



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture

TITLE-SERIES: 61-03

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: Yes

RULE NAME: State Aid For Fairs And Festivals

CITE STATUTORY AUTHORITY: §19-7-1

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/25/2024 1:20 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jodee Martin

ADDRESS: 1900 Kanawha Boulevard, East

Charleston, WV 25305

EMAIL: rulescomments@wvda.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Rules establishes general procedures relating to fairs and festivals in WV, conducted by agricultural or industrial associations, organizations or individuals, that promote agriculture, agricultural businesses or further the industrial development of the State.

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN THE RULE AND A STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE:

Requesting to repeal this rule. The procedures outlined in this rule are no longer followed by the Department.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

n/a

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

n/a

C. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

n/a

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2024 Increase/Decrease (use "-")	2025 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0	0	0
Personal Services	0	0	0
Current Expenses	0	0	0
Repairs and Alterations	0	0	0
Assets	0	0	0
Other	0	0	0
2. Estimated Total Revenues	0	0	0

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

n/a

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Norman Bailey -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 61
LEGISLATIVE RULE
DEPARTMENT OF AGRICULTURE

SERIES 3
STATE AID FOR FAIRS AND FESTIVALS

~~§61-3-1. General.~~

~~1.1. Scope. This legislative rule establishes general procedures relating to fairs and festivals in West Virginia, conducted by agricultural or industrial associations, organizations or individuals, that promote agriculture, agricultural businesses or further the industrial development of the State.~~

~~1.2. Authority. W. Va. Code §19-7-1.~~

~~1.3. Filing Date. June 21, 2002.~~

~~1.4. Effective Date. June 21, 2002.~~

~~§61-3-2. Administrative.~~

~~2.1. Associations, organizations or individuals, not operated for profit, entitled to benefits as provided in these rules, shall submit to the Commissioner of Agriculture a brief description of the activities, the date and location of the event, the name and address of the president and the secretary of the event.~~

~~2.2. At the discretion of the Commissioner or by legislative intent, events may be funded. The amount shall not exceed twenty thousand dollars per event. In the event that there is more than one organization, association, or individual in a county that requests and receives funding, the aggregate sum shall not exceed fifty thousand dollars.~~

~~2.3. Once the appropriation for an event has been made, the association, organization or the individual shall submit on forms as prescribed by the Commissioner, at a minimum, the following information:~~

~~2.3.a. An acceptance letter stating that the guidelines of the event have been met.~~

~~2.3.b. A budget for the event, showing at a minimum the total income and expenses of the event.~~

~~2.3.c. The Federal Employer's Identification Number (FEIN) of the event.~~

~~2.4.~~

~~2.4.1. Reconciliation reports are due in the Commissioner's office not later than June 1 of the appropriate year unless otherwise stipulated by that office.~~

~~2.4.2. If the association, organization or individual does not expend the funds that were appropriated in a fiscal year the excess shall be returned to the Department of Agriculture but no later than June 30 of the year which the event was held.~~