

(A) SUBSEQUENT REFERENDUM AFTER AFFIRMATIVE VOTE.

IF THE FIRST ASSESSMENT OR ANY SUBSEQUENT REFERENDUM FOR AN ASSESSMENT RECEIVES AT LEAST TWO THIRDS OF THOSE PERSONS QUALIFYING AS VOTERS AND VOTING AND THE ASSESSMENTS ARE LEVIED ANNUALLY FOR THE PERIOD SET FORTH IN THE CALL FOR THE REFERENDUM, THEN THE AGENCY CONDUCTING THE REFERENDUM MAY CALL AND CONDUCT ANOTHER REFERENDUM DURING THE FIFTH YEAR OF THE FIRST PERIOD OR THE LAST YEAR OF ANY SUBSEQUENT PERIOD, ON THE QUESTION OF AN ANNUAL ASSESSMENT FOR THE NEXT ENSUING FIVE YEARS.

(B) SECOND REFERENDUM AFTER NEGATIVE VOTE.

IF THE ASSESSMENT DOES NOT RECEIVE AT LEAST TWO THIRDS OF THOSE PERSONS QUALIFYING AS VOTERS AND VOTING, THEN THE CERTIFIED AGENCY CONDUCTING THE REFERENDUM MAY CALL ANOTHER REFERENDUM THE NEXT SUCCEEDING YEAR, FOR THE PURPOSES SET FORTH IN THIS SUBTITLE ON THE QUESTION OF AN ANNUAL ASSESSMENT FOR FIVE YEARS.

REVISOR'S NOTE: Subsection (a) presently appears as Art. 66C, §83T of the Code. The present reference to "participating farmers" is proposed for deletion and a reference to "persons qualifying as voters" is substituted for the reasons explained in the revisor's note to §10-104.

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

The only other changes made are in style.

SEC. 10-110. USE OF ASSESSMENT.

THE COLLECTED ASSESSMENTS SHALL BE PAID INTO THE CERTIFIED AGENCY TREASURY TO BE USED TOGETHER WITH ANY OTHER FUNDS FROM OTHER SOURCES, INCLUDING DONATIONS FROM ANY PERSON AND GRANTS FROM THE STATE OR GOVERNMENTAL AGENCIES, TO PROMOTE AND STIMULATE, BY ADVERTISING AND OTHER METHODS, THE INCREASED DOMESTIC AND FOREIGN USE AND SALE OF THE AGRICULTURAL COMMODITY COVERED BY THE REFERENDUM. THE ASSESSMENTS ALSO MAY BE USED TO FINANCE RESEARCH AND EDUCATION PROGRAMS OR TO CONTRIBUTE TOWARD THE FINANCING OF A PROGRAM ON PRODUCTION, USE, AND SALE OF ANY AGRICULTURAL COMMODITY. THE ASSESSMENTS MAY BE USED TO SUPPORT