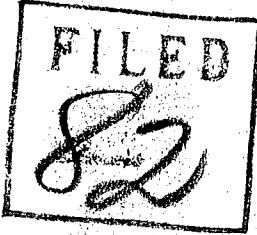


COMMISSIONER OF AGRICULTURE:
FAIRS AND SHOWS:

The Commissioner of Agriculture may not make cash payments to non-profit agricultural societies for the purpose of defraying the expenses of representatives of those societies to the annual convention of the Missouri Association of Fairs.



January 6, 1955

Honorable Rollo E. Singleton
Director, Livestock Division
Department of Agriculture
State of Missouri
Jefferson City, Missouri

Dear Sir:

Your recent request for an official opinion reads as follows:

"Pursuant to our conversation as of this date, this is to request an opinion as to whether it is possible for the Commissioner of Agriculture under Section 4.900, Page 11, House Bill #360, 67th General Assembly, to make a cash payment to otherwise qualified non-profit agricultural societies that have one or more representatives present at every session of the annual convention of the Missouri Association of Fairs."

Since writing the above opinion request, you have orally informed us that the purpose of the cash payment referred to in your letter would be to defray the travel expenses of the representatives mentioned by you to the annual convention of the Missouri Association of Fairs.

Section 4.900 of House Bill #360, 67th General Assembly, to which you refer, reads:

"There is hereby appropriated out of the State Treasury, chargeable to the General Revenue Fund, the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) for the use of the Commissioner of the Department of Agriculture for the payment to regularly organized or incorporated nonprofit agricultural societies having as their object

Honorable Rollo E. Singleton

the holding of shows or fairs for the advancement of agriculture in Missouri; to be applied on premiums paid on approved classes of agricultural stock and products by such agricultural societies as have complied with the provisions of law and the rules and regulation of the State Department of Agriculture relating to the payment by the State on said premiums; and for the necessary expenses of the Department incident to the administration of such payments, for the period beginning July 1, 1953 and ending June 30, 1955.

"For the costs of administering the program \$ 6,000.00

"For assistance to fairs. 144,000.00
\$150,000.00"

In view of Section 4.900, supra, we do not believe that the Commissioner of the Department of Agriculture would be authorized to make such payments as are contemplated by you. It will be noted that the above section states that the Commissioner of Agriculture may pay to "regularly organized or incorporated nonprofit agricultural societies having as their object the holding of shows or fairs, for the advancement of agriculture in Missouri, to be applied only on premiums paid on approved classes of agricultural stock and products by such agricultural societies * * * *"

CONCLUSION

It is the opinion of this department that the Commissioner of Agriculture may not make cash payments to nonprofit agricultural societies for the purpose of defraying the expenses of representatives of those societies to the annual convention of the Missouri Association of Fairs.

The foregoing opinion, which I hereby approve, was prepared by my Assistant, Hugh P. Williamson.

Very truly yours,

JOHN M. DALTON
Attorney General

HPW:ld;da