

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 80 Department of Agriculture and Industries

Rule No. 80-8-7-.04

Rule Title: Polling Places And Time of Operation.

 New; x Amend; Repeal; Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the State's police power and the protection of the public health, safety or welfare? Yes

Is there another less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have any economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer John McMellan

Date: 11/10/2011

(DATE FILED)
(STAMP)

APA-2

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
FOOD SAFETY

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule No. & Title: 80-8-7-.04 Polling Places And Time Of Operation.

Intended Action: To Amend.

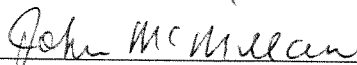
Substance of Proposed Action: Not to limit voting to just facilities at the county seat in each of the 67 counties but to all counties that have produced cotton in the year prior to the year the referendum is held.

Time, Place, Manner of Presenting Views: Views may be presented in writing to the contact person below or in person on Tuesday, February 14, 2012 at 10:00 a.m., in the Board Room of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama.

Final Date for Comment and Completion of Notice: February 14, 2012.

Contact Person at Agency: Robert J. Russell, Assistant Attorney General and Legal Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. 240-7117.

1/11/10/2011
Date



John McMillan
Commissioner of Agriculture
and Industries

80-8-7-.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 all counties producing cotton in the year prior to the year the referendum is held. In those counties where there is a large number of cotton producers and if for other reasons it may not be convenient for cotton 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 cotton producers will have an opportunity to vote. The certified Commission shall furnish all necessary ballots and county election supplies and bear all expenses necessary and incidental to holding the referendum.

(2) The polls shall be open for voting from 8:00 a.m. to 4:00 p.m. on the date of the referendum.

Authors: Charles H. Barnes, Reginald L. Sorrells, Daniel H. Autrey

Statutory Authority: Code of Ala. 1975, §2-8-208.

History: Filed May 19, 1992. **Amended:** Filed May 15, 2002; effective, June 19, 2002. **Amended:** Filed November 10, 2011;