

Date:

(Filing No. S- )

**AGRICULTURE, CONSERVATION AND FORESTRY**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**

**SENATE**

**132ND LEGISLATURE**

**FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 502, L.D. 1213, “An Act to Allow the Premiums and Gratuities Paid for Any Agricultural Events Approved by the Commissioner of Agriculture, Conservation and Forestry to Be Considered in Apportionment of Stipends to Agricultural Fairs”

Amend the bill by striking out the title and substituting the following:

**'An Act Regarding Apportionment of Stipends to Agricultural Fairs'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 7 MRSA §81, sub-§10**, as enacted by PL 2005, c. 563, §3, is amended to read:

**10. Premium.** "Premium" means a ribbon, trophy or monetary amount or a service or object with monetary value awarded as a prize in a competition or event.

**Sec. 2. 7 MRSA §85, first ¶**, as enacted by PL 2005, c. 563, §3, is amended to read:

The Treasurer of State shall establish the Fair Fund and shall annually credit a sum of money equal to 5% of the total amount designated as state share in accordance with Title 8, section 286 to the Fair Fund. The commissioner shall make distributions from the Fair Fund only to licensees eligible for a stipend under section 86, subsections 5 and 6. Distributions are prorated according to the amount of premiums ~~and gratuities~~ actually paid by those licensees in full and in cash or valuable equivalent. Restrictions on premiums ~~and gratuities~~ used to determine apportionment of a stipend under section 86, subsection 5 apply to distribution from the Fair Fund.

**Sec. 3. 7 MRSA §86, sub-§5**, as enacted by PL 2005, c. 563, §3, is amended to read:

**5. Distribution to all eligible licensees.** The amount remaining in the Stipend Fund after distributions in accordance with subsections 2, 3 and 4 must be divided among fair licensees meeting the eligibility criteria in subsection 6, prorated according to the amount

1 of premiums ~~and gratuities~~ actually paid by those licensees in full and in cash or valuable  
2 equivalent.

3 In determining distribution under this subsection, ~~no~~ an allowance is may not be made on  
4 premiums offered and paid by a licensee at any competition or event held other than during  
5 the period at in which its annual fair is held. Allowance may not be made or consideration  
6 given for lump sums, payments or premiums previously arranged and agreed upon for the  
7 presentation and display of any animals or products without regard to competition or event.

8 Premiums ~~and gratuities~~ used to determine apportionment under this subsection are limited  
9 to those paid for:

10 A. Livestock and poultry;

11 B. Vegetables, grains, fruits and flowers;

12 C. Products derived from livestock and dairy products;

13 D. Home-canned, home-cooked and home-baked goods;

14 E. Grange and farm exhibits;

15 ~~F. Boys' and girls' club exhibits;~~

16 F-1. Youth agriculture events;

17 G. Mechanical arts exhibits;

18 ~~H. Domestic and fancy articles~~ Arts and crafts produced in the home;

19 I. Pulling contests for equines and oxen; ~~and~~

20 J. Pulling contests for farm tractors and pickup trucks;:

21 K. Educational agricultural talks, workshops and demonstrations; and

22 L. Any other agricultural event approved by the commissioner.

23 **Sec. 4. 7 MRSA §86, sub-§8**, as amended by PL 2021, c. 681, Pt. J, §1, is further  
24 amended to read:

25 **8. Maximum allowed distribution from Stipend Fund.** A licensee may not receive  
26 a stipend from the Stipend Fund greater than the amount actually raised and spent by the  
27 licensee on premiums ~~and gratuities~~ in the classes provided in subsection 5. A licensee  
28 may not receive a stipend from the Stipend Fund in excess of \$10,000, except that this  
29 limitation does not apply to any additional stipend provided for by Title 8, section 287 or  
30 to funds distributed from the Fair Fund in accordance with section 85, the Agricultural Fair  
31 Support Fund in accordance with section 91 or the Agricultural Fair Promotion Fund in  
32 accordance with section 103.

33 **Sec. 5. 7 MRSA §88, sub-§1, ¶B**, as enacted by PL 2005, c. 563, §3, is amended  
34 to read:

35 B. The commissioner submits a certificate to the executive director of the State  
36 Harness Racing Commission stating that the commissioner has examined the claim of  
37 the licensee and determined that the licensee has complied with sections 86 and 87 and  
38 has awarded and paid as premiums ~~and gratuities~~ a sum equal to or greater than the  
39 stipend received by the licensee.'

1 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
2 number to read consecutively.

3 **SUMMARY**

4 This amendment replaces the bill, changes the title and makes technical changes to the  
5 statutes relating to the Stipend Fund and the amount distributed among fair licensees. The  
6 amendment specifically adds educational agricultural talks, workshops and demonstrations  
7 to the list of competitions and events that may be considered in the calculation of  
8 apportionment for stipends; as in the bill, the amendment also specifies that any agricultural  
9 event approved by the Commissioner of Agriculture, Conservation and Forestry may be  
10 used to determine the apportionment. The amendment removes the obsolete term  
11 "gratuities" from the laws governing agricultural fairs and pulling events.

12 **FISCAL NOTE REQUIRED**

13 **(See attached)**