START\_STATUTE48-1309.  Assessments and fees

A.  Each year after adopting its budget, the board shall levy an assessment based on either:

1.  The number of bales of cotton that are produced in the district.

2.  The number of acres of cotton that are farmed in the district.

3.  Any other method in the district that may be appropriate to raise sufficient monies to carry out the district's pest control program.

B.  The board shall not levy an assessment on any other crop.

C.  The board shall prescribe the schedule, procedure and forms for use in paying, collecting and remitting the annual assessment.  The board may provide for collection and remission of the assessment in the manner prescribed by the board.

D.  If the district contracts with the council for a pest control management program, the board shall charge a fee before producers plant cotton in the district in an amount that will raise sufficient monies to carry out the contracted program.  A producer shall pay the fee in full before the planting date unless payment is guaranteed by the producer's lender or other arrangements are made to the board's satisfaction.  If a producer fails to pay a fee or assessment before the planting date, the council may abate the fields and assess the costs of abatement to the producer.  Before any abatement action, the council shall notify the producer in writing and provide for a hearing within ten days after the notice.  The council shall issue its decision in writing within five days after the hearing.  An abatement action may be appealed to the superior court. END\_STATUTE