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# COUNTY COMMISSION

Volume 62, Number 2  
April 2018

SPECIAL EDITION:  
2018 Elections



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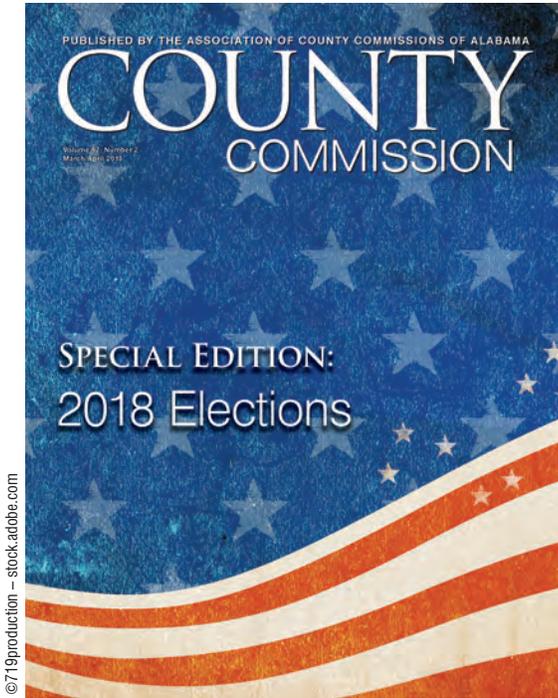
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VOLUME 62, NUMBER 2



*The 2018 election cycle in Alabama certainly promises plenty of excitement, but it also highlights the importance of local government in our uniquely American system of government.*

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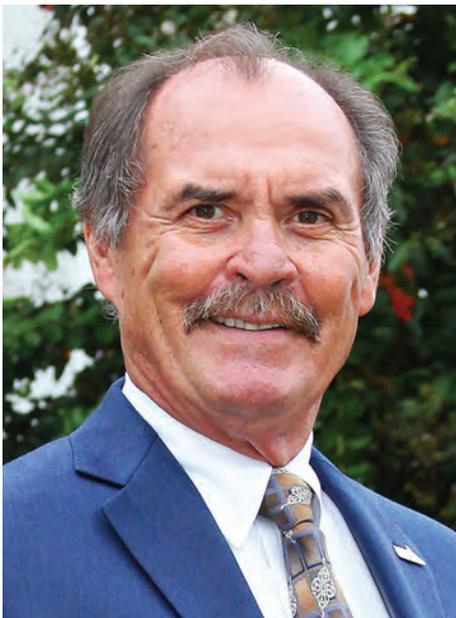
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Hon. Steve McKinnon  
President

A handwritten signature in black ink that reads "Steve McKinnon". The signature is fluid and cursive, with a small dot above the final letter of the last name.

## Our reputation for success wasn't built overnight

**For momentum to continue, new leaders must step forward**

As I look toward the 2018 elections, I think back fondly to my appointment to the Dale County Commission in 2009. At the time, I had neither held a public office nor sought it, but I was optimistic about how I could better serve my community. Little did I know that my hopes of bettering my community would lead to my current position in which I've been given the opportunity to better county government across our entire state.

But I won't pretend for a second that I got here on my own. As your Association President, I'm able to serve you because of the leaders who welcomed me into the County Family and who mentored me to become a better leader.

That's why I'm encouraging you to embrace the change that's inevitably coming with the election season and change two things about how we operate across the 67 counties – how we lead and how we mentor.

### Change How You Lead

This year, we'll lose some of our greatest, longtime county advocates. In the wake of this reality, I ask you to take a good look at yourself and what you bring to the county table in terms of leadership.

How are you leading others within your county and Association? What initiatives are you leading to better your county and Association?

Alabama county government has a reputation for success, and it wasn't built overnight. It was built by the hard work and leadership of many who took it upon themselves to stand up and make a difference.

We won't continue our current momentum without new leaders willing to do the same.

Now is the time to change the way you lead, and there are numerous routes from which to choose - pick one, and give it all you've got.

### Change How You Mentor

As we say goodbye to some friendly faces of local government, we must also greet the new, unfamiliar faces who will join us in our service to Alabamians. I ask that you be a friend and mentor to the newcomers to our cause, that you teach them and help them. Certainly, we'll be stronger with them than without.

Although we use the "67 Counties, One Voice" motto often, we must remain cognizant of the time and effort necessary to maintain such a feat. These newcomers will likely know little about county government and even less about our Association and how we achieve success across the state. We must welcome these people and be willing to mold them into the county advocates and leaders their county and this state deserve.

Election season will be over before we know it. I ask that you take the time now to consider what change you will bring to your community and your Association this year and moving forward. Will you become a better leader, a better mentor? Or will you ignore the opportunity of change, tell yourself that everything is fine the way it is and, in the long run, let your team down?

I'm choosing to become a better leader and mentor. I hope you'll join me. ■

# The President's Challenge

## *Expand your leadership role.*

- Watch for information coming soon about how to run for ACCA Vice President or the Board of Directors.
- Ask to represent your county on the 2018-19 Legislative Committee.
- Running for your second term on the commission? Apply for the PLAN 2020 leadership development program.
- Be active and engaged in legislative races. (See page 25 for 3 questions county leaders can ask candidates.)
- Strengthen friendships and working relationships with commissioners in your neighboring counties.

## *Mentor new commissioners.*

Make your plans now to attend the 2018 ACCA Legislative Conference, Dec. 5-6 in Montgomery. For newly-elected commissioners, it will be their first gathering of the County Family.

## *Mentor staff leaders.*

- Encourage county department heads to be active in affiliate organizations for administrators, engineers, revenue officers, 9-1-1 districts and emergency managers.
- Invest in their training expenses to improve public services.
- Urge long-time staff leaders to engage their junior colleagues in the work of these groups.

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**Sonny Brasfield**  
Executive Director

*Sonny Brasfield*

## **Election years always shape this Association's future**

**There has always  
been someone  
to come along,  
pick up the baton  
and march forward**

It's about this time every couple of years that I start to dread the oncoming election.

As a political reporter more than three decades ago, elections were exciting times. The energy of covering campaign stops, the endless back-and-forth between the candidates and those campaign ads were always fun.

Honestly, there was nothing like election night, especially if you didn't have your name on the ballot!

But over the last 30 years, our view of elections has moderated just a bit. With all the excitement and energy aside, now election night almost always signals the end of our "official" relationship with folks who are either stepping down or who fail to secure re-election.

I have always shied away from writing a column like this one because singling out even a few people always means that you fail to mention a name that should have been listed. But this year's election cycle includes the retirement of several key figures in county government – and three former Association presidents.

The folks who are moving on to other things will leave big shoes for someone else to wear in the coming years. Rest assured that it will be necessary for someone to wear those shoes. The challenges – and opportunities – will not end with election night just a few weeks from now.

The question is whether we'll find a way to be just as successful without those key players.

We always hope there are others standing by, waiting for their chance to be a part of what has been built over the last 40 years.

But the concern about just "who" will be the one to step up is part of the reason why election night is no longer very exciting.

The obvious need to grow new leadership is one of the reasons the Association established the PLAN program almost four years ago. The first "class" of new leaders included 16 commissioners entering their second term. Most of those 16 are now seeking re-election this fall. If they are successful, we hope that most of them are ready to wear the shoes of leadership.

The second PLAN group, this one composed of 17 commissioners, is nearing the end of its 18-month journey. When it is completed, there may be a future Association president among the group – and others who will take their places of leadership in their communities. And the third "class" of PLAN members will be shaped by this year's election; those commissioners first elected in 2014 who are re-elected in November will actually be eligible for the program that begins in January.

This sort of ritual has been repeated for the last 30 years. The names and faces of this Association have changed, but there has always been someone to come along and pick up the baton and march forward.

At the staff level, that happened nine years ago when the Association's 36-year executive director chose to enjoy retirement, and the Board handed me the opportunity to use what I had learned from watching him.

When he left, he certainly expected that we would have a strong sense of responsibility to follow his lead to make county

government a little bit better every day.

And we've tried very hard to wear the shoes of leadership that Buddy left behind. Even so, the Association is about to lose some of its really key players.

Our longest-serving past president, Tuscaloosa's Hardy McCollum, will leave office in January. He was first elected leader of the Tuscaloosa County Commission when I was a senior in high school, and he's been a faithful partner and leader for this organization for more than four decades. But it's time for him to enter another phase of his life.

And two recent presidents, Chambers County's Debbie Wood and Bill Strickland of Marshall County, have elected not to seek re-election. They will leave a void on the Association's Board of Directors, and in its sphere of influence, that

presents a big opportunity for new faces to wear their shoes in the coming months.

There are others who will be missed, like former ACCA board and insurance trustee Kim Ballard of Dallas County, who is not seeking re-election. He served for years as trustee chair and has been one of our consistent voices in the Black Belt of Alabama. And there are others whose leadership must be replaced.

Election night is just around the corner. The voters will speak. Many veterans will return and will continue to provide insight, wisdom and active commitment. But, in some districts, the voters will choose to go in a different direction.

In those cases, the Association will look for new faces, new vision and new commitment to our pledge

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***Rest assured that it will be necessary for someone to wear those shoes. The challenges – and opportunities – will not end with election night just a few weeks from now.***

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to make county government just a little bit better each day.

Every couple of years about this time, I do get a bit worried about where this Association will be on the morning after the election. And not surprisingly, on the morning after the election, we always seem to find new faces who are ready for the challenges that are ahead.

