

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2096

H.P. 1411

House of Representatives, January 7, 2026

An Act Regarding Scheduling of Agricultural Fairs and Pulling Events

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

R. B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative MITCHELL of Cumberland.

Cosponsored by Senator PIERCE of Cumberland and

Representatives: COOPER of Windham, FROST of Belgrade, GUERRETTE of Caribou, JACKSON of Oxford, TERRY of Gorham, Senator: TIMBERLAKE of Androscoggin.

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

Whereas, agricultural fairs and the harness racing season will begin soon and this legislation needs to take effect before the expiration of the 90-day period to allow the change in the conditions of an agricultural fair license to occur as soon as possible; 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 §81, sub-§1, as enacted by PL 2005, c. 563, §3, is amended to read:

1. Agricultural fair. "Agricultural fair" or "fair" means an exhibition that is designed to promote education and encourage improvement in agriculture and that ~~includes, but is not limited to,~~ the following:

- A. The awarding of premiums for livestock competitions;
- B. The display of and awarding of premiums for horticultural products; and
- C. The display and presentation of agricultural activities and projects undertaken by youth organizations.
- D. Offers displays and competitions for premiums on:
 - (1) Three or more species of livestock or poultry;
 - (2) Three or more stipend-eligible nonlivestock competitions; or
 - (3) Three or more youth agriculture events;
- E. Operates under the authority of a license issued under section 83; and
- F. Offers stipend-eligible competitions and events for patrons to view for a minimum of 3 consecutive licensed agricultural fair days.

Sec. 2. 7 MRSA §84, sub-§4 is enacted to read:

4. Prohibition. Except as provided under subsection 5, a licensee may not:

A. Operate an agricultural fair outside of the fair dates assigned by the commissioner under this section; or

B. Advertise or market an agricultural fair as taking place outside of the fair dates assigned by the commissioner under this section.

For purposes of this subsection, holding an event within one week of a fair's assigned fair dates that in the commissioner's determination offers activities largely similar to those offered during the fair's assigned fair dates, including but not limited to food, entertainment, amusements or other activities, is considered operating a fair outside of the fair dates assigned by the commissioner.

Sec. 3. 7 MRSA §84, sub-§5 is enacted to read:

1 **5. Exception.** A licensee may host an exhibition up to 24 hours prior to the assigned
2 fair dates for the purposes of displaying and awarding premiums on nonlivestock
3 competitions.

4 **Sec. 4. 7 MRSA §84, sub-§6** is enacted to read:

5 **6. License suspension or revocation.** The commissioner may suspend or revoke the
6 license of a licensee that violates this section.

7 **Sec. 5. 7 MRSA §86, sub-§6, ¶D,** as enacted by PL 2005, c. 563, §3, is amended
8 to read:

9 D. The fair is conducted in accordance with performance standards established in rules
10 adopted pursuant to section 82, subsection 5; and

11 **Sec. 6. 7 MRSA §86, sub-§6, ¶E,** as enacted by PL 2005, c. 563, §3, is amended
12 to read:

13 E. The minimum premiums established in subsection 7 are paid.; and

14 **Sec. 7. 7 MRSA §86, sub-§6, ¶F** is enacted to read:

15 F. Pulling events scheduled at the fair are conducted in accordance with section 97,
16 subsection 4, paragraph S.

17 **Sec. 8. 7 MRSA §97, sub-§4, ¶S** is enacted to read:

18 S. If a public or private pulling event is scheduled at an agricultural fair, the pulling
19 event must take place during the dates for which the applicable agricultural fair license
20 is effective pursuant to section 84.

21 **Sec. 9. Commissioner of Agriculture, Conservation and Forestry and State**
22 **Harness Racing Commission to review rules.** The Commissioner of Agriculture,
23 Conservation and Forestry, in consultation with the State Harness Racing Commission,
24 shall review rules adopted pursuant to the Maine Revised Statutes, Title 7, section 82,
25 subsection 5 to determine if changes are necessary regarding standards for setting harness
26 racing dates and shall initiate rulemaking as necessary to ensure consistency with Title 7,
27 chapter 4. Upon completion of the review, the commissioner shall report to the joint
28 standing committee of the Legislature having jurisdiction over agricultural matters with the
29 commissioner's findings no later than January 15, 2027.

30 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
31 takes effect when approved.

32 SUMMARY

33 This bill changes the definition of "agricultural fair" and prohibits an agricultural fair
34 licensee from operating an agricultural fair outside of the assigned fair dates set by the
35 Commissioner of Agriculture, Conservation and Forestry and from advertising or
36 marketing an agricultural fair as taking place outside of the assigned fair dates. The bill
37 provides that a fair licensee may host an exhibition up to 24 hours prior to the assigned fair
38 dates for the purposes of displaying and awarding prizes on nonlivestock competitions.
39 The bill also provides that the commissioner may suspend or revoke the license of a
40 licensee that violates these provisions.

1 The bill also provides that if a public or private pulling event is scheduled at an
2 agricultural fair, the pulling event must take place during the dates for which the applicable
3 agricultural fair license is effective and specifies that a pulling event that is not conducted
4 in accordance with this provision is not entitled to a stipend.

5 Finally, the bill directs the commissioner, in consultation with the State Harness Racing
6 Commission, to review rules regarding standards for setting harness racing dates to
7 determine if rule changes are necessary and to report the commissioner's findings to the
8 joint standing committee of the Legislature having jurisdiction over agricultural matters.