



**TITLE 61  
LEGISLATIVE RULES  
DEPARTMENT OF AGRICULTURE**

**SERIES 3  
STATE AID FOR FAIRS AND FESTIVALS**

**FILED**

2001 JUL 26 P 2: 26

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**§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                      WV Code 19-7
- 1.3    Filing date                      June 25, 2001
- 1.4    Effective Date

**§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.
- 2.4.1    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.

**APPENDIX B**

**FISCAL NOTE FOR PROPOSED RULES**

Rule Title: State Aid for Fairs and Festivals

Type of Rule:      Legislative            Interpretive            Procedural

Agency       West Virginia Department of Agriculture

Address       1900 Kanawha Blvd., East  
                  Charleston, WV 25305-0170

**1. Effect of Proposed Rule**

	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<u>ESTIMATED TOTAL COST</u>	0	0	0	0	0
PERSONAL SERVICES	0	0	0	0	0
CURRENT EXPENSE	0	0	0	0	0
REPAIRS & ALTERATIONS	0	0	0	0	0
EQUIPMENT	0	0	0	0	0
OTHER	0	0	0	0	0

**2. Explanation of above estimates:**

There will be no economic impact to the West Virginia Department of Agriculture or State Government.

**3. Objectives of these rules:**

To bring existing rules in compliance with the current law.

Rule Title: State Aid for Fairs and Festivals

**4. Explanation of Overall Economic Impact of Proposed Rule.**

**A. Economic Impact on State Government.**

None.

**B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.**

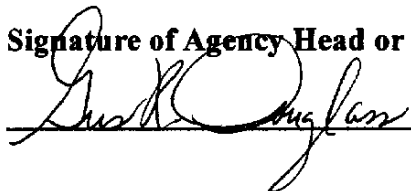
None.

**C. Economic Impact on Citizens/Public at Large.**

None.

**Date:** June 25, 2001

**Signature of Agency Head or Authorized Representative**

  
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## **Statement of Circumstance**

**Brings West Virginia Department of Agriculture rules into compliance with the passage of Senate Bill 263 as passed by the Legislature, April 12, 2001, in effect 90 days from passage. These Emergency Rules will allow the West Virginia Department of Agriculture to provide funding to fairs and festivals during the 2002 fiscal year and be in compliance with state law.**

## **Brief Summary of Proposal**

**Establishes guidelines for fairs and festivals to follow in the promotion of Agriculture and Agricultural related events, which may receive state funding.**

**QUESTIONNAIRE**

*(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)*

DATE: July 26, 2001

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) West Virginia Department of Agriculture  
1900 Kanawha Boulevard, East  
Room E-28 State Capitol Complex  
Charleston, WV 25305 (304) 558-3550

LEGISLATIVE RULE TITLE: State Aid for Fairs & Festivals

1. Authorizing statute(s) citation 19-7-11

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:  
June 25, 2001

b. What other notice, including advertising, did you give of the hearing?  
None

c. Date of Public Hearing(s) or Public Comment Period ended:  
June 25, 2001 @ 4:30 p.m.

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached \_\_\_\_\_ No comments received XX

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

July 26, 2001

- f. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Steve Hannah, Deputy Commissioner, WVDA

1900 Kanawha Boulevard, East

~~Room E-28 State Capitol Complex~~

Charleston, WV 25305 (304) 558-3550

- g. **IF DIFFERENT FROM ITEM 'f', please give Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

Janet L. Fisher, Deputy Commissioner, WVDA

1900 Kanawha Boulevard, East

Rom E-28 State Capitol Complex

Charleston, WV 25305 (304) 558-3550

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

Ended July 25, 2001

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

July 26, 2001

d. Attach findings and determinations and reasons:

Attached No comments received, therefore no changes were made in  
the proposed regulations.