

301—3.2(196A) Election procedure.

3.2(1) Not less than 12 nor more than 18 days prior to the election day, not counting the election day itself, the council shall cause to be mailed to each eligible voter appearing on the council records, a notice of election and one ballot on the forms marked Exhibits 3 and 4 respectively, set out at the end of these rules and made a part hereof by reference.

3.2(2) In addition to the mailed notice provided for above, the council shall cause to be published in a newspaper of general circulation in the state of Iowa, a notice of election and form of ballot as the same appear in Exhibit 5, set out at the end of these rules and made a part hereof by reference. This published notice shall appear not less than 10 nor more than 20 days prior to the date of election, not counting the election day itself.

3.2(3) The council shall furnish a ballot to any person who requests one, even though the eligibility of such person to vote has not been determined. The outside of each envelope provided to such persons shall be marked to show that eligibility to vote has not been determined, and such information as will enable the council to determine that person's eligibility to vote shall be included with the ballot.

3.2(4) The council shall have the authority to determine the eligibility of all persons voting in the election.

3.2(5) Each producer shall be permitted to vote only for one producer-nominee to fill each vacancy on the council.

3.2(6) All nominees for office shall be listed alphabetically, within each category, on the ballot.

3.2(7) Ballots may be returned to the place specified in the notice of election in envelopes provided by the council for that purpose or may be deposited in ballot boxes provided for that purpose in such locations as may be specified by the council.

3.2(8) All ballots shall, upon receipt, be placed in a ballot box provided for that purpose and shall remain unopened until the date prescribed for counting of said ballots. All ballot boxes shall be closed at 5 p.m. on the day of election. Only those ballots actually received by 5 p.m. on the day of election, either in person or in the mail, shall be counted.

3.2(9) All ballots shall be counted by the election committee within seven days after the election date and certified to the council.

3.2(10) The election committee shall consist of board members not up for reelection.

3.2(11) In case of a tie, the tie will be broken by the election committee by drawing lots.

This rule is intended to implement Iowa Code section 196A.12 and 1995 Iowa Acts, House File 179, section 9.