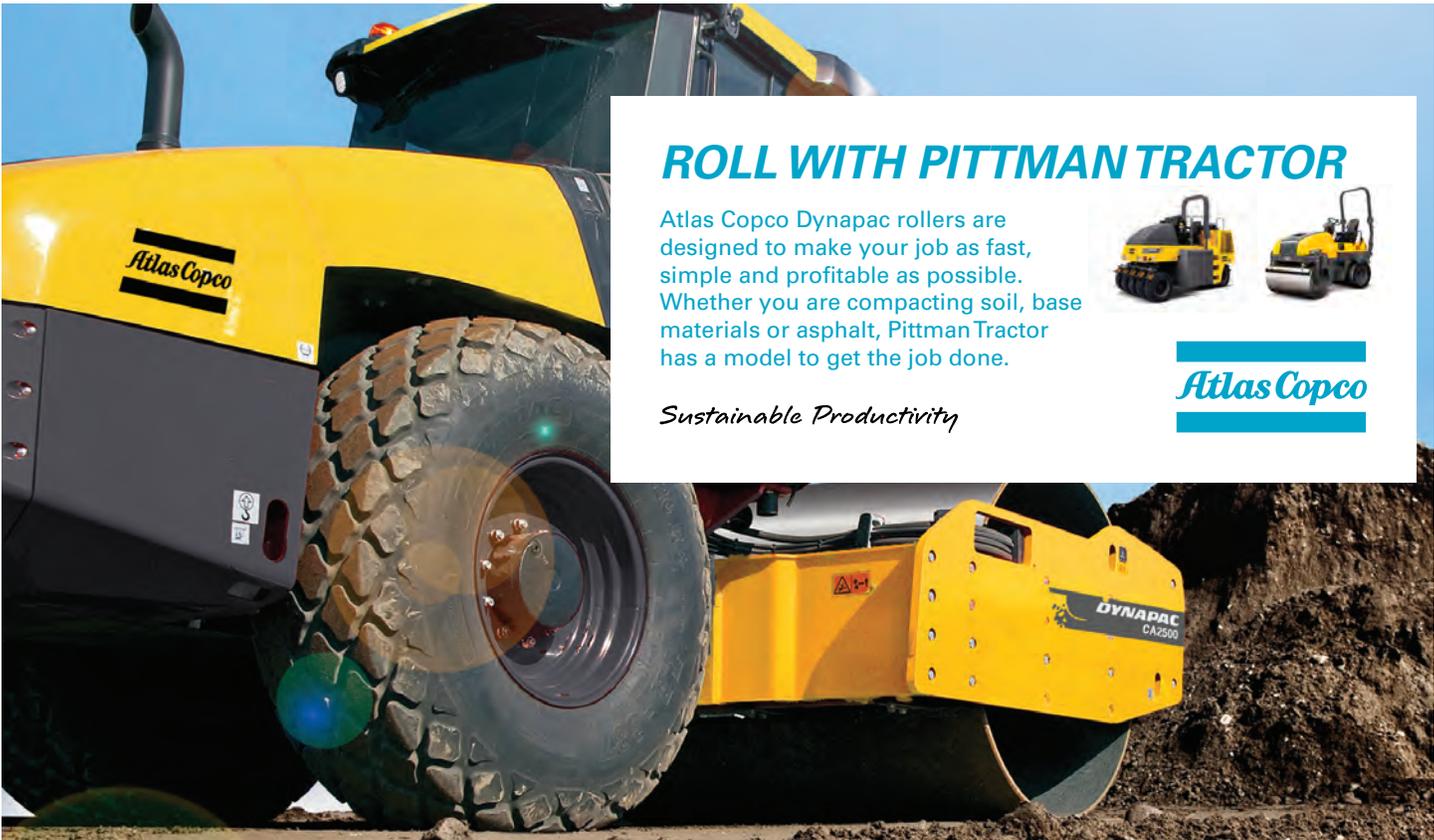
Sometimes I wonder if we are doing enough to cultivate and grow new leaders. Then someone, unknowingly, puts me in my place. ■

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*COURT HOUSE*

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## Looking for the Heart of American Democracy?

### *IT'S BEATING AT THE LOCAL LEVEL*



*Often times when people set out to understand the fundamentals of democracy in the United States of America, they go to Washington, D.C. They take in magnificent monuments, visit all three branches of government and gaze at the famous parchment that started it all – the Declaration of Independence.*



*But those sights paint an incomplete picture.*



*Democracy doesn't work without the Pennington Fire Department, Tate's Chapel CME Church, school gyms, community centers and thousands of other polling places throughout the country.*



*And can a picture of "government of the people, by the people, for the people" truly be complete without including those chilly November evenings when people gather at the county courthouse, watching and waiting as votes from one precinct after another are compiled?*



*"The citizen vote is the foundation upon which our democracy is built," wrote the National Association of Counties, and that foundation relies heavily on county government.*



*Want to find the heart of democracy? It beats loudly at the local level.*



Alabama's 2018 elections are shaping up to be as exciting as ever, starting at the top with crowded gubernatorial primaries in both major political parties.

Those charged with administering the elections would prefer to confine any drama to the campaigns, leaving the nuts and bolts of the process to operate smoothly, fairly, accurately and securely.

ACCA Vice President David Money said he enjoys the challenge of election administration. "It's a huge responsibility. That's the way our democracy is set up," said Money, who wears two hats as probate judge and commission chairman.

"We hear of voting irregularities in different places throughout the country, and we really pride ourselves on maintaining the integrity of the process," he said. "We don't ever want someone checking Henry County and

saying, 'Well, this wasn't done right.'"

In this state, much of the hands-on work of administering elections is carried out by probate judges, sheriffs, registrars and circuit clerks. However, the work of county commissions is not to be overlooked.

The commission's duties can be generally grouped into three basic areas:

- Precincts and polling places;
- Election equipment;
- Financial.

### Precincts and Polling Places

The county commission has ultimate decision-making authority over several factors that directly influence an individual's voting experience:

- Setting precincts;
- Assigning and maintaining polling places;
- Determining the number of voting machines at each polling place.

From the perspective of a commissioner, "I want to be a part of the process to make sure and to assure the citizens that everything is correct," said ACCA President-Elect Tony Cherry.

At a minimum, any questions about precincts and how voters are assigned causes inconvenience on Election Day. In truth, given Alabama's voting rights history, irregularities in the precincts and polling places can serve to undercut the integrity of the election process. Citizens are watchful for any indication that the voter list may have been purged, Cherry said.

"It's an honor that you have input on it, because you're privileged enough to assist in making decisions where voting polls are going to be," said Cherry, who is from Choctaw County. "You want a comfortable setting for the people who are working the polls, and you want

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to make sure it's accessible, not too dense or crowded where people can get in and out. And just make sure it's a good location."

### Election Equipment

The county governing body does have authority over how many voting machines are available at each polling place, and the commission's responsibility for voting technology goes even further – to selecting the type of machines and procuring them.

"A whole generation of county commissioners has come of age in an era when they haven't had to budget for voting equipment, and they sometimes react with surprise when faced with squeezing it in among other priorities," states a 2018 report from the National Conference of State Legislatures.

How is that possible? For starters, the 2000 presidential election debacle spawned major federal reforms, including new standards for voting equipment along with grant dollars to help with the cost. So across the country, there was widespread acquisition of new machines around the same time.

The other factor is turnover of elected officials. In Alabama, more than 60 percent of county commissioners have taken office since 2009.

Still, the NCSL's phrase that county commissioners "sometimes react with surprise" when faced with incorporating voting equipment into the county budget could raise eyebrows with local officials in Alabama. In this state, counties have few options to raise revenue, making the annual budget a zero-sum game. If elections cost more, some other public service has to be cut.

### Financial Duties

Making democracy function costs money, and counties have an important role in the financial side of elections.

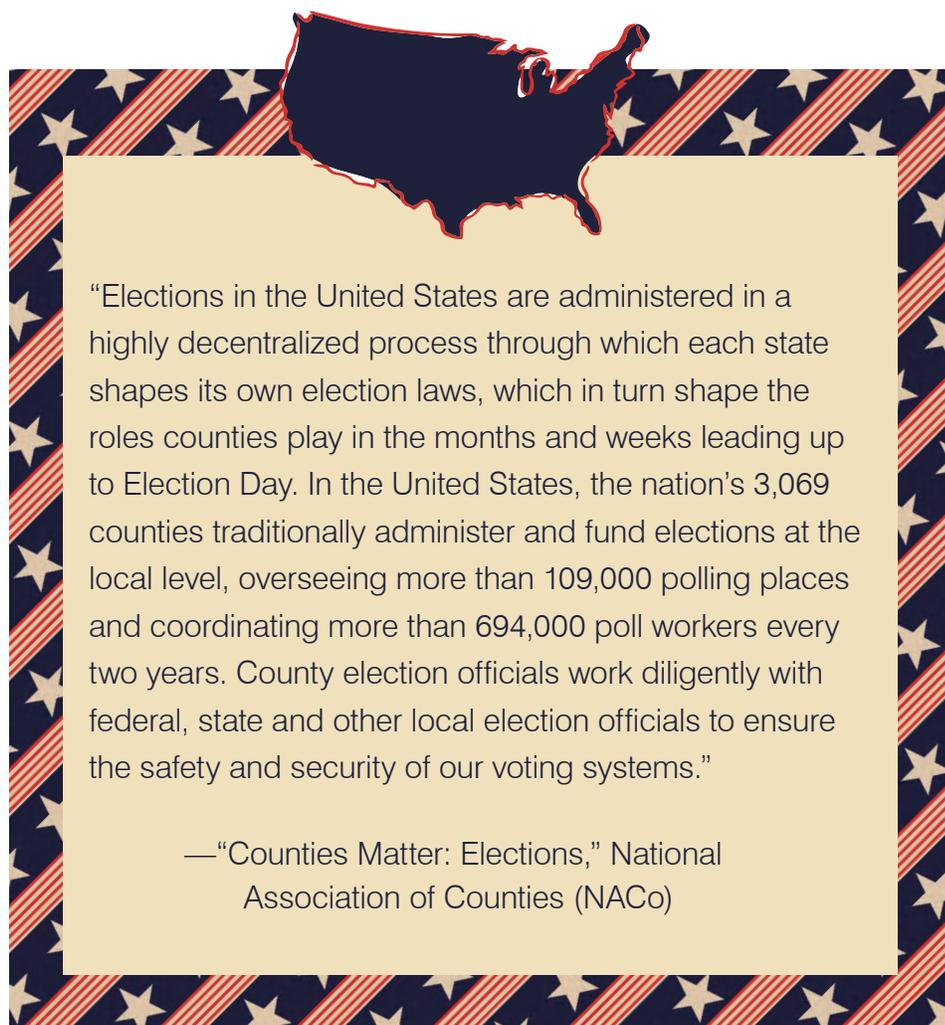
It's a responsibility that is taken seriously, as reflected in the Alabama County Platform, which states, "Alabama's election laws must maintain an unquestioned level of integrity and objectivity while avoiding the wasteful spending of limited local and state resources."

Generally speaking, counties must budget for elections in advance, pay for expenses as they come due and seek reimbursement where available. The state provides significant reimbursement – often 50 percent or occasionally 100 percent in some elections – for a

defined set of eligible expenses. In addition, there are limited funds, provided through the 2002 Help America Vote Act, available to reimburse some costs.

Still, these programs do not cover the full cost of "out-of-pocket" election expenses. Eligible expenses include poll worker compensation and required newspaper advertising. Ineligible expenses include maintenance of voting machines, moving expenses and rental of polling places.

Many counties, to the extent possible, lean on in-house assistance. Maintenance staff, highway department employees and IT technicians are often part of the election team. There can be an "all hands on deck" feel with projects such as delivering equipment



and supplies to polling places or maintaining county-owned voting houses.

And the fundamental importance and even symbolic value of elections cannot insulate even this governmental function from budgetary pressure at all levels.

When the think-tank for state legislatures took a hard look at election expenses, researchers could not establish a grand total dollar figure.

“Perhaps the biggest takeaway from our work on election costs is this: Money matters,” the report states. “Not that money is the only factor when making decisions about election policy. There’s also turnout, reliability, accessibility, accuracy and a host of other values. Democracy is not a place for cutting corners.”

In any of Alabama’s 67 counties, a host of factors can influence how heavily election administration weighs on the commission – the life cycle of election equipment, effectiveness of leadership from other local officials and skillfulness of county staff.

“Most of my commissioners don’t do anything around elections except run,” said Bill English, Lee County’s probate judge and commission chairman. He has been improving election administration in his county for more than 30 years altogether, with 18 years on staff before he became an elected official himself.

“It’s a big part of my job. I love it,” he said. “To me, it’s part of our service. People don’t have to wait very long to get a ballot in Lee County.”

