

# MAINE STATE LEGISLATURE

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## CHAPTER 3

## COUNTY AND LOCAL SOCIETIES

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**§ 61. Property management**

County and local agricultural societies may take and hold property, real and personal, the annual income of which shall be applied to the purposes provided in their charters, or their treasurers may receive conveyances or leases of such property for their societies, and hold, sell, mortgage or pledge it, and shall give bonds to the trustees for the safekeeping thereof and the faithful discharge of their duties.

R.S.1954, c. 32, § 16.

**§ 62. Stipend for clubs and societies**

There shall be appropriated annually from the State Treasury a sum of money not to exceed 2¢ per inhabitant of the State, and an additional sum of money equal to 5% of the amount contributed under Title 8, section 275, and additional sums of money as provided and limited by Title 8, sections 274 and 333, which shall be known as the state stipend for aid and encouragement to agricultural societies and hereafter designated as the "stipend." One-half of the amounts contributed under Title 8, sections 274 and 333, shall be divided for reimbursements in equal amounts to each recipient of the Stipend Fund which conducts pari-mutuel racing in conjunction with its annual fair if said recipient has improved its racing facilities and has met the standards for facility improvements set by the commissioner for said recipients. If a recipient has not complied with the individual standards set

by the commissioner said yearly reimbursements shall be paid in equal amounts to those recipients which have met such standards. From the state stipend the commissioner may expend annually a sum not to exceed 2% for administrative and inspection services. The balance of this stipend shall be divided among the legally incorporated agricultural clubs, societies, counties and fair associations of the State, hereafter in this Title designated as "societies," according to the following schedule and method. Said stipend shall be divided pro rata among the legally incorporated societies, not heretofore provided for, according to the amount of premiums and gratuities actually paid in full and in cash or valuable equivalent by said societies upon horses, cattle, sheep, swine, poultry and agricultural and domestic products, but no such society whether specifically mentioned in this Title or otherwise shall be entitled to any share of the stipend unless it shall have complied with the following requirements, which shall be considered by the commissioner as the basis upon which his apportionment of the stipend shall be made as provided in this section. No premiums or gratuities shall be considered by the said commissioner in apportioning the amount of stipend to which any society is entitled except those offered and paid upon horses, cattle, sheep, swine, poultry, vegetables, grain, fruit, flowers, products derived from horses, cattle, sheep, swine, home canned foods, grange exhibits, farm exhibits, boys' and girls' club exhibits, exhibits of the mechanical arts, domestic and fancy articles produced in the farm home and pulling contests by horses and oxen. No society shall be entitled to any share of the stipend unless it shall have notified the commissioner in writing at least 10 days in advance of the date and place of its annual exhibition. No society, the Maine State Pomological Society excepted, shall receive from the State a sum greater than that actually raised and paid by the society as premiums and gratuities in the classes provided, and in no case shall any society be entitled to any share of the stipend unless it shall have raised and paid in premiums in the classes set forth at least \$200. No society shall receive any portion of the stipend in excess of \$10,000, except that such limitation shall not apply to any additional stipend provided for by Title 8, section 274 or 333. No society shall receive any portion of such stipend unless it shall have regularly entered and displayed in an attractive manner upon its exhibition grounds distinct exhibits or entries of vegetables, fruits, grains or dairy products, or of subordinate and other granges and 4-H clubs, of a quality acceptable to the commissioner or his regularly authorized agent and of vari-

eties known to be common or standard to the county in which such exhibition is held.

The commissioner shall make all necessary rules and regulations to protect the health of domestic animals and poultry, being shown or exhibited, against contagious, infectious and parasitic diseases, and parasitic infestation. No society, association, corporation, group or individual shall be entitled to any state aid or stipend where domestic animals or poultry are shown or exhibited, unless the health status of said domestic animals and poultry satisfy the health requirements of the rules and regulations made by the commissioner.

In the distribution of such stipend no allowance shall be made or consideration given on account of lump sums, payments or premiums previously arranged and agreed upon by exhibitors and the officers of any society for the presentation and display of any animals or products without regard to competition which may subsequently appear, excepting any special agricultural exhibits of such nature as to preclude their entry in competition.

