



United States
Department of
Agriculture



FARM SERVICE AGENCY

Montana State
Producer Handbook

April 2009

Fact Sheet

**County Committee Election
Eligibility to Vote and Hold Office**



Who Is Eligible to Vote

A person who meets the requirements in Numbers 1 (a) or 1 (b) below is eligible to vote.

Prospective Voter Requirements

1. (a) Be of legal voting age and have an interest in a farm or ranch as either of the following:
 - An individual; or
 - The authorized representative of an entity.
- (b) Not of legal voting age, but supervises and conducts the farming operations on an *entire* farm.

Discrimination Prohibited

No person shall be denied the right to vote on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal or because all or part of an individual's income is derived from any public assistance program.

Types of Eligible Voters

Individual Voter

An individual voter is one who:

- Is eligible to vote on one's own right;
- Is a partner of a general partnership; or
- Is a member of a joint venture.

Nonindividual Voter

A nonindividual voter is a legal entity, such as:

- Corporation, estate, trust, limited partnership, or other business enterprise, excluding general partnerships and joint ventures; or
- State, political subdivision of a state, or any state agency.

ONLY THE DESIGNATED REPRESENTATIVE MAY CAST A VOTE FOR THE ENTITY.

Interpretation of Voting Eligibility for Spouses in Community Property States

In community property states, the spouse of an eligible voter is eligible to vote.

Native American Tribal Lands

Every member of a Native American tribe is considered a landowner if the land in question is tribally owned or held in trust for the tribe by the United States.

Members of Native American tribes holding agricultural land are eligible to vote if they meet the voting requirements.

Voting Limitations

Multiple Farm Interests in Same County or Area

Eligible voters with an interest in separate farms in more than one LAA in the same county or area may only cast one ballot. Such voters must choose only one LAA in which they wish to cast their ballots. Contact your local FSA office for more information.

Different Counties or Areas

Eligible voters with separate farming interests in more than one county served by more than one county committee are eligible to participate in the election conducted for each county committee. Participation is limited to the LAA in which the farming interests are located. Only one vote may be cast in each county or multi-county jurisdiction.

Eligibility to Hold Office

To hold office as a county committee member, a person must meet the basic eligibility requirements listed below:

1. Participate or cooperate in a program administered by FSA.
2. Be eligible to vote in a county committee election; and

3. Reside in the LAA in which the person is a candidate.
4. A person must not have been:
 - Removed or disqualified from the office of county committee member, alternate, or employee;
 - Removed for cause from any public office or have been convicted of fraud, larceny, embezzlement, or any other felony;
 - Dishonorably discharged from any branch of the armed services.

For Additional Information

Additional information may be obtained at local FSA offices or through the Montana FSA Web site at www.fsa.usda.gov/mt

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People uncertain about their eligibility to vote in the county committee election should contact their local FSA office. Affirmation of eligibility to vote must be determined in order for a vote to count in an election.

Any candidate may request that all voted ballots for an individual county committee election be returned to the respective FSA state office in lieu of being returned to the FSA county office. This request must be in writing and submitted to the local FSA county executive director prior to the announced end of the nomination period.

During the election period, individuals not receiving a ballot in the mail may obtain a ballot directly from the FSA county office. The ballot must be cast on or before the election deadline.