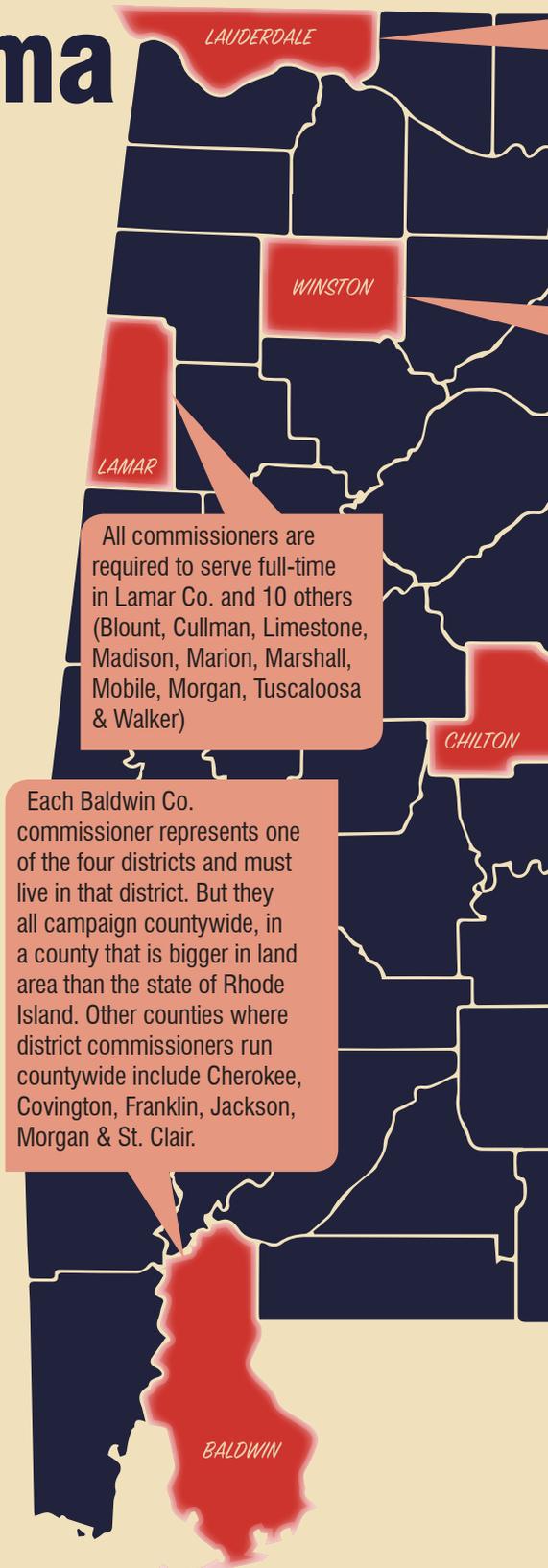
*Additional sources: “Alabama Election Handbook, 18th edition, 2017-2018” (PDF [www.lsa.state.al.us/lali/ali.aspx](http://www.lsa.state.al.us/lali/ali.aspx)) and “Handbook for Alabama County Commissioners, 12th edition) ■*

# Electing County Commissioners in Alabama

***Alabama’s county commissioners have a long tradition of standing together, of speaking with One voice. That degree of unity has made remarkable achievements possible, and it is even more noteworthy when you consider variations among the 67 counties.***

***This variety is evident when you take a look at the 2018 election cycle at the county level. Fifty counties have one or more commission seats on the ballot this year, and there are some interesting variations in exactly how each commission is structured and elected.***

***The traditional district system may be most familiar – with each commissioner living in a designated geographic area and only accountable to voters also living in that area – but that is far from the only option.***



It's one-of-a-kind in Alabama. Lauderdale Co. has a chairperson and 4 commissioners – but only two districts. Terms are staggered, so this year, one commissioner from District 1 and one commissioner from District 2 are on the ballot. In two years, the chairperson (elected countywide) and the other two commissioners will be up for election.

Winston Co. is structured with two district commissioners and a chairperson. For the primary elections, district commissioners run only within their respective districts. But for the general election, the district commissioners run countywide, just like the chairperson.

Chilton Co. has no commission districts. All 7 commissioners run at-large, and they are free to live anywhere in the county. It is also the only commission in Alabama elected by cumulative voting. The system, in place for at least 30 years, makes for a distinctive ballot. Each voter has 7 votes to cast, and all 7 can go to one candidate – or they can be spread out across multiple candidates.

ACCA's "Comparative Data on Alabama Counties, 9th ed." and other sources.

## Terminology

**4** Most commissioners are elected for 4-year terms of office.

**6** A few counties (Barbour, Bullock & Perry) elect commissioners for 6-year terms. Also, the 13 commission chairs that also serve as probate judges have 6-year terms.

## Staggered vs. Concurrent Terms



Commissioners in a little more than half of the counties serve staggered terms, which usually means some seats are on the ballot in presidential election years and the other seats come up for election two years later.



In 31 counties, commissioners serve concurrent terms, meaning everyone runs for re-election at the same time.

## Governing Bodies by the Numbers



**Trio**  
In Alabama, no county has less than 3 commissioners. **Cullman, Winston and Mobile** counties operate with a three-commissioner structure.



**Most Popular**  
The most common configuration, used in 49 counties, is 5 commissioners.



**Largest**  
With a total of 9, **Shelby** County boasts the largest commission in Alabama.

## Who's got the gavel?

**10%**  
Commissioners elect a chairperson to serve at the pleasure of the commission

**15%**  
Commissioners elect a chairperson for a fixed term



**43%**  
County-elected chairperson (includes probate judge/chairperson)

**31%**  
Chairpersonship rotates periodically among commissioners

\*May not total 100% due to rounding

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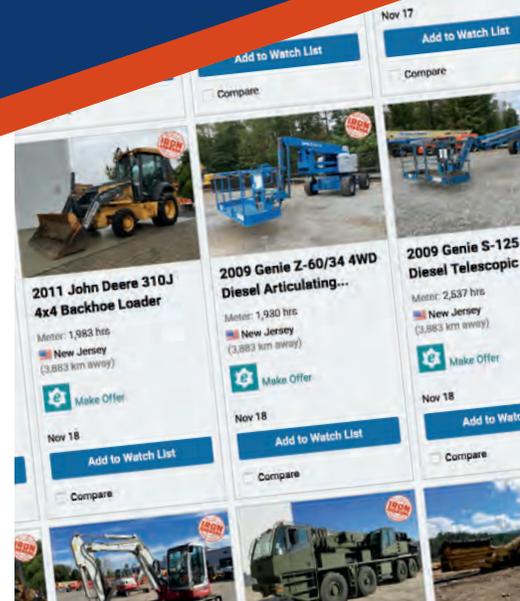
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# 'County Caucus' going strong heading into 2018 elections

County leaders are constantly striving to establish and maintain good working relationships with legislators, over time helping lawmakers gain a better understanding of county responsibilities and challenges. Fortunately, there are some members of the House and Senate with a significant head start.

This group of county commissioners turned legislators, unofficially and affectionately known as the "County Caucus," numbers an even dozen as the 2014-18 quadrennium comes to a close. But, depending on the outcome of this year's elections, it could grow as large as 20 members to begin the new term.

Any way the voters lean, there will be new senators and representatives in at least 36 of 140 seats when the

Alabama Legislature reconvenes next year. Roughly half of these opportunities were created by incumbents who have chosen to retire from public service, and more than a dozen openings were created by incumbents pursuing other elected positions – from governor to U.S. House of Representatives to circuit judge.

At minimum, one out of every four state legislative districts will have new representation next year. In many cases, current and former county commissioners are making their bids for the Statehouse.

There are five current county commissioners running for the Alabama House of Representatives this year:

- Chambers Co. Commissioner Debbie Wood – House District 38 (Chambers and Lee)
- Chilton Co. Commissioner Jimmie Hardee – House District 42 (Autauga and Chilton)
- Montgomery Co. Commissioner Dan Harris – House District 77 (Montgomery)
- Lee Co. Commissioner John Andrew Harris and Russell Co. Commissioner Ronnie Reed – House District 83 (Lee and Russell)

Wood, a past president of ACCA, said her 16 years of commission service have shaped her views of the Legislature. Now, not only does she know the process, she knows the consequences.

"I would have had no idea that the decisions made in Montgomery directly affect the budget decisions made by counties and municipalities without being a commissioner," she said.

In House District 38, incumbent Isaac Whorton is running for circuit judge.

Wood is one of three candidates vying for the GOP nomination. "It's time to stand



up and go to Montgomery,” she said.

In both Lee and Montgomery counties, Harris and Harris stand to follow former commissioners who served their districts for many years. House District 83 is an open seat after the unexpected death of Rep. George Bandy earlier this year. House District 77 is an open seat, as well, with Rep. John Knight’s campaign for the state senate.

Hardee is challenging an incumbent, Rep. Jimmy Martin, in the Republican primary.

There are also two commissioners running for open seats in the Alabama Senate.

- Montgomery Co. Commissioner Ronda Walker – Senate District 25 (Crenshaw, Elmore and Montgomery)
- Baldwin Co. Commissioner Chris Elliott – Senate District 32 (Baldwin)

Open seats can make for a crowded field, and that is certainly the case in House District 99. Sam Jones, who has served on the Mobile County Commission and as mayor of Mobile, is in an eight-way primary. Jones is also a past president of ACCA.

As for the current County Caucus, all 12 members are seeking to continue their legislative service, and half of them have no major-party opposition: Sen. Clyde Chambliss (Autauga) and Reps. Berry Forte (Barbour), Steve Hurst (Talladega), Reed Ingram (Montgomery), Randall Shedd (Cullman) and David Standridge (Blount).

Although most of them are not dealing with rivals within their own party, the incumbent caucus members with major party challengers this year are:

- Rep. Corley Ellis – House District 41 (Shelby)
- Rep. Jim Carns – House District

48 (Jefferson and Shelby)

- Rep. Dimitri Polizos – House District 74 (Montgomery)
- Rep. Joe Faust – House District 94 (Baldwin)
- Rep. Randy Wood – House District 36 (Calhoun, St. Clair and Talladega)

In addition, Rep. John Knight, a longtime legislator and former Montgomery Co. Commissioner, is seeking to step up to the Alabama Senate.

Commissioners have likely noticed a few of their colleagues’ interest in statewide office. Republican primary voters will see Colbert County Commissioner David Black among the candidates for state treasurer. Black, a two-term commissioner, works at the University

of North Alabama as an economics instructor and director of the Small Business Development Center.

Incumbent Treasurer Young Boozer could not seek re-election due to term limits.

The 2018 elections also feature something of a rarity – a candidate attempting to go from the Statehouse to the county commission. For the last 14 years, Rep. Jack D. Williams has served Hoover and Vestavia Hills in the Legislature, but this year he is in a two-man, all-GOP race for the open District 5 seat on the Jefferson County Commission.