No stipend shall be paid on premiums or purses offered and paid by any such society at any event held other than during the period at which its annual exhibition is held.

A society within the meaning of this section to qualify for a stipend shall mean:

**1. Agricultural display.** A society which has an agricultural display of the products of agriculture, typical of the area at the time the fair is held;

**2. Minimum of \$300 on premiums.** A society which pays a minimum of \$300 on premiums, exclusive of those for horse and ox pulling contests;

**3. Ten stockholders or primary purpose not profit.** A society which has not less than 10 stockholders or members, or the primary purpose of which is not profit to be distributed to its members or stockholders. The commissioner may summon before him and examine on oath any officer of an incorporated society or other person whose testimony he shall deem necessary in the proper discharge of his duties, and may require such witnesses to bring before him for examination any books or records in their custody or control which he may deem necessary for his information in the performance of his duties. The commissioner shall apportion annually the stipend due from the State to the societies, including the Maine State Pomological Society. He shall issue blanks to the proper officers of said societies for such

returns as may be deemed necessary for a full and complete knowledge of the work of said societies for each year, and shall certify to the Governor and Council the amount of stipend due such society, and shall designate to the Treasurer of State to whom such moneys shall be paid, but said societies shall not be entitled to such stipend unless they shall make such returns. Neglect or failure on the part of any society to observe any of the requirements shall be deemed sufficient cause for withholding such society's share of the stipend, and the commissioner is required and directed to authorize payment of stipend only to such societies as have observed all of the said requirements.

The conducting of pari-mutuel betting by any such society under license of the State Harness Racing Commission, in accordance with Title 8, chapter 11, shall not be deemed cause for withholding such society's share of the stipend.

R.S.1954, c. 32, § 17; 1955, c. 11; 1957, c. 397, § 26; c. 391, § 1; 1959, c. 101, §§ 1-3.

### § 63. Certification for payment

No payment of any state aid, whether made under section 62 or by special appropriation, shall be made to any society until the treasurer thereof files with the Treasurer of State a certificate on oath, stating the amount raised by it and the amount actually awarded and paid in premiums; and a certificate from the commissioner that he has examined into the claim of said society; that in his opinion it has complied with sections 62 and 68; that there has been awarded and paid by said society as premiums and gratuities a sum at least equal to the amount apportioned to said society. In case of any complaint in writing, signed by the complainant, of the violation of any of the provisions of this Title relating to the payment of state aid in any form to agricultural societies, the commissioner may investigate such alleged violation and employ such agents and counsel as may be necessary to aid him in such investigation, and the expense incurred shall be paid out of the general appropriation for aid of societies. When it is found upon such investigation that the society against which complaint has been made has violated this Title, the expense of such investigation shall be paid from the amount that would otherwise have been paid to said society. If the society against which the complaint is made receives its aid by special enactment, then the expense of the investigation shall be paid from the said appropriation for such society.

R.S.1954, c. 32, § 18.



**§ 64. Fairs and exhibits**

Agricultural fair associations holding pari-mutuel racing meets shall, as a requirement for receiving a "fair stipend" from the State, during one racing meet each year, put on an agricultural fair with exhibits of miscellaneous and representative farm and orchard products and exhibits of livestock, crafts, etc. Such exhibits shall be kept in attractive display for a minimum of 3 consecutive days during the meet. The total premium payments for these exhibits shall be, at least, an amount equal to the premiums or purses paid for pulling contests at this same fair and race meet, and not less than 35% of the amount paid for purses for harness horse races conducted during the annual fair. This section is in addition to any present requirements for eligibility for the "fair stipend."

R.S.1954, c. 32, § 19.

**§ 65. Conduct of exhibitions**

Agricultural societies, persons and associations holding public exhibitions for competition for premiums or purses are authorized to conduct and manage the same in accordance with the advertised rules and regulations not in conflict with the laws of the State.

R.S.1954, c. 32, § 27.

