

**234.298 Petition for termination of council and assessment program by referendum vote -- Timing of referendum -- Termination proceedings.**

- (1) Upon petition to the commissioner by producers, suppliers, and retail marketers representing thirty-five percent (35%) of the volume of propane in each class, the council shall conduct a referendum to determine if the industry favors termination of the council and the assessment. Termination shall not take effect unless it is approved by persons representing a majority of the total volume of odorized propane voted in the retail marketer class and by persons representing a majority of the total volume of propane voted in the producer and supplier class.
- (2) The council shall conduct a referendum five (5) years after the date of the first referendum and each subsequent five (5) year period to determine if the assessment should be continued or terminated.
- (3) If the council expresses in writing its desire to the commissioner to discontinue the assessment program and terminate the program, the commissioner, 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 calendar year in which the action is taken.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 511, effective July 15, 2010. -- Created 1998 Ky. Acts ch. 182, sec. 15, effective July 15, 1998.