



United States
Department of
Agriculture

Farm Service Agency

February 2007

Fact Sheet

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

**Montana State
Producer Handbook**



Who Is Eligible to Vote

A person who meets the requirements in Numbers 1 (a) or 1 (b) below, *plus* Number 2 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 owner, operator, tenant, or sharecropper, or
 - A partner in a general partnership or member of a joint venture that has an interest in a farm as an owner, operator, tenant, or sharecropper.
- (b) Not of legal voting age, but supervises and conducts the farming operations on an *entire* farm.
2. Eligible to participate in any FSA program that is provided for by law, regardless of the status of funding. (**Note:** *eligibility requirements will change in 2007. Please contact your local FSA office for current rules.*)

Discrimination Prohibited

No person shall be denied the right to vote because of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status.

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;
- Is a member of a joint venture;
- Represents only oneself.

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;
- State, political subdivision of a state, or any state agency.

Interpretation of Voting Eligibility for Spouses in Community Property States

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

Joint Ownership, Joint Venture, and General Partnership

The following are eligible voters:

- Each owner of a joint ownership;
- Each member of a joint venture;

- Each partner of a general partnership.

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 age requirement.

Voting Limitations

Local Administrative Areas

A county or area served by the county committee is divided into local administrative areas (LAA). One member on the county committee represents each LAA. A person may vote in only one LAA in each county or area.

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 may choose to vote in any one LAA in which they have an interest. 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.

Eligibility to Hold Office

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

1. A person must be of legal voting age and meet either of the following conditions:
 - Be eligible to vote as an individual or member of a general partnership or joint venture in the LAA in which the person is a candidate;
 - Represent a legal entity, other than a general partnership or joint venture, that is eligible to vote in the LAA in which the person is a candidate and meet each of the following:
 - Be designated by the corporation, limited partnership, estate, trust, or other business enterprise to be its sole candidate for membership on the applicable committee;
 - Be a corporation stockholder or authorized representative for an heir to an estate, a beneficiary of a trust, or an individual having an ownership interest in any entity, excluding general partnerships and joint ventures.
2. A person must reside in the LAA in which the person is a county committee candidate.
3. 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.

NOTE: *The state committee or FSA Administrator, Washington, D.C., may waive the requirements in Number 3.*

People uncertain about their eligibility to vote in the county committee election should contact their local FSA office. During the election period, individuals not receiving a ballot in the mail may obtain a ballot directly from the county office.

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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