

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Date: 5/21/25

(Filing No. S135)

**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 "A" 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

ROS

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

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

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

- A. Livestock and poultry;
- B. Vegetables, grains, fruits and flowers;
- C. Products derived from livestock and dairy products;
- D. Home-canned, home-cooked and home-baked goods;
- E. Grange and farm exhibits;
- ~~F. Boys' and girls' club exhibits;~~
- F-1. Youth agriculture events;
- G. Mechanical arts exhibits;
- H. ~~Domestic and fancy articles~~ Arts and crafts produced in the home;
- I. Pulling contests for equines and oxen; ~~and~~
- J. Pulling contests for farm tractors and pickup trucks;
- K. Educational agricultural talks, workshops and demonstrations; and
- L. Any other agricultural event approved by the commissioner.

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

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

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

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

ROS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

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

**SUMMARY**

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

**FISCAL NOTE REQUIRED**

(See attached)



# 132nd MAINE LEGISLATURE

**LD 1213**

**LR 1440(02)**

**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**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-135)**

**Committee: Agriculture, Conservation and Forestry**

**Fiscal Note Required: Yes**

---

## Fiscal Note

Changes fund distribution criteria

Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

This bill changes the criteria used to determine distributions from the Stipend Fund within the Department of Agriculture, Conservation and Forestry (DACF) to all eligible licensees after the distributions to fair licensees that conduct pari-mutuel racing and the distributions to fair licensees that did not conduct pari-mutuel racing but did meet other criteria have been distributed. These changes will modify the distribution ratio within the remaining funding but will not increase the amount available to distribute. Any additional costs to the DACF to implement the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.