

CHAPTER 38

COUNTY AGRICULTURAL SOCIETIES, FAIRS, AND FARM BUREAUS

38.01 COUNTY AGRICULTURAL SOCIETIES; FORMATION; GENERAL POWERS.

HISTORY. 1867 c. 21 ss. 1, 2; 1878 c. 34 ss. 184, 185; G.S. 1894 ss. 2975, 2976; R.L. 1905 s. 3097; 1909 c. 416; 1911 c. 381 s. 5; 1921 c. 464 s. 1; 1923 c. 146 s. 1; 1923 c. 232 s. 1; G.S. 1923 s. 7885; M.S. 1927 s. 7885; 1937 c. 352 s. 1.

CORPORATIONS organized under the provisions of this section are not public but private corporations. 1910 OAG 654.

To conduct a dance hall in fair association buildings a permit must be obtained in the usual way. It is the duty of the association in conjunction with other public officers to police the premises. 1940 OAG 122, July 15, 1940 (772 c. 4).

To renew its corporate existence the society before its instant existence expires, the members, more than three-fourths voting, must resolve to extend the period of its existence, and publish and file a copy of the resolution. No fee need be paid. OAG June 13, 1944 (772a-5).

38.011 COUNTY AGRICULTURAL SOCIETY, INCORPORATION, APPROPRIATIONS.

HISTORY. 1939 c. 294 s. 1; M. Supp. s. 7891-1.

38.012 AID TO AGRICULTURAL SOCIETIES.

HISTORY. 1943 c. 415 s. 1.

38.02 AID TO COUNTY AGRICULTURAL SOCIETIES.

HISTORY. 1897 c. 86; R.L. 1905 s. 3098; 1911 c. 381 s. 6; 1913 c. 425 s. 1; G.S. 1913 s. 6516; 1915 c. 243 s. 1; 1919 c. 138 s. 1; 1921 c. 452 s. 1; G.S. 1923 s. 7886; 1925 c. 47; M.S. 1927 s. 7886; 1929 c. 211; 1937 c. 352 s. 2.

SUBDIVISION 1. Where two agricultural societies from one county are listed in this section, each shares in state aid as though it were the sole society in the county, but county aid is to be divided equally if both are qualified for county aid. 1922 OAG 2.

If cash prizes have been paid by other persons than the society, these cannot be included in determining the amount the society is to receive from the state. The state grant is to reimburse the society. 1922 OAG 3.

Holding more than one fair per year precludes a society from receiving state aid. 1928 OAG 50.

38.03 COUNTY LANDS LEASED TO COUNTY AGRICULTURAL SOCIETIES.

HISTORY. 1893 c. 160 s. 1; G.S. 1894 s. 2977; R.L. 1905 s. 3099; G.S. 1913 s. 6517; 1915 c. 346 s. 1; G.S. 1923 s. 7887; M.S. 1927 s. 7887.

38.04 ANNUAL MEETINGS; REPORTS.

HISTORY. 1867 c. 21 ss. 3, 4; 1878 c. 34 ss. 186, 187; G.S. 1894, s. 2978, 2979; R.L. 1905 s. 3100; 1911 c. 381 s. 7; G.S. 1913 s. 6518; 1919 c. 114 s. 1; G.S. 1923 s. 7888; M.S. 1927 s. 7888.

38.05 RIGHT OF EMINENT DOMAIN.

HISTORY. 1921 c. 296 s. 1; G.S. 1923 s. 7888-1; M.S. 1927 s. 7888-1.

IN GENERAL. The power of eminent domain rests in the legislature and may be directly exercised or, in its discretion, delegated to governmental agencies and to public or private corporations. *School Dist. v Bolstad*, 121 M 376, 141 NW 801; *Wilkin v St. P., Stillwater & T. F. R. R. Co.* 18 M 155 (139); *Wilkin v First Div. of St. P. & Pac. R. R. Co.* 16 M 271 (244).

The power for a private corporation to exercise eminent domain must be clearly granted and every presumption is in favor of the individual land owner. *Minn. Canal & Power Co. v Koochiching Co.* 97 M 429, 107 NW 405, 5 LRA (N.S.) 638, 7 Ann. Cas. 1182; *Minn. Canal & P. Co. v Fall Lake Boom Co.* 127 M 23, 148 NW 561.

38.06 COUNTY AGRICULTURAL SOCIETIES MAY INSURE AGAINST RAIN; RAIN PROTECTION FUND.

HISTORY. 1925 c. 334 s. 1; M.S. 1927 s. 7888-2.

38.07 MONEY KEPT IN SPECIAL FUND; DETERMINATION OF LOSSES.

HISTORY. 1925 c. 334 s. 2; M.S. 1927 s. 7888-3.

38.08 WITHDRAWALS FROM AGREEMENT.

HISTORY. 1925 c. 334 s. 3; M.S. 1927 s. 7888-4.

38.09 BOND OF TREASURER OF MINNESOTA FEDERATION OF COUNTY FAIRS.

HISTORY. 1925 c. 334 s. 4; M.S. 1927 s. 7888-5.

38.10 PREMIUM ON BOND OF TREASURER.

HISTORY. 1925 c. 334 s. 5; M.S. 1927 s. 7888-6.

38.11 INSURANCE LAWS NOT APPLICABLE.

HISTORY. 1925 c. 334 s. 6; M.S. 1927 s. 7888-7.

38.12 APPROPRIATIONS BY CERTAIN MUNICIPALITIES.

HISTORY. 1913 c. 546 s. 1; G.S. 1913 s. 6519; G.S. 1923 s. 7889; M.S. 1927 s. 7889.

