



Testimony of Fryeburg Fair

In opposition to LD 2096, An Act Regarding Scheduling of Agricultural Fairs and Pulling Events

Senator Talbot Ross, Representative Pluecker and Members of the Committee on Agriculture, Conservation and Forestry, I am David Hastings, President of the West Oxford Agricultural Society which operates the Fryeburg Fair and I come before you today to testify in opposition to LD 2096.

This bill makes dramatic changes to the statutes governing Maine's Agricultural Fairs. It will have the effect of disqualifying several of our smallest fairs from the right to share in the Fair Stipend Fund which may put them out of business. It also will establish the requirement that fairs obtain a license just to operate, which has never been required in Maine.

It is our understanding that this bill is submitted on behalf of the Cumberland Fair. It is not a department bill and was written without any consultation or input of the impacted stakeholders such as the Maine Association of Agricultural Fairs or any of the other 20 plus existing Agricultural Fairs.

We oppose Section 1 of the bill which establishes an entirely new definition of an Agricultural Fair. According to the Maine Association of Agricultural Fairs, it appears that this new definition will disqualify a number of our smaller fairs from operating as an Agricultural Fair in the future and deny them any access to the Fair's Stipend Fund. I have no idea why the sponsor would wish to eliminate any of our smaller fairs.

We strongly oppose Sections 2 through 7 of the bill which will also make a dramatic change in the law without input from stakeholders. Maine's Agricultural Fairs have never been required to obtain a license to operate. The existing statutes only require fairs to seek licensed dates from the Department of Agriculture,

Conservation and Forestry if they want to participate in the Fair Stipend Fund which uses casino revenues to reimburse Fairs for a portion of premiums paid for competitions at their fairs.

If the Legislature is now going to require fairs to obtain a license just to operate, then the requirements for obtaining such a license need to be clearly spelled out. This proposed legislation only says that a license is required for an Agricultural Fair to operate, but does not list the requirements to obtain the license. Will small fairs which cannot meet the new definition of an Agricultural Fair be shut down? Without clear licensing requirements, how can it be determined if a license applicant was granted or denied a license properly, improperly or arbitrarily?

If such drastic changes in the laws regarding agricultural fairs are to be made, they should only be made after bringing together the stakeholders to participate and have input in the creation of the new licensing requirements. In this case, no input was obtained from any of the stakeholders as far as we can tell. The Maine Association of Agricultural Fairs was not consulted. No other individual fairs were consulted. The department was apparently was not consulted in any great detail.

This is not the proper way to enact legislation affecting an entire industry.

It is the belief of Fryeburg Fair that this legislation was brought forward solely at the request of Cumberland Fair which is unhappy with the decision of Fryeburg Fair, located 50 miles and an hour and ten minutes from Cumberland, to move its opening day from Sunday to Saturday, which overlaps with Cumberland's closing day. Overlapping fair dates are common. There are already more than a dozen instances of overlapping dates in Maine. It became apparent to Fryeburg Fair that makes no sense for fairs to leave weekend days unused. That is when the public can attend fairs. Cumberland and Fryeburg both had good days on that overlapping Saturday. Having now established this, Fryeburg is now applying to have its opening Saturday licensed under the existing statute for participation in the Stipend Fund.

For these reasons, Fryeburg Fair urges this Committee to vote ought not to pass on this legislation.