Williams does have a significant personal connection to county government. Prior to being elected to the Legislature, he served eight years as Jefferson County Tax Collector. ■

# From the Courthouse to Congress

*Considering the caliber of leaders making decisions at courthouses all over the state, it should come as no surprise that two former county commissioners (who also have state legislative experience) represent Alabama in the U.S. House of Representatives.*



**U.S. Rep. Mike Rogers** – Alabama’s 3rd Congressional District

(all of Calhoun, Chambers, Clay, Cleburne, Lee, Macon, Randolph, Russell, St. Clair, Talladega and Tallapoosa counties, as well as parts of Cherokee and Montgomery counties)



**U.S. Rep. Mo Brooks** – Alabama’s 5th Congressional District

(all of Lauderdale, Limestone, Madison and Morgan counties, along with most of Jackson County)

# A Primer on Primaries

*Excerpts and code references are taken from the "Alabama Election Handbook, 18th Edition, 2017-2018" published by the Alabama Law Institute.*

## ■ Primary Elections

"Primary elections are regulated for the most part in Chapter 13 of Title 17. §§ 17-13-1 through 17-13-89."

## ■ Political Party Definition

"In order for any political group to be considered a political party in any county or in the state, it is necessary only that one candidate of the party obtain the required 20 percent in a general election in the particular county or in the state at large. (§ 17-13-40) A political party that meets the legal definition may, by action of its state executive committee, elect whether it will come under the primary election law. § 17-13-42."

## ■ Election Expense Compensation

"When a party chooses to be governed by the state primary law, the expense of primary elections is paid by the state or county in the same manner as general elections. § 17-13-4. See also §§ 17-16-2 through 17-16-6."

## ■ Primary Election Dates

"Beginning in 2016, presidential preference primaries and regular primaries held in a presidential primary year will be held the first Tuesday in March. § 17-13-100. Otherwise, regular primary elections are held on the first Tuesday in June. § 17-13-3."

## ■ Political Party Privileges

"State and county executive committees may, by resolution, require their members be elected. When these committee members are elected, the election is held on the same ballot as the gubernatorial primary election... The state committee of each political party may fix the political or other qualifications of its own members and may determine who is qualified to be a candidate or to vote in the primary. § 17-13-7(a). Prescribed qualifying fees may be established by each party to be paid by

**ELECTION 2018**

Statewide Primaries  
 → JUNE 5 ←

Primary Runoffs (if needed)  
 → JULY 17 ←

General Election  
 → NOVEMBER 6 ←



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candidates for nomination who are able to pay. § 17-13-47. It is important to note that a person may seek nomination for office in only one primary election. No person may simultaneously be a candidate for the same office on both the Democratic and Republican tickets.”

Note: Write-in votes are not permitted in Alabama primaries.

**Second (Run-Off) Primary**

“If in any particular race in the first primary no candidate seeking the party’s nomination receives a majority of the votes cast, a second primary (or run-off) must be held between the two candidates with the largest number of votes in the first primary. § 17-13-18(b). The second or run-off primary elections will be held on the sixth Tuesday following the primary election. §§ 17-13-3 and 17-13-18.” ■

**BALLOT ACCESS**

- Minor party and independent candidates must file the appropriate documents with the Alabama Secretary of State on or before the primary day (June 5, 2018) to be listed on the general election ballot.
- Alabama has no filing requirements for write-in candidates.

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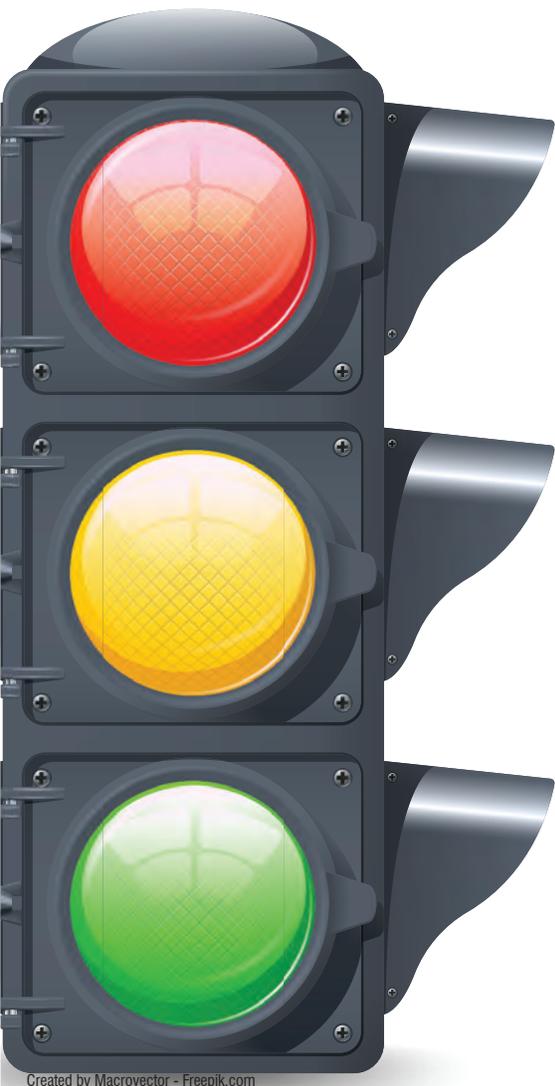
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# Political Activities of County Employees

## Generally Speaking

*Ala. Code § 17-1-4* specifically authorizes county employees to participate in political activities, but it does place certain restrictions on persons seeking political office. However, it is a crime to use public time or property for the political activities. *Ala. Code § 17-17-5*.



Under *§ 17-1-4*, no county employee shall be denied the right to participate in political activities to the same extent as any other citizen of the State of Alabama, including:

- Endorsing candidates and contributing to campaigns.
- Joining local political clubs and organizations and state or national political parties.
- Publicly supporting issues and petitions in support of referendums.

## If you are a county employee who is not also a candidate...



*Ala. Code § 17-17-5* (see full text on page 21) specifically prohibits government employees from using any government time or property for political activities. That section also states that, "Any [government employee] shall be on approved leave to engage in political action or the person shall be on personal time before or after work and on holidays."

For example – It is OK to place a candidate’s campaign sticker on your personal vehicle that you drive to and from work. The campaign sticker cannot be attached to a county vehicle or pinned to a bulletin board in your county office.



*Section 17-17-5* also prohibits any solicitation of contributions or coercion regarding political campaigns on subordinate employees.



Any person violating *§ 17-17-5* is guilty of the crime of trading in public office found at *Ala. Code § 13A-10-63*.

- This offense is a Class A misdemeanor, punishable by imprisonment of not more than one year and a fine of \$6,000.

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**Ala. Code § 17-1-5** allows all government employees one hour of time off from employment for voting purposes. However, “if the hours of work of the employee commence at least two hours after the opening of the polls or end at least one hour prior to the closing of the polls, then the time off for voting as provided in this section shall not be available.”

- By law, polls in Alabama are open 7 a.m. to 7 p.m., although limited variation is possible in counties in the Eastern time zone.

**If you are a county employee who is on a leave of absence because you are a candidate for county office...**



According to **Ala. Code § 17-1-4(b)**, leave must continue until one of the following occurs:

- The election results are certified; *or*
- The employee is no longer a candidate; *or*
- There are no other candidates (independent or any political party) on the ballot.

*For example – The winner of the Republican primary in a Republican-dominated district would need to stay on leave if he/she faced a Democratic Party nominee in November, regardless of how heavily favored he/she might be. See AG’s Opinion # 96-200.*

The leave requirement in **Ala. Code § 17-1-4(b)** does NOT apply to the following:

- Elected officials.
  - County employees running for state or municipal office.
  - Deputies.
- Deputies are in a unique situation.



Because deputies are considered an arm of the sheriff, who is a constitutional officer, the requirement to take a leave of absence does not apply to them. See, e.g., **AG’s Opinion ## 2006-072; 2002-016**. However, the sheriff may require a deputy to take leave. Probate judge and tax official (i.e., revenue commissioner) are not constitutional offices. ■

**Who can answer additional questions?**



Morgan Arrington, ACCA General Counsel, (334) 263-7594, [marrington@alabamacounties.org](mailto:marrington@alabamacounties.org)



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## Section 17-17-5

**Improper use of state property, time, etc., for political activities**

(a) No person in the employment of the State of Alabama, a county, a city, a local school board, or any other governmental agency, whether classified or unclassified, shall use any state, county, city, local school board, or other governmental agency funds, property, or time, for any political activities.

(b)(1) No person in the employment of the State of Alabama, a county, a city, a local school board, or any other governmental agency may arrange by salary deduction or otherwise for any payments to a political action committee or arrange by salary deduction or otherwise for any payments for the dues of any person so employed to a membership organization which uses any portion of the dues for political activity. For purposes of this subsection only, political activity shall be limited to all of the following:

- a. Making contributions to or contracting with any entity which engages in any form of political communication, including communications which mention the name of a political candidate.
- b. Engaging in or paying for public opinion polling.
- c. Engaging in or paying for any form of political communication, including communications which mention the name of a political candidate.
- d. Engaging in or paying for any type of political advertising in any medium.
- e. Phone calling for any political purpose.
- f. Distributing political literature of any type.
- g. Providing any type of in-kind help or support to or for a political candidate.

(2) Any organization that requests the State of Alabama, a county, a city, a local school board, or any other governmental agency to arrange by salary deduction or otherwise for the collection of membership dues from persons employed by the State of Alabama, a county, a city, a local school board, or any other governmental agency shall certify to the appropriate governmental entity that none of the membership dues will be used for political activity. Thereafter, at the conclusion of each calendar year, each organization that has arranged for the collection of its membership dues from persons employed by the State of Alabama, a county, a city, a local school board, or any other governmental agency shall provide the appropriate governmental entity a detailed breakdown of the expenditure of the membership dues of persons employed by the State of Alabama, a county, a city, a local school board, or any other governmental agency and collected by the governmental entity. Any organization that fails to provide the required certifications, that reports any expenditures for political activity, or that files false information about political activity in any of its reports shall be permanently barred from arranging for the collection of its membership dues by any governmental entity. The Examiners of Public Accounts shall annually review a sample of at least 10 percent of the certifications filed with each governmental entity and report its findings to the appropriate governmental entity.

(c) Any person who is in the employment of the State of Alabama, a county, a city, a local school board, the State Board of Education or any other governmental agency, shall be on approved leave to engage in political action or the person shall be on personal time before or after work and on holidays. It shall be unlawful for any officer or employee to solicit any type of political campaign contributions from other employees who work for the officer or employee in a subordinate capacity. It shall also be unlawful for any officer or employee to coerce or attempt to coerce any subordinate employee to work in any capacity in any political campaign or cause. Any person who violates this section shall be guilty of the crime of trading in public office and upon conviction thereof, shall be fined or sentenced, or both, as provided by Section 13A-10-63.