**§ 66. Sale of goods and refreshments**

Whoever sells any refreshments or other merchandise, or exhibits any show or play within a quarter of a mile of the fair grounds of any society, during the time of any exhibition thereof, unless in his own dwelling house or usual and ordinary place of business, or lets any land or building adjoining or overlooking the fair grounds of such society to spectators of any exhibition thereof during the time of such exhibition, without the written consent of its trustees, forfeits to such society not exceeding \$100, to be recovered on complaint of 2 of its trustees.

R.S.1954, c. 32, § 25.

**§ 67. Entry fees; lien on animals**

Whoever makes entries of animals or articles as competitors for premiums or purses offered by any society or by any person or association in the State shall be holden to pay the entry fee in accordance with the advertised rules and regulations of any such society, person or association not in conflict with the laws of the State. A lien is created upon such animals and articles for such

entry fee to secure payment thereof with costs, to be enforced by a civil action against the person owning such animals or articles, or the person entering the same, or the same may be enforced in the same manner as liens on goods in possession and choses in action, but such lien shall not affect the title of any innocent purchaser of said animals or articles without actual notice of such lien.

R.S.1954, c. 32, § 26; 1961, c. 317, § 71.

### § 68. Premiums on unregistered males prohibited

No state stipend shall be paid to any society offering or paying premiums in breeding classes on males not recorded in the recognized books of record for their respective breeds. The commissioner may make this a part of the sworn return to be made by the proper officers of all societies.

R.S.1954, c. 32, § 21; 1959, c. 103.

### § 69. Admission by fraud

Whoever shall gain admission to the grounds or buildings of any agricultural or horticultural society during the holding of an exhibition, otherwise than by the regular entrance provided, for the purpose of defrauding such society out of the regular entrance fee to such grounds or buildings; or who by fraud, misrepresentation or otherwise unlawfully obtains such admission; and any person obtaining any premium or gratuity offered by such society by fraud or misrepresentation shall be deemed guilty of larceny from such society and on conviction shall be punished accordingly.

R.S.1954, c. 32, § 23.

### § 70. Annual reports

Each society claiming a share of the state stipend under section 62 shall file with the commissioner, not later than December 31st of the year for which said stipend is requested, a statement by its secretary, setting forth the financial condition and transactions of the society, the amounts paid in premiums in the several classes or displays provided for in section 62 and such additional information relative to the character of displays and the conduct of exhibitions as the commissioner may request, and upon blanks to be furnished by him. Upon receipt and after examination of these statements, if the commissioner finds them to be accurate, complete and in accordance with section 62, he shall issue the certificate mentioned in section 63, and not otherwise.

R.S.1954, c. 32, § 22.

**§ 71. Constables**

The officers of any society described in section 69 may appoint a sufficient number of suitable persons to act as constables at cattle shows and exhibitions, with all the powers of constables, for the preservation of the public peace and the enforcement of the regulations of said society, within the towns where such shows and exhibitions are held, from noon of the day preceding the commencement of the same until noon of the day succeeding the termination thereof, and no longer.

R.S.1954, c. 32, § 24.

**§ 72. Pomological society**

The Maine State Pomological Society, a nonprofit organization incorporated in 1873, is authorized to promote the interests of better fruit growing in Maine by holding an annual exhibition wherein premiums on horticultural products and appliances shall be paid. It may hold such field meetings as may be thought profitable by the executive committee of the society and to pay other incidentals thereof including compensation and traveling expenses of officers, providing an itemized account of all money expended be rendered each year to the commissioner and upon his approval and presentation of proper vouchers said bill shall be paid.

R.S.1954, c. 32, § 28.

**§ 73. Poultry associations**

The Maine State Poultry Association and Androscoggin Poultry and Pet Stock Association and the Maine Broiler Growers Association and the Maine Poultry Improvement Association, nonprofit organizations, are authorized to promote the interests of commercial poultry breeding in Maine and improved poultry production in quality and efficiency by holding contests or exhibitions and awarding premiums on live poultry and poultry products, and to pay other incidentals thereof, provided an itemized account of all money expended be rendered each year to the commissioner and upon his approval and presentation of proper vouchers said bills shall be paid. The sum appropriated to carry out this section shall be apportioned between the said associations as the commissioner may direct.

R.S.1954, c. 32, § 29; 1957, c. 398.