



Emergency

STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE
CHARLESTON 25305

GUS R. DOUGLASS
COMMISSIONER

WILLIAM H. GILLESPIE
ADMINISTRATIVE ASSISTANT

August 6, 1984

Honorable A. Jame Manchin
Secretary of State
Building 1, Suite 157-K
Charleston, WV 25305

Dear Secretary Manchin:

I am resubmitting two copies of Emergency Regulations for the State Department of Agriculture which sets up the conduct of beef industry self-improvement assessment program referendums and are filed in accordance with Chapter 19, Article 2F, Code of West Virginia, as amended. These regulations are issued under authority of Chapter 19, Article 1, Section 4j, Code of West Virginia, as amended. These are Legislative Regulations.

I hereby certify that these are the original regulations to be filed in the office of the Secretary of State on August 6, 1984.

With best regards, I am

Very truly yours,

Gus R. Douglass
Agriculture Commissioner

GRD/G/d
Enc.

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE Aug. 6, 1984
Administrative Law Division



STATE OF WEST VIRGINIA
 OFFICE OF THE SECRETARY OF STATE
 CHARLESTON 25305

A. JAMES MANCHIN
 SECRETARY OF STATE

STATE REGISTER FILING

I, Gus R. Douglass, Commissioner,
 Title or Position

West Virginia Department of Agriculture, hereby submit to record in
 Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- proposed rules and regulations superseding rules and regulations already on file;
- notice of hearing;
- findings and determinations;
- rules and regulations; or
- other - specify ()).

This filing pertains to

Chapter 19
 Article 2F
 Series XI
 Section 1 through 11
 Page No. 1, 2, 3, 4

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee; These are EMERGENCY regulations.

August 6, 1984
 Date Submitted

Gus R. Douglass
 Signature of Person Authorizing
 this Filing

LEGISLATIVEWEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2F

GENERAL INDEX

FOR

SERIES XI

CONDUCT OF BEEF INDUSTRY SELF-IMPROVEMENT ASSESSMENT PROGRAM
REFERENDUMS

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2F

SERIES XI

EMERGENCY REGULATIONS

SUBJECT: Conduct of Beef Industry Self-Improvement Assessment
Program Referendums.

Section 1. General.

1.01 Scope. These regulations establish general procedures for the conduct of referendums held under the Beef Industry Self-Improvement Assessment Program.

1.02. Authority. These regulations are promulgated under Chapter 19, Article 2F, Code of West Virginia, as amended, and are issued under authority of Chapter 19, Article 1, Section 4j, Code of West Virginia, as amended.

1.03. Filing Date. These regulations are filed in the office of the Secretary of State on August 6, 1984.

1.04. Effective Date. These regulations are filed as emergency regulations to become effective on August 6, 1984.

Section 2. General Purpose

2.01 These regulations are for the purpose of establishing a method of holding referendums under the Beef Industry Self-Improvement Assessment Program.

Section 3. Referendum Procedures

3.01 Announcement of Referendum. Within forty-five (45) days after the legal requirements of a referendum have been met, the Agriculture Commissioner shall establish a date for holding

the referendum. In addition to statutory requirements, notice of the pending referendum shall be published in The Market Bulletin and in at least ten (10) other newspapers throughout West Virginia.

3.02 Polling Place. A polling place for the referendum shall be located in each county in West Virginia. The polls will remain open from 8:00 A.M. until 5:00 P.M. on the day of the election.

3.03 Election Officials. There shall be two (2) election officials, appointed by the Agriculture Commissioner, present at each polling place during actual voting. One shall be designated as the chief election official.

3.04 Duties of Election Officials. Election officials will verify producer eligibility and provide those eligible with a ballot; be responsible for maintaining the integrity of the sealed ballot box, counting the ballots at the conclusion of the election, certifying the vote count to the Agriculture Commissioner, and returning the voted ballots and unused ballots to the Agriculture Commissioner.

3.05 Delivery of Official Ballots. The official receiving the ballots in each county shall sign a receipt for the ballots received and shall attest to the number of ballots voted and returned unvoted at the conclusion of the election.

3.06 Voter Eligibility. Any person, regardless of age, who provides proof of eligibility, such as, but not limited to, tax

assessment records, sales receipts or income tax records, to vote in this referendum shall be provided an official ballot.

3.07 Voter Registration. The voter registration format shall be as follows:

VOTER REGISTRATION

Date: _____

I, _____, hereby declare that I am a beef cattle producer or cause cattle to be produced for beef in the State of West Virginia, County of _____, with a permanent address as follows:

(Street, Route or Box Number) (City) (State) (Zip Code)

(Voter's Signature)

I certify that the above producer has presented

(type of evidence)

that he/she is qualified to vote in this referendum.

Election Official

3.08 Official Ballot. The official ballot format shall be as follows:

OFFICIAL BALLOT (1)

Date: _____ No. _____

REFERENDUM

BEEF INDUSTRY SELF-IMPROVEMENT ASSESSMENT PROGRAM

The purpose of this referendum is to authorize the development of a beef industry Self-Improvement Assessment Program to be funded by an assessment of _____ on each head of cattle
(amount)
sold in West Virginia for beef breeding or slaughter or feeding purposes as provided for in the public hearing held on _____
(month)
_____, _____
(day) (year)

- For
- Against

OFFICIAL BALLOT (2)

REFERENDUM

BEEF INDUSTRY SELF-IMPROVEMENT ASSESSMENT PROGRAM

The purpose of this referendum is to deauthorize the Beef Industry Self-Improvement Assessment Program established by the referendum on _____, and
(date)
currently in force.

- Continue Assessment
- Terminate Assessment