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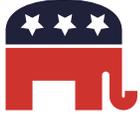
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# ON THE BALLOT

## GOVERNOR



- > **Tommy Battle**
- > **Scott Dawson**
- > **Bill Hightower**
- > **Kay Ivey\***



- > **Sue Bell Cobb**
- > **Christopher Countryman**
- > **James Fields**
- > **Walt Maddox**
- > **Doug "New Blue" Smith**
- > **Anthony White**

### Independents

- > **Mark Johnston**
- > **Chad "Chig" Martin**

## LT. GOVERNOR



- > **Will Ainsworth**
- > **Twinkle Cavanaugh**
- > **Rusty Glover**



- > **Will Boyd**

## ATTORNEY GENERAL

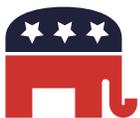


- > **Chess Bedsole**
- > **Troy King**
- > **Steve Marshall\***
- > **Alice Martin**



- > **Chris Christie**
- > **Joseph Siegelman**

## SECRETARY OF STATE



- > **Michael Johnson**
- > **John Merrill\***



- > **Lula Albert**
- > **Heather Milam**

## STATE AUDITOR



- > **Stan Cooke**
- > **Elliott Lipinsky**
- > **Jim Zeigler\***



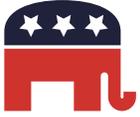
- > **Miranda Joseph**

\* = *Incumbent*



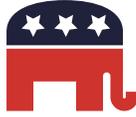
# ON THE BALLOT

## STATE TREASURER



- > David Black
- > Stephen Evans
- > John McMillan

## AGRICULTURE COMMISSIONER



- > Tracy "T.O." Crane
- > Gerald Dial
- > Cecil Murphy
- > Rick Pate

## CHIEF JUSTICE, SUPREME COURT



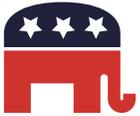
- > Tom Parker
- > Lyn Stuart\*



- > Bob Vance Jr.

## ASSOCIATE JUSTICE, SUPREME COURT

### PLACE 1



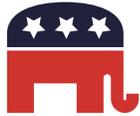
- > Debra Jones
- > Brad Mendheim
- > Sarah Stewart

### PLACE 2



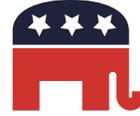
- > Tommy Bryan\*

### PLACE 3



- > Will Sellers\*

### PLACE 4



- > John Bahakel
- > Jay Mitchell



- > Donna Smalley

## PUBLIC SERVICE COMMISSION

### PLACE 1



- > Jim Bonner
- > Jeremy Oden\*



- > Cara McClure

### PLACE 2



- > Chris "Chip" Beeker Jr.\*
- > Robin Litaker



- > Kari Powell

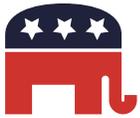
\* = Incumbent



# ON THE BALLOT

## U.S. HOUSE OF REPRESENTATIVES

### DISTRICT 1



> **Bradley Byrne\***



> **Robert Kennedy Jr.**  
> **Lizzetta Hill  
McConnell**

### DISTRICT 2

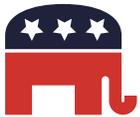


> **Tommy Amason**  
> **Bobby Bright**  
> **Rich Hobson**  
> **Barry Moore**  
> **Martha Roby\***



> **Tabitha Isner**  
> **Audri Scott Williams**

### DISTRICT 3

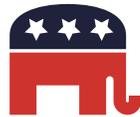


> **Mike Rogers\***



> **Mallory Hagan**  
> **Adia McClellan  
Winfrey**

### DISTRICT 4



> **Robert Aderholt\***  
> **Anthony Blackmon**



> **Lee Auman**  
> **Rick Neighbors**

### DISTRICT 5



> **Mo Brooks\***  
> **Clayton  
Hinchman**



> **Peter Joffrion**

### DISTRICT 6



> **Gary  
Palmer\***



> **Danner Kline**

### DISTRICT 7



> **Terri Sewell\***

\* = *Incumbent*



# ON THE BALLOT

## ★★★Alabama Senate★★★

- District 1 | **Tim Melson\*** (R) | Caroline Self (D)
- District 2 | **Tom Butler** (R) | Steve Smith (R) | Michael Smith (D)  
Amy Wasyluka (D)
- District 3 | **Arthur Orr\*** (R)
- District 4 | **Paul Bussman\*** (R) | **GarlanGudger** (R)
- District 5 | **Greg Reed\*** (R)
- District 6 | **Larry Stutts\*** (R) | **Eric Aycock** (R) | **Steve Lolley** (R)  
Johnny Mack Morrow (D)
- District 7 | **Sam Givhan** (R) | **Mary Scott Hunter** (R) | Deborah Barros (D)  
Johnathan Hard (D)
- District 8 | **Steve Livingston\*** (R) | **Max Fuller** (R)
- District 9 | **Clay Scofield\*** (R)
- District 10 | **Mack Butler** (R) | **Andrew Jones** (R)
- District 11 | **Jim McClendon\*** (R) | Carl Carter (D)
- District 12 | **Del Marsh\*** (R) | **Wayne Willis** (R) | Jim Williams (D)
- District 13 | **Randy Price** (R) | **Mike Sparks** (R) | **Tim Sprayberry** (R)  
Darrell Turner (D)
- District 14 | **Cam Ward\*** (R) | Jerry McDonald (D)
- District 15 | **Dan Roberts** (R) | Laura Casey (D)
- District 16 | **Jabo Waggoner\*** (R) | Lindsey Deckard (D)
- District 17 | **Shay Shelnett\*** (R)
- District 18 | **Rodger Smitherman\*** (D)
- District 19 | **Priscilla Dunn\*** (D)

- District 20 | **Linda Coleman-Madison\*** (D)
- District 21 | **Gerald Allen\*** (R) | **Frank Chandler** (R) | Rick Burnham (D)
- District 22 | **Greg Albritton\*** (R)
- District 23 | **Malika Sanders-Fortier** (D)
- District 24 | **Bobby Singleton\*** (D)
- District 25 | **Will Barfoot** (R) | **Ronda Walker** (R) | David Sadler (D)  
Frank Snowden (D)
- District 26 | **D.J. Johnson** (R) | Fred Bell (D)  
John Knight (D) | David Burkette (D)
- District 27 | **Tom Whatley\*** (R) | Nancy Carlton Bendinger (D)
- District 28 | **Billy Beasley\*** (D)
- District 29 | **Donnie Chesteen** (R)
- District 30 | **Clyde Chambliss\*** (R)
- District 31 | **Jimmy Holley\*** (R)
- District 32 | **Jeff Boyd** (R) | **Chris Elliott** (R) | **David Northcutt** (R)  
**Bill Roberts** (R) | Jason Fisher (D)
- District 33 | **Vivian Figures\*** (D) | Michael Cooley (D) | Victor Crawford (D)
- District 34 | **Mark Shirey** (R) | **Jack Williams** (R)
- District 35 | **David Sessions** (R) | Tom Holmes (D)

## ★★★Alabama House of Representatives★★★

- District 1 | **Phillip Pettus\*** (R) | Brandon Willcutt (D)
- District 2 | **Lynn Greer\*** (R) | Lora Kay Morrow (D)
- District 3 | **Andrew Sorrell** (R) | **Humphrey Lee** (R) | Chad Young (D)
- District 4 | **Tom Fredricks** (R) | **Parker Moore** (R) | Juanita Allen Healy (D)
- District 5 | **Danny Crawford\*** (R) | Brian Williams (D)
- District 6 | **Andy Whitt** (R)
- District 7 | **Proncey Robertson** (R) | Kenneth Brackins (D)
- District 8 | **Terri Collins\*** (R) | Rebecca Browne (D) | Billy Jackson (D)  
Clay New (D)
- District 9 | **James Bowling** (R) | **Justin Morrow** (R) | **Scott Stadthagen** (R)  
Terrie Jones Savage (D)
- District 10 | **Mike Ball\*** (R) | **Charles Orr** (R) | J.B. King (D)  
Clifton Miller (D)
- District 11 | **Randall Shedd\*** (R)
- District 12 | **Corey Harbison\*** (R) | **Alex Chaney** (R)
- District 13 | **Connie Rowe\*** (R)
- District 14 | **Tim Wadsworth\*** (R) | **Richard "Bull" Corry** (R)
- District 15 | **Allen Farley\*** (R) | Suzanna Coleman (D)
- District 16 | **Kyle South\*** (R) | **Mike Simpson** (R)
- District 17 | **Tracy Estes** (R) | **David Hall** (R) | **Phil Segraves** (R)
- District 18 | **Jamie Kiel** (R) | **Tony Riley** (R) | Eddie Britton (D)
- District 19 | **Laura Hall\*** (D) | Samuel Greene (D)
- District 20 | **Howard Sanderford\*** (R) | Linda Meigs (D)
- District 21 | **Rex Reynolds\*** (R) | Terry Jones (D)
- District 22 | **Ritchie Whorton\*** (R) | **Wayne Johnson** (R)
- District 23 | **Tommy Hanes\*** (R) | **Parker Edmiston** (R)
- District 24 | **Nathaniel Ledbetter\*** (R)
- District 25 | **Mac McCutcheon\*** (R)
- District 26 | **Kerry Rich\*** (R)
- District 27 | **Wes Kitchens** (R) | **Ronnie Opolka** (R) | Bill Jones (D)
- District 28 | **Gil Isbell** (R) | Ralph Burke (D) | Kyle Pierce (D)
- District 29 | **Becky Nordgren\*** (R) | Jared Millican (D)
- District 30 | **Craig Lipscomb** (R) | **Rusty Jessup** (R) | **Robert McKay** (R)  
Ryan Preston (R) | Jared Vaughn (D)

\*= Incumbent

### 3 Questions for Legislative Candidates

1. What's your position on new funding for county road and bridge projects?
2. Will you commit to engage with the county commission before submitting any local bills that impact the county?
3. Will you engage with the Association of County Commissions of Alabama in its efforts to protect, enhance and improve county government?



