

**247.4481 Annual review of assessment program -- Termination by referendum --
Termination by request of certified operating agency.**

- (1) The board shall review the assessment program annually. If, at the end of each year after the first year of the assessment program, the board determines that twenty-five percent (25%) of the producers are not participating in the program, the Commissioner shall then conduct a referendum among the producers. If, upon the referendum, a majority of the producers eligible to participate and voting therein reject the program, it shall be terminated as at the end of the month in which the referendum was conducted and held; otherwise the assessment program shall continue in force and effect.
- (2) If the certified commission, council, board, association, or other agency of producers expresses in writing its desire to the Commissioner to discontinue the assessment program and terminate the assessment, the Commissioner shall within fifteen (15) days following receipt of the request convene the board to review and act on the request. The board, after reviewing the request and conducting whatever proceedings are deemed appropriate and necessary in connection with the request, may terminate the program effective at the end of the month in which the board action is taken; and in this event the Commissioner shall notify, by certified mail, the purchasers of the agricultural commodity of the termination of the program.

Effective: July 13, 1990

History: Created 1990 Ky. Acts ch. 167, sec. 16, effective July 13, 1990.