

§86. Stipend Fund

1. Annual distribution. The commissioner shall annually distribute all money contributed to the Stipend Fund under Title 8, sections 286 and 287 to qualified licensees in accordance with this section. [PL 2005, c. 563, §3 (NEW).]

2. Distribution of funds to fair licensees that conduct pari-mutuel racing. Forty-four percent of the amounts contributed to the Stipend Fund under Title 8, sections 286 and 287 must be divided into equal amounts for reimbursement to each licensee that:

- A. Conducts pari-mutuel racing in conjunction with its annual fair; [PL 2005, c. 563, §3 (NEW).]
- B. Has improved its racing facilities; and [PL 2005, c. 563, §3 (NEW).]
- C. Has met the standards for facility improvements set by the commissioner for that licensee. [PL 2005, c. 563, §3 (NEW).]

A licensee that has not complied with the improvement standards set by the commissioner for a given year is not eligible for a reimbursement under this subsection for that year. [PL 2005, c. 563, §3 (NEW).]

3. Distribution of funds to fair licensees who do not conduct pari-mutuel racing. Eight percent of the amount contributed to the Stipend Fund under Title 8, sections 286 and 287 for a calendar year must be divided into amounts in proportion to the sums expended for premiums by the licensee in that year for reimbursement to each licensee that:

- A. Does not conduct pari-mutuel racing; and [PL 2005, c. 563, §3 (NEW).]
- B. Has met the standards for facility improvements set by the commissioner for that licensee. [PL 2005, c. 563, §3 (NEW).]

A licensee that has not complied with the improvement standards set by the commissioner for a given year is not eligible for a reimbursement under this subsection for that year. [PL 2005, c. 563, §3 (NEW).]

4. Expenditures for administration and inspection services. The commissioner may expend annually up to 13% of the Stipend Fund for administrative and inspection services provided under this chapter. [PL 2005, c. 563, §3 (NEW).]

5. Distribution to all eligible licensees. The amount remaining in the Stipend Fund after distributions in accordance with subsections 2, 3 and 4 must be divided among fair licensees meeting the eligibility criteria in subsection 6, prorated according to the amount of premiums and gratuities actually paid by those licensees in full and in cash or valuable equivalent.

In determining distribution under this subsection, no allowance is made on premiums offered and paid by a licensee at any competition held other than during the period at which its annual fair is held. Allowance may not be made or consideration given for lump sums, payments or premiums previously arranged and agreed upon for the presentation and display of any animals or products without regard to competition.

Premiums and gratuities used to determine apportionment under this subsection are limited to those paid for:

- A. Livestock and poultry; [PL 2005, c. 563, §3 (NEW).]
- B. Vegetables, grains, fruits and flowers; [PL 2005, c. 563, §3 (NEW).]
- C. Products derived from livestock; [PL 2005, c. 563, §3 (NEW).]
- D. Home-canned, home-cooked and home-baked goods; [PL 2005, c. 563, §3 (NEW).]

- E. Grange and farm exhibits; [PL 2005, c. 563, §3 (NEW).]
 - F. Boys' and girls' club exhibits; [PL 2005, c. 563, §3 (NEW).]
 - G. Mechanical arts exhibits; [PL 2005, c. 563, §3 (NEW).]
 - H. Domestic and fancy articles produced in the home; [PL 2005, c. 563, §3 (NEW).]
 - I. Pulling contests for equines and oxen; and [PL 2005, c. 563, §3 (NEW).]
 - J. Pulling contests for farm tractors and pickup trucks. [PL 2005, c. 563, §3 (NEW).]
- [PL 2005, c. 563, §3 (NEW).]

6. Eligibility for stipend. A licensee is not entitled to a stipend under this chapter unless:

- A. The licensee holds a license that is valid for the year for which the stipend is calculated; [PL 2005, c. 563, §3 (NEW).]
 - B. Exhibits of vegetables, fruits, grains or dairy products are regularly displayed in an attractive manner upon the fairgrounds during the fair, the products exhibited are representative of those produced in the county in which the fair is held and the quality of the products is acceptable to the commissioner; [RR 2005, c. 2, §5 (COR).]
 - C. The health status of domestic animals shown or exhibited at the fair satisfies the health requirements established by the commissioner in accordance with section 1811 and rules adopted pursuant to section 1752; [PL 2005, c. 563, §3 (NEW).]
 - D. The fair is conducted in accordance with performance standards established in rules adopted pursuant to section 82, subsection 5; and [PL 2005, c. 563, §3 (NEW).]
 - E. The minimum premiums established in subsection 7 are paid. [PL 2005, c. 563, §3 (NEW).]
- [RR 2005, c. 2, §5 (COR).]

7. Minimum premiums required. To be eligible to receive a stipend, a licensee must:

- A. Upon receiving an initial license, spend a minimum of \$750 per year on premiums for 3 years for displays of agricultural products, excluding premiums for equine and ox pulling contests and farm tractor and pickup truck pulling contests; and [PL 2005, c. 563, §3 (NEW).]
 - B. Upon fulfilling the requirement under paragraph A, continue to spend a minimum of \$1,200 on premiums yearly for displays of agricultural products, excluding premiums for equine and ox pulling contests and farm tractor and pickup truck pulling contests. [PL 2005, c. 563, §3 (NEW).]
- [PL 2005, c. 563, §3 (NEW).]

8. Maximum allowed distribution from Stipend Fund. A licensee may not receive a stipend from the Stipend Fund greater than the amount actually raised and spent by the licensee on premiums and gratuities in the classes provided in subsection 5. A licensee may not receive a stipend from the Stipend Fund in excess of \$10,000, except that this limitation does not apply to any additional stipend provided for by Title 8, section 287 or to funds distributed from the Fair Fund in accordance with section 85, the Agricultural Fair Support Fund in accordance with section 91 or the Agricultural Fair Promotion Fund in accordance with section 103.

[PL 2021, c. 681, Pt. J, §1 (AMD).]

SECTION HISTORY

RR 2005, c. 2, §5 (COR). PL 2005, c. 563, §3 (NEW). PL 2021, c. 681, Pt. J, §1 (AMD).

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