

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1193

Short Title: Agricultural Fairs Committee/Funds.

(Public)

Sponsors: Representatives Brown, Mitchell, McCrary; and G. Wilson.

Referred to: Agriculture, if favorable, Appropriations.

May 1, 1997

A BILL TO BE ENTITLED

AN ACT TO CREATE AN AGRICULTURAL FAIRS ADVISORY COMMITTEE IN
THE DEPARTMENT OF AGRICULTURE AND TO APPROPRIATE FUNDS FOR
LOCAL AGRICULTURAL FAIRS.

The General Assembly of North Carolina enacts:

Section 1. Article 45 of Chapter 106 of the General Statutes is amended by
adding a new Part to read:

"Part 5. Agricultural Fairs Advisory Committee.

"§ 106-520.12. North Carolina Agricultural Fairs Advisory Committee.

(a) The North Carolina Agricultural Fairs Advisory Committee is created within
the Department of Agriculture.

(b) The Committee shall consist of five members as follows:

(1) The President of the North Carolina Association of Agricultural Fairs,
as appointed by that association.

(2) Four county agricultural fair managers, to be appointed by the
Commissioner of Agriculture.

The Commissioner of Agriculture or the Commissioner's designee, shall serve as an
ex officio member. The members of the Advisory Committee appointed under
subdivision (2) of this subsection shall serve for a term of four years. In the event of a

1 vacancy, the Commissioner shall appoint a replacement in the same manner as for the
2 original appointment to serve for the remainder of the unfinished term.

3 (c) The Commissioner of Agriculture or the Commissioner's designee shall serve
4 as chairman. A majority of the members shall constitute a quorum for the purpose of
5 transacting business.

6 **"§ 106-520.13. Advisory duties.**

7 The Committee shall advise the Commissioner of Agriculture in matters pertaining to
8 the development and improvement of local agricultural fairs.

9 **"§ 106-520.14. Powers and duties of the Commissioner of Agriculture.**

10 (a) The Commissioner of Agriculture, with the advice of the Committee and
11 subject to available funds, may make grants to qualified local agricultural fairs. The
12 Commissioner may make grants to be used by local agricultural fairs to pay premium
13 awards for competitive exhibits of products of agriculture and home economics and of
14 domestic livestock, and for vocational and judging skills.

15 (b) The Commissioner may make grants to help establish new facilities and to
16 improve existing facilities used in conducting events at local agricultural fairs. Grants for
17 facilities shall be made under conditions as may be imposed by the Commissioner with
18 the advice of the Committee. Grants to improve existing facilities shall require matching
19 funds from the local agricultural fair in an amount to be determined by the
20 Commissioner, with the advice of the Committee. Preference shall be given to
21 agricultural fair associations that are most representative of agricultural interests. Grants
22 to establish new agricultural fairs may be made to agricultural fair associations without
23 matching funds.

24 (c) The Commissioner may make grants, not to exceed one thousand dollars
25 (\$1,000) to any one fair, to be used to promote agricultural commodities.

26 **"§ 106-520.15. Eligibility for grants.**

27 (a) In order to be eligible to receive a grant under this Part, a recipient must satisfy
28 all of the following:

29 (1) Sponsor a fair that is licensed as an agricultural fair by the
30 Commissioner of Agriculture pursuant to G.S. 106-520.3.

31 (2) Be a nonprofit or governmental organization.

32 (3) Provide for an annual fair running for at least three days.

33 (4) Present through the medium of youth organizations such as 4-H Clubs,
34 Future Farmers of America, Future Homemakers of America, and other
35 similar organizations, an educational program concerning the
36 production, marketing, and consumption of livestock, poultry, field
37 crops, and horticultural crops.

38 (5) Comply with rules adopted by the Department of Agriculture.

39 (b) Any local agricultural fair or agricultural fair association receiving a grant shall
40 file with the Department of Agriculture by February 1 following the year in which the
41 grant is received satisfactory proof that all State premium awards have been paid. As
42 used in this subsection, 'proof' means a certified financial report notarized and submitted
43 by the treasurer of the local fair association."

1 Section 2. G.S. 106-520 reads as rewritten:

2 **"§ 106-520. Local aid to agricultural, animal, and poultry exhibits.**

3 Any ~~city, town, or county~~ or municipality may appropriate ~~not to exceed one hundred~~
4 ~~dollars (\$100.00) funds~~ to aid any ~~agricultural, animal, or poultry~~ agricultural exhibition
5 ~~held within such city, town, or county. or fair."~~

6 Section 3. G.S. 106-508, 106-509, and 106-510 are repealed.

7 Section 4. G.S. 106-516.1 reads as rewritten:

8 **"§ 106-516.1. Carnivals and similar amusements not to operate without permit.**

9 Every person, firm, or corporation engaged in the business of a carnival company or a
10 show of like kind, including menageries, merry-go-rounds, Ferris wheels, riding devices,
11 circus and similar amusements and enterprises operated and conducted for profit, shall,
12 prior to exhibiting in any county annually staging an agricultural fair, apply to the sheriff
13 of the county in which the exhibit is to be held for a permit to exhibit. The sheriff of the
14 county shall issue a permit without ~~charge; provided, however, that no~~ charge. No permit
15 shall be issued if ~~he shall find~~ the sheriff finds that the requested exhibition date is less
16 than 30 days prior to a regularly advertised agricultural ~~fair and so in conflict with G.S. 105-~~
17 ~~37.1(d) fair.~~ Exhibition without a permit from the sheriff of the county in which the
18 exhibition is to be held shall constitute a Class 1 misdemeanor. Provided, that nothing
19 misdemeanor. Nothing contained in this section shall prevent prevents veterans'
20 organizations and posts chartered by Congress or organized and operated on a statewide
21 or nationwide basis from holding fairs or tobacco festivals on any dates ~~which that they~~
22 ~~may select if such~~ these fairs or festivals have ~~heretofore~~ been held previously as annual
23 events."

24 Section 5. There is appropriated from the General Fund to the Department of
25 Agriculture the sum of one hundred thousand dollars (\$100,000) for the 1997-98 fiscal
26 year to be used for grants for local agricultural fairs pursuant to Part 5 of Article 45 of
27 Chapter 106 of the General Statutes, as enacted in Section 1 of this act.

28 Section 6. This act becomes effective July 1, 1997.