The city of Mankato may not lawfully donate \$150.00 to the 4-H club to assist them in putting on an exhibit, at which premiums will be awarded. 1942 OAG 122, Aug. 19, 1941 (59a-3).

38.13 PUBLIC EXAMINER TO EXAMINE BOOKS.

HISTORY. 1913 c. 452 s. 1; G.S. 1913 s. 6520; G.S. 1923 s. 7890; M.S. 1927 s. 7890.

38.14 COUNTY FAIRS IN CERTAIN COUNTIES.

HISTORY. 1913 c. 271 s. 1; G.S. 1913 s. 743; 1917 c. 311 s. 1; 1923 c. 205; G.S. 1923 s. 737; M.S. 1927 s. 737.

38.15 SITES AND BUILDINGS.

HISTORY. 1913 c. 271 s. 2; G.S. 1913 s. 744; 1917 c. 311 s. 2; G.S. 1923 s. 738; M.S. 1927 s. 738.

38.16 COUNTY LANDS USED FOR AGRICULTURAL FAIR PURPOSES EXEMPT FROM ZONING ORDINANCES.

HISTORY. 1927 c. 212; M.S. 1927 s. 738-1; 1931 c. 166 s. 1.

38.17 LEVY FOR IMPROVING COUNTY-OWNED GROUNDS AND BUILDINGS USED FOR AGRICULTURAL FAIRS.

HISTORY. 1925 c. 94 s. 1; M.S. 1927 s. 738-2.

38.18 AIDING IMPROVEMENT OF COUNTY FAIR GROUNDS.

HISTORY. 1925 c. 321 s. 1; M.S. 1927 s. 738-3.

38.19 EXPENDITURE OF FUNDS APPROPRIATED BY COUNTY BOARD.

HISTORY. 1925 c. 321 s. 2; M.S. 1927 s. 738-4.

38.20 SUPPLEMENTAL TO EXISTING LAWS.

HISTORY. 1925 c. 321 s. 3; M.S. 1927 s. 738-5.

38.21 REIMBURSEMENT FOR COST OF PROPERTY USED FOR COUNTY AGRICULTURAL PURPOSES; TAX LEVY.

HISTORY. 1925 c. 160 ss. 1, 2; M.S. 1927 ss. 738-6, 738-7.

38.22 ST. LOUIS COUNTY TO REIMBURSE COUNTY AGRICULTURAL SOCIETIES COST OF BUILDINGS, WHEN CONVEYED TO COUNTY.

HISTORY. 1927 c. 27 s. 1; M.S. 1927 s. 738-8.

38.23 LAND BOUGHT FOR COUNTY FAIR PURPOSES; TAX LEVY.

HISTORY. 1927 c. 132 ss. 1, 2; M.S. 1927 ss. 738-9, 738-10.

38.24 FUNDS RECEIVED BY ST. LOUIS COUNTY AS DAMAGES FOR EXTENSION OF MINING OPERATIONS USED FOR FAIR GROUNDS.

HISTORY. 1925 c. 97 s. 1; M.S. 1927 s. 738-11.

38.25 COUNTY FAIR GROUND FUND.

HISTORY. 1925 c. 97 s. 2; M.S. 1927 s. 738-12.

38.26 BUILDINGS ERECTED ON COUNTY LANDS OR COUNTY AGRICULTURAL SOCIETY LANDS; TAX LEVY.

HISTORY. 1925 c. 248 ss. 1, 2; M.S. 1927 ss. 738-13, 738-14.

38.27 TAX LEVIES FOR AID OF COUNTY AGRICULTURAL SOCIETIES.

HISTORY. 1927 c. 111; M.S. 1927 s. 738-15.

38.28 COUNTY BOARD MAY LEVY TAX FOR AGRICULTURAL SOCIETIES; EXCEPTIONS.

HISTORY. 1927 c. 128 ss. 1, 2; M.S. 1927 ss. 738-16, 738-17; 1929 c. 48 ss. 1, 2.

THIS STATUTE does not authorize the levy or donation of the proceeds upon any condition. The statute contemplates the unconditional donation of the proceeds of a tax levy levied under this section. 1930 OAG 362.

The county board, by four-fifths vote, may grant authority to levy a tax of not exceeding one-quarter mill to assist an agricultural society in paying its financial obligations incurred prior to April 8, 1927. 1940 OAG 313, July 16, 1940 (519a).

MINNESOTA STATUTES 1945 ANNOTATIONS

38.29 COUNTY FAIRS

334

38.29 ST. LOUIS COUNTY APPROPRIATIONS FOR COMMUNITY FAIR ASSOCIATIONS.

HISTORY. 1923 c. 171 s. 1; G.S. 1923 s. 738-18; 1925 c. 267 s. 1; M.S. 1927 s. 738-18.

38.30 BOND OF TREASURER OF ASSOCIATION.

HISTORY. 1925 c. 267 s. 2; M.S. 1927 s. 738-19.

38.31 APPROPRIATIONS TO COUNTY AGRICULTURAL SOCIETIES.

HISTORY. 1929 c. 373 s. 1; M. Supp. s. 738-20.

38.32 COUNTY FARM BUREAUS.

HISTORY. 1913 c. 519 ss. 1 to 3; G.S. 1913 s. 6533; G.S. 1923 ss. 6246, 6247, 6248; M.S. 1927 ss. 6246, 6247, 6248.

BUSINESS-ACTIVITIES. They may not engage in business activities directly but may act as an agent to arrange sales between buyers and sellers, charging for the service, when this will develop and foster the agricultural, social, and commercial interests of the county. 1926 OAG 70.