

234.288 Referendum results -- Issuance of order -- Initial and annual assessments.

- (1) The results of the referendum, as certified by the independent auditing firm, shall be submitted to the commissioner within thirty (30) days of certification.
- (2) For the purpose of the referendum, producers and suppliers shall be considered a single class. Upon approval of those persons representing two-thirds (2/3) of the total volume of odorized propane voted in the retail marketer class and approval of those persons representing two-thirds (2/3) of the total volume of propane voted in the producer and supplier class, the commissioner shall issue an order authorizing the assessment.
- (3) The initial assessment proposed shall be no greater than one-tenth of one cent (\$0.001) per gallon of odorized propane. Thereafter, the annual assessment shall be set by the council in an amount adequate to cover the cost of plans and programs developed by the council. In no event shall the annual assessment levied under the provisions of the referendum exceed one-half of one cent (\$0.005) per gallon of odorized propane unless approved by the majority of those voting in both the retail marketer class and the producer and supplier class in a separate referendum. The increase in the annual assessment as provided for in this subsection is limited to one-tenth of one cent (\$0.001) per year.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 508, effective July 15, 2010. -- Created 1998 Ky. Acts ch. 182, sec. 10, effective July 15, 1998.