

033383548

SENATE BILL NO. 976

Offered January 8, 2003

Prefiled January 7, 2003

A BILL to amend and reenact § 3.1-796.25 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 3.1-796.20:1, 3.1-796.20:2 and 3.1-796.20:3, relating to the Virginia Cattle Industry Board; subsequent referenda.

Patron—Trumbo

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 3.1-796.25 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding sections numbered 3.1-796.20:1, 3.1-796.20:2 and 3.1-796.20:3 as follows:

§ 3.1-796.25. Tax Commissioner authorized to collect tax on cattle sold.

In order for the Board to carry out the provisions of this chapter, the Tax Commissioner shall collect for the Virginia Cattle Industry Board the following assessment from the handler for all cattle and calves, when sold in Virginia, ~~twenty-five~~ 50 cents per head on all cattle and calves with the exception of dairy cows going back to farms for milk production, and those animals selling for less than twenty dollars per head.

§ 3.1-796.20:1. *Subsequent referenda.*

Upon petition by at least 10 percent of the cattle producers in the Commonwealth, the Board of Agriculture and Consumer Services shall provide for a referendum on the continuation of the Virginia Cattle Industry Board and the assessment on cattle sold in Virginia. Any referendum held under this section shall be conducted in accordance with §§ 3.1-796.16 through 3.1-796.19.

§ 3.1-796.20:2. *Subsequent referendum results; action of Governor.*

If the Governor finds any referendum held pursuant to § 3.1-796.20:1 in order, and also finds that at least 50 percent of those meeting the requirements of § 3.1-796.15 have voted and that a majority of those voting are in opposition to the continuation of the Virginia Cattle Industry Board and the assessment on cattle sold in Virginia, then the Governor shall so proclaim and upon such proclamation the Virginia Cattle Industry Board will be discontinued. If the Governor finds that a majority of those voting are in favor of the continuation of the Virginia Cattle Industry Board and the assessment on cattle sold in Virginia, then the Governor shall not so proclaim. The cost of conducting a referendum under this section shall be paid from funds collected by the Virginia Cattle Industry Board.

§ 3.1-796.20:3. *Question to be printed on ballots.*

The purpose for which the Virginia Cattle Industry Board is created and the current rate of and purpose for which the tax is levied shall be printed on the face of the ballot used in a referendum authorized in § 3.1-796.20:1. This statement may be the same statement required to be furnished in the notice of referendum provided for by § 3.1-796.16. The question to be printed on the ballot used in any referendum authorized in § 3.1-796.20:1 shall be:

"Do you favor the continuation of the Virginia Cattle Industry Board and the continuation of the levy of an assessment of 50 cents per head on all cattle and calves when sold in Virginia, with the exception of dairy cows going back to farms for milk production and those animals selling for less than \$20 per head?"

() Yes

() No."

2. That the provisions of this act that assess 50 cents per head on cattle sold in Virginia, with the exception of dairy cows going back to farms for milk production and those animals selling for less than \$20, shall become effective only after a referendum as provided for in § 3.1-796.20:1 et seq. has passed.

INTRODUCED

SB976