

§717.4

he is eligible to vote but the person for whom he acts as a fiduciary shall not be eligible to vote.

(f) *Joint and family interest.* Where several persons, such as members of a family, have participated or will participate in the production of a commodity under the same lease or cropping agreement, only the person or persons who signed the lease or agreement, or agreed to an oral lease or agreement, shall be eligible to vote. Where two or more persons have produced or will produce a commodity as joint tenants, tenants in common, or owners of community property, each such person shall be entitled to one vote if otherwise eligible. The eligibility of one spouse does not affect the eligibility of the other spouse.

(g) *Minors.* A minor shall be entitled to one vote if he is otherwise eligible and is 18 years of age or older when he votes.

(h) [Reserved]

(i) *Interpretation.* In the case of any commodity on a farm where no acreage of the commodity is actually planted but an acreage of the commodity is regarded as planted under applicable regulations of the Department, persons on the farm who it is determined would have had an interest in the commodity as a producer if an acreage of the commodity had been actually planted shall be eligible to vote in the referendum.

[33 FR 18345, Dec. 11, 1968, as amended by Amdt. 2, 36 FR 12730, July 7, 1971]

§717.4 Register of eligible voters.

Prior to the date of the referendum a register shall be prepared by the county office manager listing the name and address of each known eligible voter. For referenda conducted at polling places a register shall be prepared for each referendum community. For referenda conducted by mail ballot the entire county is considered to be the referendum community and one register shall be prepared for the county.

HOLDING REFERENDA AT POLLING PLACES

§717.5 Community referendum committees.

(a) *Where one referendum is to be conducted.* Except where the entire county

is to be considered a referendum community, the county committee shall designate a community referendum committee for each referendum community. Each referendum committee shall consist of at least three regular members and one alternate. The membership of the referendum committee shall be chosen from among the farmers who reside in the community and who are eligible to vote in the referendum or who are community committeemen elected pursuant to the regulations in the subpart—Selection and Functions of Agricultural Stabilization and Conservation County and Community committees (part 7 of this title). The county committee shall name one member of the community referendum committee as chairman and another member thereof as vice chairman. The vice chairman shall act as the chairman in the event of the absence or incapacity of the chairman and the alternate shall serve on the committee in the place of any regular member who cannot serve. The community referendum committee shall be responsible for the proper holding of the referendum in its community in a fair, unbiased and impartial manner in accordance with this part. In counties where the entire county is treated as one referendum community, the county committee shall perform, in addition to its other duties, the duties of the community referendum committee.

(b) *Where two or more referenda are to be conducted.* Where two or more referenda are to be held in the county on the same day, the provisions of paragraph (a) of this section shall be applicable except that (1) the total number of farms on which there are producers eligible to vote in any one or more of such referenda shall be used to determine whether there are 100 or more farms on which there are producers who are eligible to vote in the referenda, and (2) each community referendum committee shall be chosen from among the farmers who reside in the community and who are eligible to vote in any of such referenda or who are community committeemen elected

Farm Service Agency, USDA

§ 717.8

pursuant to the regulations in the subpart—Selection and Functions of Agricultural Stabilization and Conservation County and Community committees (part 7 of this title).

§ 717.6 Place for balloting.

The county committee shall designate only one polling place for balloting in each referendum community. The polling place shall be one well known to and readily accessible to the persons in the community and shall be equipped and arranged so that each voter can mark and cast his ballot in secret and without coercion, duress, or interference of any sort whatsoever. Subject to the provisions of § 717.9(c) for absentee ballots, a farmer or producer eligible to vote, shall vote only at a polling place designated for the referendum community in which he was engaged in the production of the commodity for which the referendum is held.

[33 FR 18345, Dec. 11, 1968, as amended by Amdt. 2, 36 FR 12730, July 7, 1971]

§ 717.7 Time of voting.

There shall be no voting except on the day fixed for the holding of the referendum (except as provided in § 717.9(c) in the case of absentee ballots) and the day fixed for the holding of the referendum shall be the same in all neighborhoods, communities, counties, and States. The date for holding the referendum shall be determined by the Secretary in accordance with the provisions of law applicable thereto and stated in the notice of the referendum prescribed by him. The time that polls shall be opened and closed on the date fixed for holding the referendum in the States and Puerto Rico is as follows:

State	Polls to open a.m.	Polls to close p.m.
Alabama	7:00	7:00
Alaska	8:00	6:00
Arizona	8:00	6:00
Arkansas	8:00	6:30
California	8:00	6:00
Colorado	7:00	7:00
Connecticut	8:00	6:00
Delaware	8:00	6:00
Florida	7:00	7:00
Georgia	7:00	7:00
Idaho	8:00	8:00
Illinois	8:00	6:00
Indiana	8:00	6:00

State	Polls to open a.m.	Polls to close p.m.
Iowa	8:00	8:00
Kansas	8:00	8:00
Kentucky	8:00	6:00
Louisiana	8:00	6:00
Maine	8:00	6:00
Maryland	8:00	6:00
Massachusetts	8:00	6:00
Michigan	8:00	8:00
Minnesota	8:00	8:00
Mississippi	8:00	6:00
Missouri	8:00	6:00
Montana	8:00	7:00
Nebraska	8:00	8:00
Nevada	8:00	6:00
New Hampshire	8:00	6:00
New Jersey	8:00	6:00
New Mexico	8:00	6:00
New York	8:00	6:00
North Carolina	7:00	7:00
North Dakota	8:00	9:00
Ohio	8:00	6:00
Oklahoma	8:00	6:00
Oregon	8:00	8:00
Pennsylvania	8:00	9:00
Rhode Island	8:00	6:00
South Carolina	7:00	7:00
South Dakota	8:00	8:00
Tennessee	8:00	7:00
Texas	8:00	7:00
Utah	8:00	6:00
Vermont	8:00	6:00
Virginia	7:00	7:00
Washington	8:00	8:00
West Virginia	8:00	8:00
Wisconsin	8:00	8:00
Wyoming	8:00	8:00
Puerto Rico	8:00	6:00

The times listed in this section shall be the local time in effect for the area in which the polling place is located.

§ 717.8 Notice of referendum.

(a) *Posting a notice.* The county committee shall give public notice of the referendum in each referendum community by posting a notice at one or more places open to the public within such community prior to the date of the referendum. Such notice shall be on a form prescribed by the Deputy Administrator and shall state the commodity or commodities and marketing year, or years, or crops for which the referendum is to be held, the location of the polling place in the community, the date of the referendum, and the hours when the polls will be opened and closed. The county executive director is authorized to sign such notice on behalf of the county committee.

(b) *Use of agencies of public information.* The county committee and community referendum committees shall