

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 80 Department of Agriculture and Industries

Rule No.: 80-8-5-.02

Rule Title: Referendum To Be Held

 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? N/A

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 Aph McMillan

Date: 9-13-19

(DATE FILED)
(STAMP)

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule No. & Title: 80-8-5-.02 Referendum To Be Held

Intended Action: To Amend

Substance of Proposed Action: To change the date on which Alabama producers of wheat, corn, grain sorghum, and oats vote upon the question of whether they favor an assessment of \$.01 per net bushel after deductions for foreign matter on any feed grains sold by said producers.

Time, Place, Manner of Presenting Views: Views may be presented in writing to the contact person below or in person on Tuesday, November 8, 2016, at 10:00 a.m., in the Auditorium of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama, 36117.

Final Date for Comment and Completion of Notice: November 08, 2016.

Contact Person at Agency: Patrick B. Moody, Legal Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. (334) 240-7117.

9-13-16
Date

John McMillan
John McMillan
Commissioner of Agriculture
and Industries

80-8-5-.02 Referendum To Be Held. A referendum shall be held by the Association certified by the Board of Agriculture and Industries, under the provisions of Code of Ala. 1975, §2-8-234, on a statewide basis at which time Alabama producers of wheat, corn, grain sorghum, and oats may vote, upon the question of whether they favor an assessment of \$.01 per net bushel after deductions for foreign matter on any feed grains sold by said producers ~~during the period beginning on November 16, 2011, and ending on November 16, 2016,~~ for a five year period for the purpose of financing a promotional program for grains as authorized by Code of Ala. 1975, §2-8-246.

Authors: Robert J. Russell, Reginald L. Sorrells, Patrick B. Moody

Statutory Authority: Code of Ala. 1975, §2-8-249.

History: Filed August 22, 1986. **Amended:** August 27, 1991. **Amended:** Filed August 15, 1996; effective September 19, 1996. **Amended:** Filed August 15, 2001; effective September 19, 2001. **Amended:** Filed August 18, 2006; effective September 22, 2006. **Amended:** Filed May 12, 2011; effective June 16, 2011. **Amended:**