

Vermont Agricultural Fairs Stipend Fund Distribution Formula

Rule 91-31

Effective July 1, 1991

Section 1. Definitions.

- (1) “Agricultural Fair” or “field days” means an exhibition held at least annually by an agricultural fair association at which premiums are offered for competitive exhibits in at least five competitive categories.
- (2) “Agricultural Fair Association” means an organization or association incorporated under state law and governed by an elected board of directors that operate fairs and agricultural shows that are representative of the mutual interests of those who are engaged in the production, processing, marketing and distribution of specific farm and food products such as livestock, poultry, fruits, vegetables, horticultural products, maple products, honey, Christmas trees, and other commodities normally defined as agricultural products.
- (3) “Competitive Exhibits” means exhibits entered in competition demonstrating the improvement of grains, fruits, vegetables, cultivated flowers, livestock, poultry, maple products, dairy products or other agricultural crops or products. To be considered a competitive exhibit there must be at least three entries in a class.
- (4) “General Operation” means the goods and services required to operate a fair in the ordinary course of business other than plant improvement and which, in usual accounting practice, give rise to ordinary expenses.
- (5) “Plant improvements” means improvements of fixtures, machinery, apparatus, equipment, display facilities, or housing required for each fair.

Section 2. Time.

In order for any fair association to be eligible for an award from the State Stipend Fund for any calendar year, it shall make application to the Commissioner of Agriculture on or before February 1, of the succeeding year.

Section 3. Application.

Each application shall be accompanied by both narrative and financial data in a form to be prescribed by the Commissioner of Agriculture to support a claim for an award from the State Stipend Fund. Each application shall indicate the nature of the award sought for the fund, broken down by plant improvement and general operation. Premiums shall be

identified as a separate part of general operations. A stipend awarded to any applicant may include funds on account of one or both such categories and need not necessarily be in the ratio required by statute for distribution of the overall Stipend Fund. The overall stipend fund shall be divided one half for plant improvement and one half for premiums and general operation.

Section 4. Criteria.

Since the State Stipend Fund is based upon competing needs of fair association throughout the state, the Commissioner will consider both the quality of the application, the importance and impact of respective fairs historically, and the relative needs of fair association throughout the state. The Commissioner shall establish a list of fairs comparing the total attendances, the amount spent for premiums on qualifying categories, the amount spent on plant improvements and the amount spent for other operating expenses.

The allocation of the fund shall be accomplished by dividing the fund into four equal parts and allocating one fourth to all eligible fair associations at the same ratio as their total attendance relates to the total attendance of all eligible fairs; one fourth to all eligible fair associations as the permanent improvements relates to the total spent on permanent improvements by all eligible fairs; and one fourth at the same ratio as the amount spent for operating expenses excluding the above categories relates to the same expenses of all eligible fairs.

No fair may receive more than 10% of the total amount allocated in any one of the four categories unless fewer than ten fairs apply in a particular year. Since the statute does not impose a rule of exact quality but confers discretion upon the Commissioner to make awards in as fair a manner as possible, given competing needs, the list will serve only as a guideline in determining the final awards to each fair association.

New applicants must operate their fair or field day for a minimum of three consecutive days, with a minimum of eight hours operating per day. Any fair or field day that received stipend money during the 1990 calendar year shall be deemed in compliance with this requirement.

Section 5. Notification.

Each applicant will be notified on or before March 15, in any year of application whether it has been granted or denied an award from the State Stipend Fund. Any fair association denied or aggrieved by the amount of an award may within ten days from such denial request reconsideration with information and arguments indicating why the decision should be reconsidered. The fair association may request a hearing before the Secretary in conjunction with any such reconsideration. A hearing will be set for a date within 15 days after receipt of the notice and shall be preceded by at least five days' written notice.