# ON THE BALLOT

- District 31 | **Mike Holmes\*** (R) | **Dustin DeVaughn** (R)
- District 32 | **Barbara Boyd\*** (D) | **James Allen Lloyd** (R) | Angela Fears (D) | Seyram Selase (D)
- District 33 | **Ron Johnson\*** (R) | **Ben Robbins** (R) | Scott Brewer (D)
- District 34 | **David Standridge\*** (R)
- District 35 | **Steve Hurst\*** (R)
- District 36 | **Randy Wood\*** (R) | Nicki Arnold-Swindle (D)
- District 37 | **Bob Fincher\*** (R) | Charlotte Clark-Frierson (D)
- District 38 | **Bryan Murphy** (R) | **Todd Rauch** (R) | **Debbie Hamby Wood** (R) | Brian McGee (D)
- District 39 | **T.J. Maloney** (R) | **Ginny Shaver** (R)
- District 40 | **Koven "K.L." Brown\*** (R) | Pamela Jean Howard (D)
- District 41 | **Corley Ellis\*** (R) | Emily Anne Marcum (D)
- District 42 | **James "Jimmy" Martin\*** (R) | **Jimmie Hardee** (R)
- District 43 | **Arnold Mooney\*** (R) | Carin Mayo (D)
- District 44 | **Danny Garrett\*** (R)
- District 45 | **Dickie Drake\*** (R) | **Ted Crockett** (R) | Jenn Gray (D)
- District 46 | **David Faulkner\*** (R) | Felicia Stewart (D)
- District 47 | **David Wheeler** (R) | Mary Lynn Bates (D) | Jim Toomey (D)
- District 48 | **Jim Carns\*** (R) | **William Wentowski** (R) | Ali Summerford (D)
- District 49 | **April Weaver\*** (R) | **Donna Dorough Strong** (R)
- District 50 | **Jim Hill\*** (R)
- District 51 | **Allen Treadaway\*** (R) | Veronica Johnson (D)
- District 52 | **John Rogers\*** (D)
- District 53 | **Anthony Daniels\*** (D)
- District 54 | **Jerome Dees** (D) | **Jacqueline Gray Miller** (D) | **Neil Rafferty** (D)
- District 55 | **Roderick "Rod" Scott\*** (D) | **Quang Do** (D) | **Antwon Womack** (D)
- District 56 | **Louise Alexander\*** (D) | **Chester Porter** (D)
- District 57 | **Merika Coleman\*** (D)
- District 58 | **Rolanda Hollis\*** (D) | **Rodney Huntley** (D)
- District 59 | **Mary Moore\*** (D) | **Chris Davis** (D)
- District 60 | **Juandalynn Givan\*** (D) | **Le'Darius Hilliard** (D)
- District 61 | **Rodney Sullivan** (R) | **Tommy Hyche** (D)
- District 62 | **Rich Wingo\*** (R) | **Will Benton** (D)
- District 63 | **Bill Poole\*** (R)
- District 64 | **Harry Shiver\*** (R) | **Stephen Sexton** (R) | **Amber Selman-Lynn** (D)
- District 65 | **Elaine Beech\*** (D) | **Brett Easterbrook** (R) | **Marcus Caster** (D) | **Ozelle Hubert** (D)
- District 66 | **Alan Baker\*** (R) | **Susan Smith** (D)
- District 67 | **Prince Chestnut\*** (D) | **Jelani "Shaun" Coleman** (D)
- District 68 | **Thomas Jackson\*** (D)
- District 69 | **Kelvin Lawrence\*** (D) | **Kelvin Williams** (D)
- District 70 | **Chris England\*** (D)
- District 71 | **A.J. McCampbell\*** (D)
- District 72 | **Ralph Howard\*** (D)
- District 73 | **Matt Fridy\*** (R) | **Stephen Bryant** (R) | **Jack Jacobs** (D)
- District 74 | **Dimitri Polizos\*** (R) | **Rayford Mack** (D)
- District 75 | **Reed Ingram\*** (R)
- District 76 | **Thad McClammy\*** (D)
- District 77 | **Malcolm Calhoun** (D) | **Dan Harris** (D) | **D'Linell Finley** (D) | **TaShina Morris** (D) | **Christopher Turner** (D)
- District 78 | **Alvin Holmes\*** (D) | **Terance "Watchdog" Dawson** (D) | **Kirk Hatcher** (D)
- District 79 | **Joe Lovvorn\*** (R) | **Mary Wynne Kling** (D)

## Want to know where counties stand on legislative issues?

Take a look at the Alabama County Platform: [www.alabamacounties.org/legislation/county-platform/](http://www.alabamacounties.org/legislation/county-platform/)

The platform is the heart of ACCA's legislative advocacy, organized into 11 Foundation Principles staking out positions on core issues. Under each Foundation Principle, there are Strategic Goals and Policy Statements that go into greater detail.

- District 80 | **Chris Blackshear\*** (R) | **Judy LaRue** (D)
- District 81 | **Derrick Blythe** (R) | **Joyful "Joy" Johns** (R) | **Terry Martin** (R) | **Ed Oliver** (R) | **Jeremy "J.J." Jeffcoat** (D)
- District 82 | **Pebblin Warren\*** (D) | **Johnny Ford** (D) | **Terrence Johnson** (D)
- District 83 | **Michael Holden** (R) | **Jeremy Gray** (D) | **John Harris** (D) | **Pat "Patsy" Jones** (D) | **Ronnie Reed** (D)
- District 84 | **Berry Forte\*** (D)
- District 85 | **Dexter Grimsley\*** (D) | **Ron Wilson** (R) | **Earl Jones** (D)
- District 86 | **Paul Lee\*** (R) | **Kristy Kirkland** (D)
- District 87 | **Adam Parker** (R) | **Jeff Sorrells** (R)
- District 88 | **Jeremy Arthur** (R) | **Al Booth** (R) | **Will Dismukes** (R) | **Cory Creel** (D)
- District 89 | **Wes Allen** (R) | **Marcus Paramore** (R) | **Joel Williams** (D)
- District 90 | **Chris Sells\*** (R) | **Joanne Whetstone** (D)
- District 91 | **Rhett Marques** (R) | **Lister Reeves** (R) | **Clarke White** (R)
- District 92 | **Mike Jones\*** (R)
- District 93 | **Steve Clouse\*** (R)
- District 94 | **Joe Faust\*** (R) | **Danielle Mashburn-Myrick** (D)
- District 95 | **Steve McMillan\*** (R)
- District 96 | **Matt Simpson** (R) | **Maurice Horsey** (D) | **Web Whiting** (D)
- District 97 | **Adline Clarke\*** (D) | **Stephen McNair** (R) | **Levi Wright** (D)
- District 98 | **Napoleon Bracy\*** (D)
- District 99 | **Charles Talbert** (R) | **Gregory Harris** (D) | **Henry Haseeb** (D) | **Sam Jones** (D) | **Burton LeFlore** (D) | **Franklin McMillion** (D) | **Gregory Parker** (D) | **Herman Thomas** (D) | **Rico Washington** (D)
- District 100 | **Victor Gaston\*** (R)
- District 101 | **Chris Pringle\*** (R)
- District 102 | **Willie Gray** (R) | **Belinda Shoub** (R) | **Shane Stringer** (R)
- District 103 | **Barbara Drummond\*** (D)
- District 104 | **Margie Wilcox\*** (R) | **Arlene Cunningham Easley** (D)
- District 105 | **Matthew Bentley** (R) | **Chip Brown** (R) | **Cody Dockens** (R) | **Janet Brown Oglesby** (R)

\* = Incumbent

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# GENERAL TIPS: Election Administration



*Editor's note: Commissioners and affiliate members alike always say that one of the best things about this Association is learning from their peers around the state. Alabama counties operate in a one-of-a-kind legal framework, and it is a great benefit to connect with others facing similar challenges. With that in mind, we reached out to a few "boots-on-the-ground" experts for their advice on election administration.*

## Maximize your county's reimbursement

"Elections can get expensive," said Clay County's Mary Wood, president of the Association of County Administrators of Alabama. "I try to save as much money as possible."

Many of the routine costs for administering an election are eligible for state reimbursement, and federal funds from Help America Vote Act (HAVA) programs may be available for additional items.

Wood said in her experience it is important to prepare reimbursement claims with great care – using the comptroller's current form and providing

thorough documentation for expenses.

The reimbursement rate varies depending on what is on the ballot. (See page 31 for a detailed explanation.)

But bear in mind that even when the state's reimbursement rate is 100 percent, full reimbursement is only available for the defined group of eligible expenses, such as poll worker pay and statutorily-required newspaper advertising.

This means that there are routine and often justifiable expenditures, such as renting a polling place or repairing a voting machine, that are not reimbursable under current state law and thus are the county's full responsibility.

## Mine your turnout data, but don't cut too close

If a county has 100,000 registered voters, how many primary ballots should be ordered? 100,000 of the Democratic version and an equal number of the GOP version? Order too many and it wastes money and increases the workload on poll workers, said Bill English of Lee County. "The catch is I've got to have enough."

His approach is to carefully track turnout for various elections, depending on what's on the ballot. "On our best day ever, a third of the people stay home," he said of Obama's 2008 general election win.

In Lee County, primary turnout is usually heavier in years such as 2018, when the governor's race leads the ballot, but he has found that general election turnout is greater in presidential years. "More people care about president than they do about the governor," he commented.

Following the trends might translate into, as in the example above with 100,000 registered voters, ordering 40,000 Republican primary ballots and 20,000 Democratic ones for a grand total of 60,000 primary ballots ordered.

Always plan for some extras, he said. Even with his 30+ years – first as the county's election supervisor and later as the probate judge/ chairman – turnout at December's U.S. Senate election surprised him. "We were close, but we didn't run out," he said.

## Process of continuous improvement

Over in Henry County, David Money is in his sixth year as probate judge and chairman, and he is quick to say that there are other probate judges much more knowledgeable about elections. He says he depends on staff leadership, especially because he wears two hats.

Within 48 hours after an election, he sits down with his chief clerk and the county's IT manager for something he calls "afterglow." Money said, "We meet to discuss and review any issues that may have occurred on election day. We make notes of the things we can do to continue to improve the election process going forward."

In just a few cycles, these discussions have generated several adjustments. They tweaked the election school to make it more structured and to more thoroughly

## FAQ: Recounts

### ■ *Do we have an automatic recount in Alabama?*

Yes, but not for primaries. An automatic recount occurs when the margin of defeat in a general election is not more than one-half of one percent of the votes cast for the office or the ballot measure. However, there is a provision allowing for the defeated candidate to waive the recount. Ala. Code § 17-16-20.

### ■ *With a county office, is there any way to get a recount of the votes cast in a primary?*

No; however, Ala. Code §§ 17-13-80 through 17-13-82 specify the process for contesting a party nomination for a county office.

surface any questions pollworkers may have. When the county did a trial run with a new technology (electronic poll pads), there was frank evaluation of whether they were beneficial.

For June 5, he is experimenting with having a pair of roving troubleshooters assigned to different halves of the county so that expert technical help is never more than 15 minutes away from any polling place on election day.

## Know your options in emergency situations

Precincts and polling places for the 2018 cycle have been finalized since early March, but there have been rare emergencies that necessitated moving a polling place within the three months before an election. Attorney General's Opinion 1999-00273 addresses these situations, mentioning instances where a polling place was unsafe due to faulty wiring and another where a church withdrew permission for its property to be used as a polling place. ■

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# Expert Tips on Election Expense Reimbursement

Use the comptroller's form available at [www.comptroller.alabama.gov/pages/county\\_info.aspx](http://www.comptroller.alabama.gov/pages/county_info.aspx)

☞ **Make sure to use the version updated in 2016**

Form DFC 37 Rev. 12/2016

Claim for Reimbursement of Election Expense

## DEADLINES

**September 30, 2018** – Eligible expenses from the following elections must be submitted by this date:

- ★ Special General Election for U.S. Senate – December 2017
- ★ Primary Election – June 5, 2018
- ★ Primary Runoff Election (if necessary) – July 17, 2018
- ★ Any other special election (such as to fill a vacant legislative seat) – between October 1, 2017, and September 30, 2018

Reimbursement for election expenses is handled by fiscal year. Eligible expenses from the November 2018 General Election will be due September 30, 2019.

All dollar figures should be carried out to the penny.

**No rounding** to the nearest dollar.

As a general rule, submit copies of **both sides** of paid/cancelled warrants. **This is enforced strictly.**

- ★ If for any reason the check amount and invoice amount do not match, you should also submit a copy of the check stub so that it can be verified that the correct amount and invoice have been paid.

