

**For:** State and County Offices

**Effect of Changes to 3-CM on County Committee (COC)**

**Approved by:** Acting Deputy Administrator, Field Operations



**1 Overview**

**A Background**

3-CM, Part 3, Section 1 explains the circumstances under which a producer will be allowed to select a new administrative County Office.

16 USC Chapter 3B §590h(b)(5)(B)(iii)(III)(aa), and 7 CFR Part 7 §7.15 (b) (1) and (2) (i) provide specific requirements on voting eligibility and eligibility to hold office on COC.

**B Purpose**

This notice provides guidance for determining voting eligibility and eligibility to hold office for producers who have selected a new administrative County Office under 3-CM procedure.

**C Contact**

For questions about this notice, contact either of the following DAFO employees:

- Ken Nagel, by telephone at 202-720-7890 or e-mail to **Kenneth.Nagel@wdc.usda.gov**
- Deborah Johnson, by telephone at 202-720-0067 or e-mail to **Deborah.Johnson@wdc.usda.gov**.

<b>Disposal Date</b>	<b>Distribution</b>
March 1, 2007	State Offices; State Offices relay to County Offices

## Notice AO-1362

### 2 Eligibility to Vote and Hold Office

#### A Voting Eligibility

A producer shall only be able to vote for COC which administers the producer's records.

#### B Assigning LAA in Receiving County

The receiving COC shall designate LAA in the county or jurisdiction for which a ballot will be issued. The receiving COC may designate LAA closest to the producer's farm or as otherwise determined by COC.

**Notes:** Inform voters that, if they prefer to vote in a different LAA in the receiving county, the voters must contact the County Office.

After LAA has been designated by a voter, there will be no change unless there is a change in farming interests.

#### C Eligibility to Hold Office

By statute, to be eligible to hold office on COC, a producer **must**:

- reside in LAA or, at a minimum, in the county or multi-county jurisdiction
- participate or cooperate in programs administered within that jurisdiction.

Producers who select a new administrative County Office outside of the COC jurisdiction of their residence shall be informed in writing that they will not be eligible to hold office on either COC in the jurisdiction where they reside, nor on COC in the jurisdiction that administers their records.

**Important:** A brief statement shall be mailed or given to the producer before the request for transfer is submitted to the State Office according to 3-CM, with a copy placed in the producer file, with wording similar to the following.

“This is to inform you that by selecting a new administrative County Office you will be unable to serve on the COC that administers programs where you live, and you will also be unable to serve on the COC where your records are administered.”