4505 of the Agricultural Code.
- (3) The amount of money available to the fair from its own resources or from sources other than the State.
- (4) The propriety and amount of any reserve funds established, or sought to be established, by the fair.
- (5) The maximum amount of revenue from all sources which might reasonably be expected to become available to the fair during such year, and the times within such year at which it will become available.
- (6) The classification of the fair.

No such county, district or combined county and district agricultural fair shall receive an apportionment of more than sixty-five thousand dollars (\$65,000) in any one year. No such fair shall be eligible for an apportionment pursuant to this section unless it has filed, for each year subsequent to 1958, a statement of its operations during such year as provided in Section 4505 of the Agricultural Code, irrespective of whether or not an apportionment for any such year or years is sought or made and all such fairs shall be deemed to be subject to said Section 4505 for all purposes.

19628. If any fair or exposition has not been or is not held in any year because of war conditions, or because the grounds or buildings of the fair or exposition have been taken over and occupied by the United States or its Armed Forces, such year shall not be considered for the purpose of any requirement of Sections 19626 and 19627 of this code or of Section 4603 of the Agricultural Code that a fair or exposition be conducted annually or conducted annually for a prescribed period of years.

19629. The balance of the money in the fund after the deduction of the amounts appropriated by the preceding sections of this article constitutes "the second balance of the fund."

19630. There is hereby appropriated annually from the second balance of the fund, for expenditure without regard to fiscal years, the sum of two million two hundred fifty thousand dollars (\$2,250,000) or so much thereof as may be approved by the State Public Works Board and allocated by the Director of Finance in his discretion for any of the following:

(a) Permanent improvements for fair purposes upon the property of any county or district agricultural association fair which is subject to the provisions of Section 4505 of the Agricultural Code, or of any citrus fruit fair defined in Section 4603 of the Agricultural Code, or other citrus fruit fair and exposition qualified to receive an allocation under Section 19626.

(b) The purchase of equipment for fair purposes of such fairs, citrus fruit fairs and citrus fruit fairs and expositions.

(c) The acquisition or purchase of real property, including costs of appraisal and incidental costs, to be used as sites for the permanent improvements specified in subdivision (a).

(d) Permanent improvements upon publicly owned real property adjacent to the real property of any district agricultural association fair which is subject to the provisions of Section 4505 of the Agricultural Code, when such improvements materially benefit the property of the district.

Any unappropriated money in the fund shall be transferred to the General Fund by the State Controller.

19630.5. Notwithstanding any other provision of law, any county, district agricultural association, citrus fruit fair defined in Section 4603 of the Agricultural Code, or citrus fruit fair and exposition qualified to receive an allocation under Section 19626, may, with the approval of the Department of Agriculture, expend any money available for expenditure by it for the construction or operation of recreational and cultural facilities of general public interest.

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

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

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

(b) Except as otherwise provided by this article, the remainder shall be paid into the General fund in the State Treasury.

19633. All license fees for conducting horse racing meetings attributable to breakage shall be paid into the General Fund of the State. The State College Fund is abolished and all money credited to such fund is transferred to the General Fund. All appropriations heretofore made from the State College Fund shall be payable for the same purposes and periods from the General Fund.

19634. From the General Fund there is appropriated to the California State Polytechnic College five hundred thousand dollars (\$500,000) to be expended for the purchase of not to exceed three hundred sixty (360) acres of farm land for the California State Polytechnic College.

This section shall be construed as a continuance of the provisions of Section 19620.2 of this code as added by Chapter 1582 of the Statutes of 1957, and not as an additional appropriation from the General Fund.

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

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

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

19636. All money appropriated pursuant to this article to the California State Fair and Exposition, the Los Angeles County Fair, the Sixth District Agricultural Association, known and designated as the California Museum of Science and Industry, the citrus fruit fairs defined in Section 322 of the Agricultural Code, and the 1-A District Agricultural Association, except money allocated by the Director of Agriculture for fair purposes under Section 19630 of this code, is exempt from the provisions of Section 16304 of the Government Code, and shall remain available for expenditure from year to year until expended.

19637. Appropriations and allocations from the Fair and Exposition Fund made pursuant to this article, other than those made under Section 19621 and allocations made by executive order of the Director of Agriculture for permanent improvements for fair purposes under Section 19630, are exempt from the provisions of Section 16304 of the Government Code. The date of such executive order is deemed to be the date when the appropriation becomes available for expenditure.

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

Allocations for permanent improvements for fair purposes under Section 19630 of this code are available to defray expenditures lawfully incurred prior to the date of the executive order involved, if the executive order so provides.

Upon reversion an allocation made by the Director of Agriculture for permanent improvements for fair purposes under Section 19630 reverts to and becomes a part of the appropriation from which the allocation was made.

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

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

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

When any county or citrus fruit fair or exposition receiving an appropriation or allocation from the Fair and Exposition Fund contracts with an association to conduct such fair or exposition, the contract shall include a provision that the books and records of such association shall be subject to audit by the Department of Finance at the discretion of the department.

19640. All money representing penalties or fines imposed by the stewards of a horse race meeting shall be collected by the licensee of the meeting and paid to the board within 10 days after its close, and the board shall deposit all such money in the State Treasury to the credit of the General Fund.

19641. Ninety days after the close of any horse racing meeting any redistributable money in a parimutuel pool subject to payment to a claimant pursuant to Section 19598, but not successfully claimed within that period, shall be paid to the board, and the board, in turn, shall immediately pay such money into the State Treasury to the credit of the General Fund.