For inspector and poll worker compensation:

- ★ Copies of cancelled warrants are NOT necessary.
- ★ Submit a list with **names**, amount of per diem **paid**, **check number** and whether each individual served as an **inspector or pollworker**. Indicate any individuals who worked **part time**. Also indicate individuals who were not paid for attending poll worker school.
- ★ Poll inspector mileage is not a reimbursable expense.

## NICKEL A NAME

- ★ The state reimburses for **no more than 2** lists.
- ★ The probate judge must provide a *certified* letter stating the number of voters on the list, total amount of payment sought and who received the list (i.e., absentee election manager).

## ABSENTEE ELECTION MANAGER

- ★ The absentee election manager must submit a signed attendance record on the comptroller's form.
- ★ Absentee election managers must work every day during the 45-day period prior to an election to get paid for 45 days. If they do not work Saturdays, Sundays and/or holidays, then they do NOT get paid for those days.  
☞ **The state does not reimburse for days not worked during the 45-day period.**

## ADVERTISING

The cost of election-related advertising required by state law is reimbursable. For each advertisement, provide an invoice, copy of the ad and copy of the cancelled check. This applies to the following ads:

- Voters List
- Supplemental Voters List
- Notice of Election
- Poll Worker and Poll Worker School List
- Notice of Testing of Voting Equipment
- Absentee Voting Deadlines
- Registration and Voting Aids for the Handicapped and Elderly
- Polling Place Changes

The state **only reimburses counties for consumable supplies**, such as, pens, pencils, staples, ink for voting machines, paper for voting lists, etc.

The state does **NOT reimburse** for calculators, carts, moving expenses, cell phone bills, election day support, software, logic and accuracy testing, maintenance of voting machines, food and drinks, or rental of tables, chairs, tents or polling places.

## REIMBURSEMENT RATES FOR ELIGIBLE EXPENSES

- ★ **100 percent reimbursement on eligible expenses**  
Available for elections involving state offices, federal offices and/or constitutional amendments affecting the state as a whole. (No local offices or amendments.)
- ★ **50 percent reimbursement on eligible expenses**  
Available for elections **including** state offices, federal offices and/or constitutional amendments affecting the state as a whole **and also including** local offices or amendments.
- ★ **0 percent reimbursement on eligible expenses**  
Counties receive no reimbursement when there are only local races or issues on the ballot, which will typically be the case only in a local special election or a runoff election with only county candidates on the ballot.

### Who can answer additional questions?

Kim Butterbaugh, State Comptroller's Office, (334) 242-7073, [kimberly.butterbaugh@comptroller.alabama.gov](mailto:kimberly.butterbaugh@comptroller.alabama.gov)

Sources: Alabama Comptroller's Office, "Alabama Election Handbook, 18<sup>th</sup> ed."

# Election Administration: A Shifting Three-Way Balance

*Is there anything more American  
than voting in an election?*

Maybe so, if you look at the distinctly American way U.S. elections are operated.

“Elections in the United States are administered in a highly decentralized process through which each state shapes its own election laws, which in turn shape the roles counties play,” stated the National Association of Counties in “Counties Matter: Elections.”

In other words, it is a three-way balancing act of county, state and federal government.

Some might say it doesn't make sense for a government function as important, as fundamental, as the election process to be so thoroughly delegated to the states and then further delegated to counties. Differences are inevitable.

Conceptually, this approach made perfect sense to the nation's Founding Fathers, who were deeply suspicious of centralized authority. It stirs the imagination to consider what these men would think if they were to look in on the 2018 election cycle.

The trend over the last 60 or so years has been toward more centralized decision-making and funding, a trend that appears likely to

continue with the heightened concerns about cyber security and recent actions in Congress.

The voting rights reforms of the 1960s made the federal framework governing election processes more robust, but counties retained significant latitude.

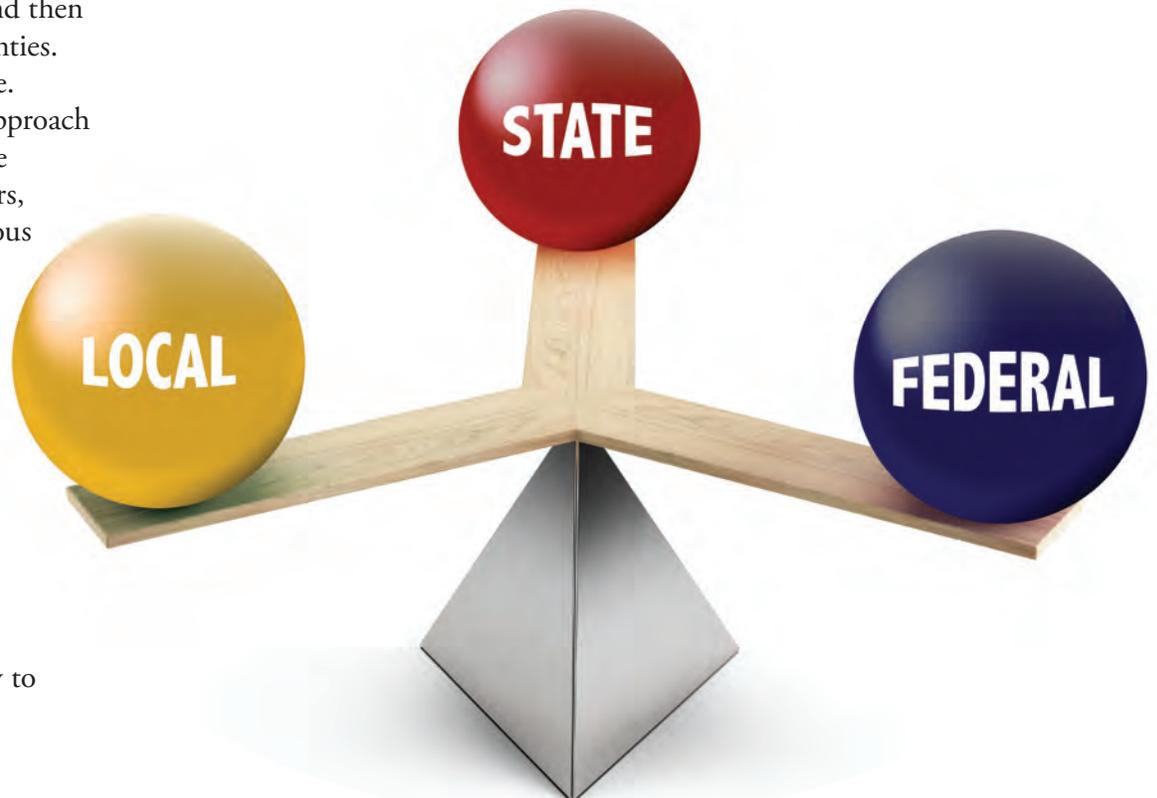
The next big shift in the three-way balance can be traced to the night of Tuesday, November 7, 2000. Americans had voted that day but went to bed that night without knowing who had won the presidency. The picture was no clearer the next morning.

All told, Americans and many

around the world held their breath for 36 days, waiting for recounts and legal wrangling to determine whether Vice President Al Gore or Texas Gov. George W. Bush would move into the White House.

The outcome hinged on Florida, and the uncertainty there was in many ways due to election administration decisions made at the county level: voting technology and ballot design. Suddenly everyone was talking about punch-card voting, butterfly ballots and hanging chads.

To their credit, the leaders in Palm Beach County have made sure that elections run much more





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After the controversial 2000 presidential election, Congress passed the Help America Vote Act (HAVA) of 2002. Among other things, it required states to establish centralized statewide voter registration databases, consolidating the voter lists of its various counties and jurisdictions. This gave state offices a duty that many did not previously have. HAVA also provided funds for replacing voting equipment and improving election administration. States were charged with developing state plans for disbursing these funds, and to this day are more involved with procuring voting equipment than they had been before HAVA.

Two federal laws involving military and overseas voters, the Uniformed and Overseas Citizens Absentee Voting Act of 1986 and the Military and Overseas Voter Empowerment Act (MOVE) of 2009, also gave state offices additional responsibilities in aiding registration and voting for overseas citizens.

As a result of these laws, and especially since 2002, additional election-related duties and responsibilities have fallen to state election offices. The role that state offices play in election administration has expanded, as has the state's share of costs in some cases.

Even so, the structure of election administration in the states today is still largely decentralized and contains a great deal of variation, although far less so than it was a century ago.

— “The Price of Democracy: Splitting the Bill for Elections,”  
National Conference of State Legislatures (NCSL)

smoothly these days. And the 2002 Help America Vote Act (HAVA) prompted reforms across the country.

HAVA realigned somewhat the three-way balance of county, state and federal responsibility for election administration. Once again, the federal framework got more muscle, and more federal dollars were provided. These changes bolstered influence at the state level, too, with state election officials picking up new administrative responsibilities, including oversight of the federal grant program.

“The role that state offices play in election administration has expanded, as has the state’s share of costs in some cases,” wrote the National Conference of State Legislatures in a 2018 report. “Even so, the structure of election administration in the states today is still largely decentralized and contains a great deal of variation, although far less so than it was a century ago.”

These state-to-state variations are especially evident in presidential election years, with the country’s patchwork of primaries and caucuses, early voting in some places and Election Day voter registration in others. Voter identification requirements vary widely.

Confusing? Perhaps. In keeping with the founders’ original vision? Absolutely. ■

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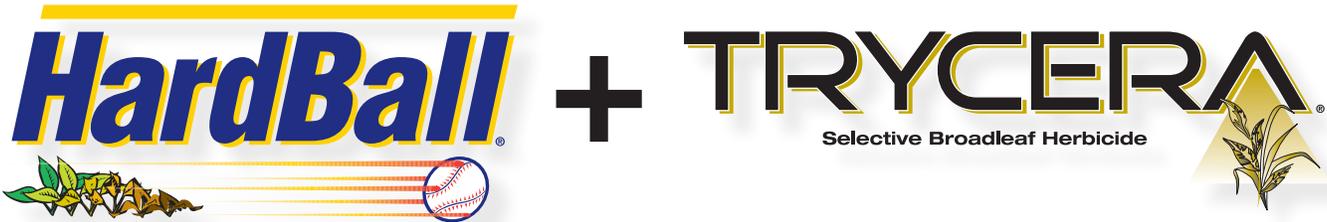


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# Celebrating 50 Years of 9-1-1



**1957**

*U.S. fire chiefs called for a single phone number for reporting fires.*

**1967**

*A single number for reporting emergency situations of all types was recommended by the President's Commission on Law Enforcement and Administration of Justice.*

**1968**

*The very first 9-1-1 call was made in Winston County, Alabama. State House Speaker Rankin Fite placed the call on a fire-engine red, rotary-dial phone. For the special occasion, U.S. Rep. Tom Bevill answered from the Haleyville Police department.*

**1979**

*A quarter of U.S. residents had 9-1-1 service. Service was growing at the rate of 70 new systems per year.*

**Alabama was front and center this spring when emergency communications pros from around the country gathered in the nation's capital to mark the 50th Anniversary of 9-1-1. This universal number for requesting emergency assistance got its start at the local level – first in Haleyville, Ala.; about a week later in Nome, Alaska; and eventually springing up all over the country.**

