

**TITLE 61
LEGISLATIVE RULES
DEPARTMENT OF AGRICULTURE**

**SERIES 11C
CONDUCT OF BEEF INDUSTRY SELF-IMPROVEMENT
ASSESSMENT PROGRAM REFERENDUMS**

§61-11C-1. General.

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

1.2. Authority. -- W. Va. Code §19-1-4j

1.3. Filing Date. -- May 31, 1985

1.4. Effective Date. -- May 31, 1985

§61-11C-2. General purpose.

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

§61-11C-3. Referendum procedures.

3.1. 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.

3.2. Polling place. -- A polling place for the referendum shall be located in each county in West Virginia. The polls will remain open from eight a.m. until five p.m. on the day of the election.

3.3. 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.

3.4. 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.

3.5. 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.

3.6. 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.

3.7. Voter registration. -- The voter registration format shall be as follows: Refer to Appendix A.

3.8. Official ballot. -- The official ballot format shall be as follows: Refer to Appendixes B and C.

.APPENDIX A

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

APPENDIX B

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

APPENDIX C

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.

- Continued Assessment
- Terminate Assessment