

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
MARKETING  
ADMINISTRATIVE CODE

CHAPTER 80-8-1  
SOYBEAN PROMOTIONAL REFERENDUM

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**80-8-1-.01**     Purpose. The purpose of this Chapter is to set up procedures and rules governing the referendums conducted under the provisions of Code of Ala. 1975, §§2-8-80 through 2-8-103, for soybean promotional programs.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §2-8-100.

**History:** Filed April 19, 1982. **Amended:** Filed February 23, 1989.

**80-8-1-.02**     Previous Regulation Withdrawn And Amended. That regulation entitled **Rules, Regulations And Procedure For Referendum, Soybean Promotional Program**, dated December 18, 1979, is hereby repealed and withdrawn. Chapter 80-8-1 amending the above is submitted in its place.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §2-8-100.

**History:** Filed April 19, 1982. **Amended:** Filed February 23, 1989.

**80-8-1-.03**     Referendum To Be Held And Notice To Be Given.

(1) The Alabama Farmers Federation, Soybean Division, the nonprofit association authorized under Code of Ala. 1975, §2-8-84, shall be authorized to conduct a statewide referendum to allow soybean producers to vote upon the question of whether they favor an assessment of 1 cent per bushel to be deducted from the sale price of their soybeans for the purpose of financing a soybean promotional program to be conducted through research, market development, education, advertising and other methods.

(2) This referendum shall be held in 1989 during that period as provided under Code of Ala. 1975, §2-8-90.

(3) Notice of said referendum by publication or otherwise shall be given by the association as provided under Code of Ala. 1975, § 2-8-86.

(4) The amount of the assessment shall be set out in the notice and shall not exceed the amount of 1 cent per bushel.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §2-8-100.

**History:** Filed April 19, 1982. **Amended:** Filed February 23, 1989.

**80-8-1-.04      Polling Places And Time Of Operation.**

(1) The referendum shall be held by providing voting facilities at the county seat in each of the 67 counties of the State of Alabama. In those counties where there is a large number of soybean producers and if for other reasons it may not be convenient for soybean producers to vote at the county seat, then additional voting facilities may be provided in such counties at convenient locations such as city hall, community centers, local offices of the County Farmers Federation or other locations to be selected by the County Referendum Committee. The exact location of the voting places in each county shall be given publicity in order that all soybean producers will have an opportunity to vote. The Alabama Farmers Federation, Soybean Division, shall furnish all necessary ballots and county election supplies and bear all expenses necessary and incident to holding the referendum.

(2) The polls shall be open for voting from 8:00 a.m. through regular business hours on the date of the referendum.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §2-8-100.

**History:** Filed April 19, 1982. **Amended:** Filed February 23, 1989.

**80-8-1-.05      Procedure For Polling And Handling Results Of The Poll.**

(1) Each polling place shall have not less than two individuals who shall serve as poll holders to be in charge of and supervise the voting. Such polling places shall have a voter's register and those who are eligible to vote shall sign his or her name upon such register and enter thereon his or her address together with the number of acres of soybeans harvested the preceding year or already planted in the year of the referendum.

(2) Producers of soybeans shall be furnished with a printed ballot for voting by secret ballot and after the vote is cast, such ballot shall be folded, deposited and kept in a ballot box or other similar container suitable to serve as a ballot box.

(3) As soon as the last voter has voted and the polls close, the poll holders shall immediately open the ballot boxes, count and tabulate the results of the voting and certify the results thereof to the chairman of the County Soybean Committee. Any interested individual who cares to be present when the ballots are counted or tabulated may be present and observe such vote counting and tabulation of results.

(4) Upon the conclusion of paragraph (3) above, a poll holder shall deliver the ballots in a sealed container to the chairman of the Soybean Referendum Committee with the certification of the results. The county chairman and at least two other members of the County Soybean Referendum Committee shall then tabulate and certify the results received from each polling place in the county to the State Soybean Referendum Committee of the Alabama Farmers Federation. The county chairman will also deliver or forward all county ballots in the sealed containers, after tabulation of voting results, to the director of the Soybean Division of the Alabama Farmers Federation. The State Soybean Referendum Committee of the Alabama Farmers Federation shall upon receipt of certified results from each county tabulate, publicly declare and announce the results of the statewide referendum within a period of ten (10) days following receipt of the results from every county in Alabama.

(5) A certified copy of the results of the statewide referendum shall be forwarded to the Commissioner of Agriculture and Industries.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §2-8-100.

**History:** Filed April 19, 1982. **Amended:** Filed February 23, 1989.

**80-8-1-.06      Persons Entitled To Vote.**

(1) All persons subject to the deduction of 1 cent per bushel from the sale price of their soybeans are entitled to vote in the referendum upon the question of whether they favor an assessment per bushel to be deducted from the sale price of their soybeans for the next five crop years, provided such persons produced soybeans during the preceding year or planted soybeans during the referendum year.

(2) Each soybean producer shall have one vote where the production operation is conducted by an individual, partnership, corporation, estate or other legal entity. If the soybean production operation is conducted as a family enterprise and different members of the family produce soybeans which are sold separately, each such producer is entitled to one vote. If the soybean production operation is conducted by a partnership, corporation, estate or other legal entity, then one individual shall be designated to vote for such a production operation. Where soybeans are produced on lands of another on a share crop or share tenant basis and such share cropper receives beans which he sells, then such share cropper is entitled to vote in the referendum.

(3) Each eligible voter shall vote in person at an established polling place. Proxy voting or voting by mail shall not be permitted.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §2-8-100. **History:** Filed April 19, 1982. **Amended:** Filed February 23, 1989.