



STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE

CHARLESTON 25305

February 1, 1985

GUS R. DOUGLASS
COMMISSIONER

WILLIAM H. GILLESPIE
~~XXXXXXXXXXXXXX~~
Assistant Commissioner

Honorable Ken Heckler
West Virginia Secretary of State
Capitol Building
Charleston, WV 25305

Dear Secretary Heckler:

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 February 1, 1985.

With best regards, I am

Very truly yours,

Gus R. Douglass
Agriculture Commissioner
by

W. H. Gillespie
William H. Gillespie
Assistant Commissioner

GRD/G/d
Enc.

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE
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STATE OF WEST VIRGINIA

OFFICE OF THE SECRETARY OF STATE

CHARLESTON 25305

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Ken Heckler

~~XXXXXXXXXXXX~~
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

- (X) 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;
- (X) proposed rules and regulations are excluded from Legislative Rule Making Committee; These are EMERGENCY regulations.

February 1, 1985

Date Submitted

William H. Gillespie

Signature of Person Authorizing
this Filing William H. Gillespie
Assistant Commissioner

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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Duties of Election Officials, 3.04	2
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OFFICE OF THE
SECRETARY OF STATE

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LEGISLATIVE

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 February 1, 1985.

1.04. Effective Date. These regulations are filed as emergency regulations to become effective on February 1, 1985.

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

LEGISLATIVEWEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2F

GENERAL INDEX

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SECRETARY OF STATE

LEGISLATIVE

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STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2F

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☐ Against

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