

21—20.3(159) Voter eligibility.

20.3(1) Business organizations. Only one vote may be cast on behalf of any business organization.

a. Association, college, cooperative, corporation, foundation, university: Only an officer may cast one vote for this business organization.

b. Fiduciary: Only the court-appointed legal representative of an estate, trust, conservatorship, guardianship or other fiduciary relationship may cast one vote for the business held in trust.

c. Partnership/joint venture: If the ownership of the commodity is held in the partnership name or in joint ownership, only one partner/owner may cast one vote. It is the responsibility of the partnership/joint venture to decide who will vote.

20.3(2) Landlord and tenant. Each may cast one vote if each meets the definition of “producer.” For corn and soybeans, a landlord may vote only if corn or soybeans were grown on a “crop share” basis; a landlord may not vote if land was rented on a “cash rent” basis.

20.3(3) Joint owners. If the commodity is held in legal title by joint owners, it is the responsibility of the joint owners to decide who will vote. Only one owner may cast one vote when the commodity is held in joint ownership. If each meets the “producer” definition as separate entity, then each may cast one vote.

20.3(4) Proxy voting. No producer may vote by proxy (on behalf of another producer). Farm managers may not vote for their clients.

20.3(5) Multiple operations. An individual or business organization who meets the definition of a “producer” in more than one county or on more than one tract of land, may vote once in their own name. If more than one vote is cast, only one vote, cast in the county of residence, will be counted.

20.3(6) Producer within the previous marketing year. An individual or business organization must have been a “producer” as defined in 20.2(159), in the previous marketing year.