

**247.7926 Annual review of assessment program -- Referendum required, when --
Termination of program.**

- (1) The board shall review the assessment program annually. If, at the end of each year after the first year of the assessment program, the board determines that fifty percent (50%) of the producers in the referendum area are not participating in the program, the Commissioner shall then conduct a referendum among the producers in the area. If, after holding the referendum, a majority of the producers in the area reject the program, it shall be terminated as of the end of the month in which the referendum for the area was conducted and held; otherwise, the assessment program shall continue in effect.
- (2) If the certified association of producers expresses in writing its desire to the Commissioner to discontinue the assessment program and terminate the program, the Commissioner shall, within fifteen (15) days following receipt of the request, convene the board to review and act on the request. The board, after reviewing the request and conducting whatever proceedings are deemed appropriate and necessary in connection with the request, may terminate the program effective at the end of the month in which the board action is taken. If the program is terminated, the Commissioner shall notify, by certified mail, all operators of a livestock market, meat packing establishment, or slaughter establishment of the termination of the program.
- (3) If the certified association requests the Commissioner, in writing, to hold a referendum on the question of increasing the assessment within the limits of KRS 247.7900 to 247.7928, the Commissioner shall, within fifteen (15) days of the receipt of the request, convene the board to review and act on the request. The board, after reviewing the request and conducting whatever proceedings are deemed appropriate and necessary with the request, shall, if the request is approved, conduct a referendum in accordance with the provisions of KRS 247.7900 to 247.7928.

Effective: July 13, 2004

History: Created 2004 Ky. Acts ch. 2, sec. 14, effective July 13, 2004.