

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 550

Short Title: Agric. Fairs Council Created.

(Public)

Sponsors: Representatives Rogers; Albertson, Buchanan, Culp, James, Jordan, Lilley, Lutz, McLawhorn, Russell, Thompson, and Wilson.

Referred to: State Government.

April 1, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE AN AGRICULTURAL FAIRS COUNCIL IN THE
3 DEPARTMENT OF AGRICULTURE.

4 The General Assembly of North Carolina enacts:

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

7 **"PART 5. AGRICULTURAL FAIRS COUNCIL.**

8 **"§ 106-520.12. North Carolina Agricultural Fairs Council.**

9 (a) There is created the North Carolina Agricultural Fairs Council in the
10 Department of Agriculture.

11 (b) The Council shall consist of 15 members as follows:

- 12 (1) A member of the North Carolina Cattlemen's Association appointed by
13 that association;
14 (2) Two members of the North Carolina Association of Agricultural Fairs
15 appointed by that association;
16 (3) The Dean of the College of Agriculture and Life Sciences of North
17 Carolina State University at Raleigh, to serve ex officio;
18 (4) The President of the North Carolina Farm Bureau Federation, to serve
19 ex officio;
20 (5) The Director of Vocational Education of the State Department of
21 Public Instruction, to serve ex officio;
22 (6) The President of the North Carolina System of Community Colleges,
23 to serve ex officio;

- 1 (7) A member of the North Carolina Association of Extension
2 Homemakers appointed by that association;
3 (8) A member of the Association of County Commissioners appointed by
4 that association;
5 (9) A Senator appointed by the President Pro Tempore of the Senate;
6 (10) A Representative appointed by the Speaker of the House;
7 (11) The Commissioner of Agriculture, to serve ex officio; and
8 (12) Three persons appointed by the Commissioner of Agriculture for three
9 terms. In order to achieve staggered terms, one of the Commissioner's
10 initial appointments shall be for a term of one year, one for a term of
11 two years, and one for a term of three years.

12 The members of the Council appointed under subdivisions (1),(2),(7), and (8) shall
13 serve for the term designated by the appointing agency. In the event of a vacancy the
14 appropriate appointing authority shall appoint a replacement in the same manner as
15 provided for the original appointment.

16 (c) The Commissioner of Agriculture shall serve as Chairman of the Council. A
17 majority of the members shall constitute a quorum for the purpose of transacting
18 business.

19 **"§ 106-520.13. Advisory duties.**

20 The Council shall advise the Commissioner of Agriculture in matters pertaining to
21 the development and improvement of local agricultural fairs.

22 **"§ 106-520.14. Powers and duties of the Commissioner of Agriculture.**

23 The Commissioner of Agriculture, with the advice of the Council, and subject to
24 available funds, may make grants of State funds to qualified local agricultural fairs to be
25 used by them to pay premium awards for competitive exhibits of products of agriculture
26 and home economics, domestic livestock, and for vocational and judging skills. The
27 Commissioner may also make grants to help establish new facilities and to improve
28 existing facilities used in conducting events at local agricultural fairs. Grants for
29 facilities shall be made under such conditions as may be imposed by the Commissioner
30 with the advice of the Council. Grants shall require matching funds from the local fair
31 in an amount to be determined by the Commissioner, with the advice of the Council.
32 Preference shall be given to fair associations which are most representative of
33 agricultural interests. The Commissioner may also make grants to bona fide agricultural
34 fair associations, without matching funds, to assist in the establishment of new
35 agricultural fairs. The Commissioner may also make grants of not more than one
36 thousand dollars (\$1,000) to any one fair to be used to promote agricultural
37 commodities.

38 **"§ 106-520.15. Eligibility for grants.**

39 In order to be eligible to receive a grant of State funds under this Article, a recipient
40 must:

- 41 (1) Sponsor a fair that is licensed as an agricultural fair by the
42 Commissioner of Agriculture pursuant to G.S. 106-520.3;
43 (2) Be a nonprofit or governmental organization;
44 (3) Provide for an annual fair running for at least three days;

- 1 (4) Present through the medium of youth organizations such as 4-H
 2 Clubs, Future Farmers of America, Future Homemakers of
 3 America, and other similar organizations, an educational
 4 program concerning the production, marketing, and
 5 consumption of livestock, poultry, field crops, and horticultural
 6 crops;
 7 (5) Comply with all rules and regulations of the Department of
 8 Agriculture; and
 9 (6) Have as an advisor or a member of its governing board, one or
 10 more members representing local livestock associations, county
 11 farm bureaus, extension homemakers county council and one or
 12 more county extension agents, vocational home economics
 13 teachers and vocational agricultural teachers from the county
 14 served by the fair. It shall be the responsibility of such
 15 members to aid in establishing premium lists and planning
 16 agricultural exhibits.

17 Any fair or fair association receiving a grant of State funds shall file with the
 18 Department of Agriculture by February 1 following the year in which the grant is
 19 received satisfactory proof that all State premium awards have been paid. That proof
 20 shall be a certified financial report notarized and submitted by the treasurer of the local
 21 fair association."

22 Sec. 2. G.S. 106-520 reads as rewritten:

23 **"§ 106-520. Local aid to agricultural, animal, and poultry exhibits.**

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

27 Sec. 3. G.S. 106-508, 106-509, and 106-510 are repealed.

28 Sec. 4. G.S. 106-516.1 reads as rewritten:

29 **"§ 106-516.1. Carnivals and similar amusements not to operate without permit.**

30 Every person, firm, or corporation engaged in the business of a carnival company or
 31 a show of like kind, including menageries, merry-go-rounds, Ferris wheels, riding
 32 devices, circus and similar amusements and enterprises operated and conducted for
 33 profit, shall, prior to exhibiting in any county annually staging an agricultural fair, apply
 34 to the sheriff of the county in which the exhibit is to be held for a permit to exhibit. The
 35 sheriff of the county shall issue a permit without charge; provided, however, that no
 36 permit shall be issued if he shall find the requested exhibition date is less than 30 days
 37 prior to a regularly advertised agricultural fair ~~and so in conflict with G.S. 105-39. fair.~~
 38 Exhibition without a permit from the sheriff of the county in which the exhibition is to
 39 be held shall constitute a misdemeanor and be punished by a fine or imprisonment, or
 40 both, in the discretion of the court: Provided, that nothing contained in this section shall
 41 prevent veterans' organizations and posts chartered by Congress or organized and
 42 operated on a statewide or nationwide basis from holding fairs or tobacco festivals on
 43 any dates which they may select if such fairs or festivals have heretofore been held as
 44 annual events."

1 Sec. 5. This act becomes effective July 1, 1991.