

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1315

Short Title: Agricultural Fairs Advisory Committee Funds. (Public)

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Sponsors: Representatives McCrary, Hill; Baker, Barbee, Barefoot, Berry, Bonner, Brown, Buchanan, Carpenter, Church, Cole, Cox, Culp, Dedmon, Dockham, Esposito, Fitch, Gardner, Goodwin, Hackney, Haire, Hiatt, Horn, Howard, Hunter, Kiser, McComas, McCombs, McLawhorn, Melton, Mitchell, Oldham, Russell, Setzer, Sexton, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Warren, G. Wilson, Womble, and Yongue.

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Referred to: Appropriations.

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April 22, 1999

1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE AN AGRICULTURAL FAIRS ADVISORY COMMITTEE IN  
3 THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND  
4 TO APPROPRIATE FUNDS TO BE USED AS GRANTS TO ELIGIBLE LOCAL  
5 AGRICULTURAL FAIRS.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. Article 45 of Chapter 106 of the General Statutes is amended by  
8 adding a new Part to read:  
9 **"PART 5. AGRICULTURAL FAIRS ADVISORY COMMITTEE.**  
10 **"§ 106-520.12. Agricultural Fairs Advisory Committee.**  
11 (a) The Agricultural Fairs Advisory Committee is created within the Department  
12 of Agriculture and Consumer Services.  
13 (b) The Advisory Committee shall consist of six members as follows:  
14 (1) The President of the North Carolina Association of Agricultural Fairs.

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

3           (3) The Commissioner of Agriculture or a designee, to serve as an ex  
4 officio member.

5           The members of the Advisory Committee appointed under subdivision (2) of this  
6 subsection shall serve for a term of four years. In the event of a vacancy, the  
7 Commissioner shall appoint a replacement in accordance with subdivision (2) of this  
8 subsection.

9           (c) The Commissioner of Agriculture or a designee shall serve as Chair of the  
10 Advisory Committee. A majority of the members is a quorum for the purpose of  
11 transacting business.

12 **"§ 106-520.13. Advisory duties.**

13           The Advisory Committee shall advise the Commissioner of Agriculture in matters  
14 pertaining to the development and improvement of local agricultural fairs.

15 **"§ 106-520.14. Powers and duties of the Commissioner of Agriculture.**

16           The Commissioner of Agriculture, with the advice of the Advisory Committee and  
17 subject to available funds, may make grants of State funds to local agricultural fairs  
18 eligible for grants under G.S. 106-520.15 to be used by the recipient fair to pay awards  
19 for competitive exhibits of products of agriculture and home economics and domestic  
20 livestock and for vocational and judging skills. The Commissioner may also make grants  
21 to help establish new facilities and to improve existing facilities used in conducting  
22 events at local agricultural fairs. Grants for facilities shall be made under such conditions  
23 as may be imposed by the Commissioner of Agriculture with the advice of the Advisory  
24 Committee. Grants shall require matching funds from the local agricultural fair in an  
25 amount to be determined by the Commissioner, with the advice of the Advisory  
26 Committee. Preference for grants shall be given to fair associations that are most  
27 representative of agricultural interests. The Commissioner of Agriculture may also make  
28 grants to bona fide agricultural fair associations, without matching funds, to assist in the  
29 establishment of new agricultural fairs. The Commissioner may also make grants, not to  
30 exceed one thousand dollars (\$1,000) to any one fair, to be used to promote agricultural  
31 commodities.

32 **"§ 106-520.15. Eligibility for grants.**

33           (a) In order to be eligible to receive a grant of State funds under this Part, a  
34 recipient shall satisfy all of the following conditions:

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

37           (2) Be a nonprofit or governmental organization.

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

39           (4) Present through the medium of youth organizations such as 4-H Clubs,  
40 Future Farmers of America, Future Homemakers of America, and other  
41 similar organizations, an educational program concerning the  
42 production, marketing, and consumption of livestock, poultry, field  
43 crops, and horticultural crops.

1           (5) Comply with all applicable rules of the Department of Agriculture and  
2           Consumer Services.

3           (b) Any fair or fair association receiving a grant of State funds shall file with the  
4 Department of Agriculture and Consumer Services by February 1 following the year in  
5 which the grant is received satisfactory proof that all State premium awards have been  
6 paid in accordance with this Part. As used in this subsection, 'proof' means a certified  
7 financial report notarized and submitted by the treasurer of the local fair association."

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

9           "**§ 106-520. Local aid to agricultural, animal, and poultry exhibits.**

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

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

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

15          "**§ 106-516.1. Carnivals and similar amusements not to operate without permit.**

16          Every person, firm, or corporation engaged in the business of a carnival company or a  
17 show of ~~like that~~ kind, including menageries, merry-go-rounds, Ferris wheels, riding  
18 devices, circus and similar amusements and enterprises operated and conducted for profit,  
19 shall, prior to exhibiting in any county annually staging an agricultural fair, apply to the  
20 sheriff of the county in which the exhibit is to be held for a permit to exhibit. The sheriff  
21 of the county shall issue a permit without ~~charge; provided, however, that no charge.~~ No  
22 permit shall be issued if ~~he shall find~~ the sheriff finds the requested exhibition date is less  
23 than 30 days prior to a regularly advertised agricultural fair and so in conflict with G.S. 105-  
24 37.1(d). fair. Exhibition without a permit from the sheriff of the county in which the  
25 exhibition is to be held shall constitute a Class 1 ~~misdemeanor.~~ Nothing ~~Provided, that nothing~~  
26 misdemeanor. Nothing contained in this section shall prevent veterans' organizations and  
27 posts chartered by Congress or organized and operated on a statewide or nationwide basis  
28 from holding fairs or tobacco festivals on any dates which they may select if such fairs or  
29 festivals have heretofore been held as annual events."

30          Section 5. There is appropriated from the General Fund to the Department of  
31 Agriculture and Consumer Services the sum of one hundred thousand dollars (\$100,000)  
32 for the 1999-2000 fiscal year to be used for grants under Part 5 of Article 45 of Chapter  
33 106 of the General Statutes, as enacted by Section 1 of this act.

34          Section 6. This act becomes effective July 1, 1999.