

**WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION**

Form #4

Do Not Mark In This Box

FILED

2001 SEP 27 A 10:00

OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: West Virginia Department of Agriculture TITLE NUMBER: 61

CITE AUTHORITY: West Virginia Code 19-7-11

AMENDMENT TO AN EXISTING RULE: YES NO

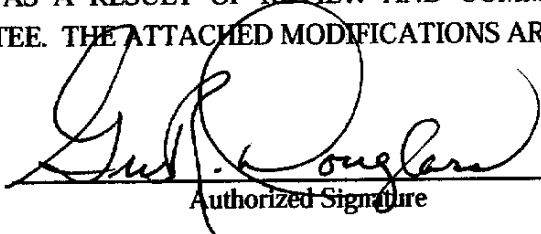
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: Series 3 State Aid For Fairs And
Festivals.

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.


Authorized Signature

**TITLE 61
LEGISLATIVE RULES
DEPARTMENT OF AGRICULTURE**

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

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§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 §19-7-11
- 1.3 **Filing Date**
- 1.4 **Effective Date**

§61-3-2 Administrative

- 2.1 An association, organization or individual, not operated for profit, may be eligible for state aid, providing one or more of the following criteria are met:
 - 2.1.a. The event or activity promotes the agriculture industry of this state through educational activities, displays of agriculture products, new technology and equipment used in the betterment of the agriculture industry;
 - 2.1.b. The event or activity is a state fair, regional fair or county fair where 4-H members, FFA members or other youth are participating in the activity;
 - 2.1.c. The event or activity is one, which involves 4-H members, FFA members or other youth, which is educational in nature; or
 - 2.1.d. The event or activity is one, which is in the interest of agriculture or industrial economic development of the state.
- 2.2 An association, organization or individual, which meets the criteria set forth in 2.1 of this section, shall submit to the Commissioner of Agriculture a brief description of the activity or the event, the date and location of the event, and the name and address of the president and the secretary of the event for which state aid is being requested.
- 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; and
 - 2.3.c. The Federal Employer's Identification Number (FEIN) of the event.

- 2.4 An association, organization or individual shall file expenditure reports in the Commissioner's office no later than June 1 of the appropriate year unless otherwise stipulated by the Commissioner.
- 2.5 If the association, organization or individual does not expend the funds that were appropriated in a fiscal year it shall return the excess to the Department of Agriculture no later than June 30 of the year in which the event was held.