247.6954 Annual review of program -- Termination.

(1) The board shall review the assessment program annually. If, at the end of each marketing year after the first marketing year of the assessment program, the board determines that twenty percent (20%) of the producers assessed have indicated their dissatisfaction with the program by demanding a refund of the assessment collected from them, the Commissioner shall conduct a referendum among the producers. If, upon the referendum, a majority of the eligible producers who vote in the referendum reject the program, it shall be terminated at the end of the marketing year in which the referendum was conducted; otherwise, the assessment program shall continue.

(2) If the duly certified association of ovine and caprine animal 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 marketing year in which the board action is taken; and, in this event, the Commissioner shall notify, by certified mail, the purchasers of ovine and caprine animals affected by the termination of the program.

Effective: July 15, 2008

History: Amended 2008 Ky. Acts ch. 8, sec. 17, effective July 15, 2008. -- Created 1992 Ky. Acts ch. 347, sec. 17, effective July 14, 1992.