

APPROVAL TO CONDUCT A REFERENDUM AMONG THE PERSONS QUALIFYING AS VOTERS ON THE QUESTION OF LEVYING AN ASSESSMENT, AND COLLECTING AND UTILIZING THE PROCEEDS FOR THE PURPOSES STATED IN THE REFERENDUM.

(B) ISSUANCE OF CERTIFICATION.

UPON THE FILING OF THE APPLICATION THE SECRETARY SHALL CONSIDER THE APPLICATION WITHIN 90 DAYS. IF THE SECRETARY FINDS THAT THE APPLICANT IS FAIRLY REPRESENTATIVE OF AND HAS BEEN DULY CHOSEN AND DELEGATED AS REPRESENTATIVE OF THE PERSONS QUALIFYING AS VOTERS, AND OTHERWISE FINDS AND DETERMINES THAT THE APPLICATION CONFORMS TO THE PROVISIONS OF THIS ARTICLE AND ITS PURPOSES, HE SHALL CERTIFY THE ASSOCIATION, COUNCIL, BOARD, OR OTHER AGENCY AS THE CERTIFIED AGENCY OF THE PERSONS QUALIFYING AS VOTERS.

REVISOR'S NOTE: Subsection (a) presently appears as Art. 66C, §83E of the Code. The present distinction between existing associations, councils, etc. and created ones is proposed for deletion. A reference to "any association, council", etc. is substituted since this includes an existing one as well as one created at some time in the future. The present reference to any time after "passage and ratification of this article" is proposed for deletion as obsolete.

This present disparate references to "growers producing the commodity", "commercial growers and producers", and "growers and producers" is proposed for deletion and the phrase "persons qualifying as voters" is substituted throughout this and subsequent sections. Present §83J clearly indicates that the certified agency represents those persons qualifying as voters, as defined by §10-101(d). The substituted phrase also eliminates needless repetition.

Subsection (b) presently appears as Art. 66C, §83F of the Code.

The only other changes made are in style.

SEC. 10-105. CERTIFIED AGENCY TO MANAGE REFERENDUM; ANNOUNCE INFORMATION BEFORE REFERENDUM; LIMITATIONS ON ANNUAL ASSESSMENT.