

No. 1994-73

## AN ACT

SB 1651

Amending the act of July 8, 1986 (P.L.437, No.92), entitled "An act providing for grants to agricultural societies and associations to develop and improve agricultural fairs; establishing an advisory committee in the Department of Agriculture; and making repeals," further providing for eligibility of organizations to receive grants; and granting certain regulatory authority to the State Harness Racing Commission.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 6 of the act of July 8, 1986 (P.L.437, No.92), known as the Pennsylvania Agricultural Fair Act, is amended to read:

Section 6. Eligibility.

(a) Requirements.—To be eligible to receive a grant from the department, an organization must meet all of the following requirements:

(1) File applications for approval during the calendar year in which the activity is held.

(2) Conduct an annual agricultural fair which meets the following requirements:

(i) Exhibits agricultural or agribusiness products, materials and equipment.

(ii) Conducts agricultural or agribusiness educational activities and demonstrations.

(iii) Awards premiums to agricultural or agribusiness contest and exhibit winners with a top award for first place and proportionate awards to runners-up adjudged by position following the winner, but not to exceed ten in number.

(iv) Provides proper first aid through medical personnel and adequate sanitary facilities which meet Commonwealth and local requirements.

(v) Provides supervision of all activities by an officially appointed committee or a board of directors of not fewer than five persons.

(vi) Files all reports, forms and applications for moneys received from grants made available according to this act, and maintains records required by the rules and regulations promulgated by the department.

(vii) Provides that at least 25% of the events for which agricultural or agribusiness premiums are paid must be open class events.

(viii) Holds a program or programs contributing to the development of several or many phases of agriculture or agribusiness for not fewer than five activity days for Class A, B and C fairs and not fewer than three activity days for Class D and E fairs.

***(ix) Operates with a minimum of 12 departments as outlined in the State Premium Guideline Book and has no fewer than five exhibitors in each department.***

(b) Commencement of benefits.—An organization conducting an annual agricultural fair hereafter incorporated or recognized by a county government or the Commonwealth shall not be entitled to the benefits of this act until the organization has conducted three consecutive annual exhibitions of the character designated in this section. The organization shall, upon its inception, file with the secretary a declaration of its intention to apply for a grant for its fourth year. The organization must also file its report during the first three years in the same manner as an eligible organization. This subsection shall not apply to an eligible organization heretofore or hereafter incorporated which shall resume the holding of annual exhibitions of the character designated in this section, which exhibitions have been temporarily discontinued for a period of not more than two years.

Section 2. The act is amended by adding a section to read:

***Section 8.1. Authority to regulate racing conducted at agricultural fairs.***

***Pursuant to the act of December 17, 1981 (P.L.435, No.135), known as the Race Horse Industry Reform Act, the State Harness Racing Commission shall have jurisdiction over and shall promulgate regulations as necessary for the proper administration of all racing conducted at an agricultural fair by a county agricultural society or an independent agricultural society.***

Section 3. This act shall apply to organizations applying for grants on or after the effective date of this act, except that an organization which has previously received funding under this act shall have three years following the effective date of this act to comply with section 6(a)(2)(ix) of the act.

Section 4. This act shall take effect in 60 days.

APPROVED—The 7th day of July, A.D. 1994.

ROBERT P. CASEY