

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 808

H. P. 639 House of Representatives, February 26, 1975
Referred to the Committee on Agriculture. Sent up for concurrence and
ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. McKernan of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Provide for the Licensing of Agricultural Fairs.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment, unless enacted as emergencies; and

Whereas, the Commissioner of Agriculture is required by this legislation to license agricultural fairs; and

Whereas, if this legislation is to cover agricultural fairs which will be held during the spring, summer and fall of this year these fairs must be licensed as soon as possible so that plans for these fairs can be made; and

Whereas, the Commissioner of Agriculture must therefore be given the power to license fairs immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 7 MRSA § 62, 9th sentence is amended to read:

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 first obtained a license issued pursuant to section 65.

Sec. 2. 7 MRSA § 62, sub-§ 2, as last amended by PL 1971, c. 45, is repealed and the following enacted in place thereof:

2. Minimum of \$500 on premiums. A society which pays a minimum of \$500 on premiums, exclusive of those for horse and ox pulling contests and is duly licensed pursuant to section 65;

Sec. 3. 7 MRSA § 62, sub-§ 3, first sentence is repealed and the following enacted in place thereof:

A society, the primary purpose of which is not profit to be distributed to its members or stockholders.

Sec. 4. 7 MRSA § 65 is repealed and the following enacted in place thereof:

§ 65. Licensing of exhibitions

No person, agricultural society, association or corporation shall hold, conduct or operate public exhibitions for competition for premiums or purses within the State without a license for such purposes and only on dates as may be assigned by the commissioner. The application for said license shall be signed and sworn to by the person or executive officer of a society, association or corporation and shall contain such information as the commissioner may require. All applications for licenses under this section shall be received by the commissioner not later than April 1st of the year of issuance and shall be accompanied by a \$10 license fee. If the commissioner is satisfied that the requirements of this chapter and the rules and regulations prescribed by the commissioner have been and will be complied with by the applicant, he may issue a license for such purpose, which shall expire on December 31st each year. Accordingly, whenever possible, the commissioner will assign dates as requested in the license application. In the event 2 or more applicants, otherwise qualifying for a license as provided hereunder and with facilities located less than 30 miles apart, seek the same date or dates for periods less than 2 weeks apart, the commissioner shall assign dates in a manner giving priority to and meeting the needs of applicants using locations and facilities which have previously benefited from stipend funds.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

FISCAL NOTE

The amount of revenue generated by enactment of this bill would be minimal.

STATEMENT OF FACT

This Act provides for the licensing of agricultural fairs by the Commissioner of Agriculture.