**“The most essential fact is the most basic one: 9-1-1 is the first place we call when the unthinkable occurs,” said Federal Communications Commissioner Jessica Rosenworcel. “It’s true – you may only call 9-1-1 once, but it will be the most important call you ever make.”**

**1987**

*Half of the U.S. population had access to 9-1-1 emergency service numbers.*

**1999**

*9-1-1, which reached 93 percent of Americans, was declared the official national emergency calling number by Congress.*

**2018**

*9-1-1 receives 240 million calls a year, almost 80 percent from wireless phones. Near blanket coverage of the country is provided by more than 6,000 separate public safety answering points. Commemorations of the 50th anniversary include Haleyville's annual 9-1-1 Festival and temporary display of the red phone from the first call at the Smithsonian's National Museum of American History.*

Sources: National Emergency Number Association, Federal Communications Commission

# ACCA Salutes the 2017 Graduates *of the* ALABAMA JAIL TRAINING ACADEMY

AUTAUGA	William Slater	GENEVA	Lynn Vickers	MONTGOMERY	Tommie Franklin
BALDWIN	Kim Klos	GREENE	Bryant Snyder	MONTGOMERY	Angel McCall
BALDWIN	David Mock	HALE	Margaret King	MONTGOMERY	Debra Nearer
BALDWIN	Alison Sewel Jr.	HALE	Loretta Pickens	MONTGOMERY	Sonja Pritchett
BALDWIN	Delicia Stokes	HALE	Eddie Zinnerman	MONTGOMERY	Brent Talley
CHAMBERS	David Burroughs	HENRY	Starla Gillis	MONTGOMERY	Glenn Teal
CHAMBERS	Zackary Christian	HENRY	Norman Leidinger	MONTGOMERY	Marian Williams
CHAMBERS	Eric Horne	HENRY	Tracy Morrison	MORGAN	Misty Kelly
CHEROKEE	Will Bailey	HENRY	Timothy Parks	MORGAN	Bo Leeth
CHEROKEE	Logan Moore	JACKSON	Lauren Brafford	MORGAN	James Rosenblum
CLEBURNE	Sam Locke	JACKSON	Dawn Terrell	PIKE	Kelley Barron
COLBERT	Marcus Rutland	LAUDERDALE	Daniel Bevis	RANDOLPH	Gloria Burden
COOSA	Trenton Davenport	LAUDERDALE	Tonya Lester	RANDOLPH	Marcus McGahee
CRENSHAW	Neoma Taylor	LOWNDES	Pamela Moton	TALLADEGA	Chase Landers
DALE	Brandon Moncrief	LOWNDES	Albert Slaughter	TALLADEGA	Scott Murphree
DALE	Jimmy Peters	MARENGO	Justin Coleman	TALLAPOOSA	Michael Griffith
DALLAS	Richard Waugh	MARENGO	Joyce Grant	TALLAPOOSA	Chris Jones
ESCAMBIA	Melissa Floyd	MARION	Frank Crow	TALLAPOOSA	Dylan Ray
ESCAMBIA	Ishia McWilliams	MARSHALL	Adam Riddle	TALLAPOOSA	Michael Reid
ESCAMBIA	Travontay Dixon	MOBILE	Anissa Pope	TALLAPOOSA	Wendy Smith
ETOWAH	Richard Cox	MONROE	Marquella Kimbrough	WALKER	Brandon Esch
ETOWAH	Brittany Hamilton	MONROE	Nicholas Meshell	WALKER	John Painter
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FRANKLIN	Debbie Diviney	MONTGOMERY	Sallie Foster		

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*Alabama counties achieved six of their 2018 Legislative Priorities during the Regular Session. It was a true team effort from county leaders who heeded the call to “Get in the Game.”*



Williams



Ellis



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## **DISASTER RECOVERY AND STATE OF EMERGENCY**

Act 2018-94

*Sponsored by Sen. Greg Albritton & Rep. Nathaniel Ledbetter*

*Signed by Gov. Kay Ivey*

■ In the midst of a natural disaster, external conditions often make it difficult for local government bodies to convene a quorum – delaying their ability to make critical decisions that protect the community. This act authorizes the county commission chairperson to declare that emergency conditions exist in the county, following an official declaration by the Governor’s Office. This change will allow local governments to be more prompt and efficient in the delivery of services to citizens during emergency situations. This new law also authorizes the Alabama Disaster Recovery Program to provide financial assistance to individuals and certain nonprofit facilities in addition to the financial assistance it already provides to counties and municipalities.

Effective February 14, 2018



Chambliss



Chestnut



Livingston

## **EVIDENCE IN TAXPAYER APPEALS**

Act 2018-265

*Sponsored by Sen. Phil Williams & Rep. Corley Ellis*  
*Signed by Gov. Kay Ivey*

■ Prior to the enactment of this new law, a retailer protesting or appealing a commercial property valuation under the “Dark Store Theory” could buy or hide evidence related to the property’s appraisal value. This ACCA priority legislation amended Alabama law to require a



Scott



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Dial

retailer seeking to use a sale or lease transaction to boost its case for appealing a property valuation to disclose 1) whether or not the property was occupied at the time of transaction, and 2) whether the comparable property was subject to any restrictions at the time of transaction that prevents the property from being used for its original purpose. These new requirements will prevent retailers from concealing information that could result in massive losses in commercial property taxes.

Effective March 20, 2018

### **PURCHASE OF HVAC UNITS FOR LOCAL GOVERNMENTS**

Act 2018-413

*Sponsored by Rep. David Standridge & Sen. Clyde Chambliss*

*Signed by Gov. Kay Ivey*

■ Local governments and school boards currently purchase a number of items from approved purchasing cooperatives. Under this law, a limited exception to the competitive bid law is created for the purchase of heating and air conditioning units for counties, municipalities and local school boards from those national cooperatives approved by the Department of Examiners of Public Accounts. This new provision is yet another cost-saving measure that will allow local entities to better protect taxpayer dollars.

Effective June 1, 2018

### **WORKERS' COMPENSATION CLAIMS**

Act 2018-471

*Sponsored by Rep. Prince Chestnut & Sen. Steve Livingston*

*Signed by Gov. Kay Ivey*

■ While most counties participate in the Local Government Health Insurance Program (LGHIP), LGHIP has not had the authority to provide its participants with workers' compensation services like the State Employees Insurance Fund. This new law authorizes the LGHIP Board to process claims for on-the-job injuries suffered by local government employees whose employers are participants in the system. Should the LGHIP Board exercise this authority, city and county governments could take advantage of the efficiencies and discounts available through the LGHIP that are not offered by the

outside networks currently processing their workers' compensation claims.

Effective March 28, 2018

### **SIMPLIFIED SELLERS USE TAX UPDATES**

Act 2018-539

*Sponsored by Rep. Rod Scott & Sen. Trip Pittman*

*Signed by Gov. Kay Ivey*

■ This ACCA priority legislation makes two significant changes to the Simplified Sellers Use Tax (SSUT) program that are expected to significantly increase state and local government revenues from the program. The law will now permit online retailers to remain in the program even if they purchase a smaller, in-state affiliate organization; and it will also require program participants to collect and remit sales tax revenue on products sold through the platforms by third-party companies. The enactment of these new provisions is expected to yield counties an additional \$60 million in revenue over the next five years.

Effective June 1, 2018

### **AUCTION OF TAX LIENS**

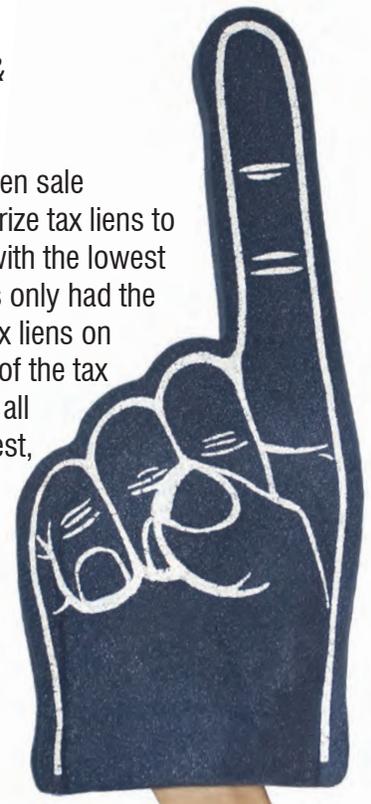
Act 2018-577

*Sponsored by Rep. Corley Ellis & Sen. Gerald Dial*

*Signed by Gov. Kay Ivey*

■ This new act revises the tax lien sale procedures for counties to authorize tax liens to be sold at auction to the bidder with the lowest interest rate. Previously, counties only had the option to sell their outstanding tax liens on real property, and the purchaser of the tax liens obtained the right to collect all delinquent taxes, penalties, interest, and costs with respect to the property. Local leaders and tax officials believe that the added statutory option of selling such tax liens through the auction process will allow counties to navigate this complicated process more efficiently.

Effective July 1, 2018



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# FAMILY ALBUM



Photos from Alabama Counties



## LEADING THE WAY

*Members of the Passion Leadership Accountability Networking (PLAN) 2018 program converged on the Capital City for a two-day “Montgomery Experience” to learn more about the legislative process through discussions with leaders in Alabama politics and through firsthand action on Goat Hill.*

Back row, from left: Commissioners Bill Albritton (Wilcox), Joey Peavy (Butler), Keith Davis (Walker), Tony Cherry (Choctaw), Laura Cobb (Cleburne), Jerry Tingle (Tuscaloosa), Marcie Foster (Cherokee), Ronda Walker (Montgomery), Mark Blankenship (Dale) and Larry Roberts (Randolph). Front row, from left: Ray Milstead (Clay) and David Black (Colbert).



Foreground Keith Davis (Walker), Mark Blankenship (Dale)



@ALABAMACOUNTIES



ASSOCIATION OF COUNTY COMMISSIONS OF ALABAMA

## HAPPY BIRTHDAY

*The entire state is in the midst of commemorating Alabama’s bicentennial, and leaders made sure Blount County’s 200th birthday was celebrated in style.*



@BLOUNTCOMMISH



BLOUNT COUNTY COMMISSION



**Please send your photos to ACCA for the Family Album!**

County Commission magazine wants to publish a selection of member photos in every issue to showcase the many ways county government touches the lives of Alabamians and to recognize the dedicated men and women who make counties work.

Please send photos (large file sizes preferred) to Abby Luker Fitzpatrick, Director of Communication & Engagement, [afitzpatrick@alabamacounties.org](mailto:afitzpatrick@alabamacounties.org).

**COUNTY DAY AND  
THE COUNTY CAUCUS**

*Rep. Berry Forte, a former county commissioner himself, took a few minutes at the Statehouse with leaders from Bullock County.*



From left: EMA Director Joshua Powell, Administrator Patrick Smith, Forte and Commissioner John McGowan



BERRY FORTE



BULLOCK COUNTY COMMISSION

**WEST ALABAMA WISDOM**

*When the ACCA Board of Directors lobbied at the Statehouse late in the session, Rep. Thomas Jackson (center) got to hear the One Voice of county government from two leaders: President-Elect Tony Cherry of Choctaw County (left) and Past President Rhondel Rhone of Clarke County (right).*



@TONYCHERRY18



@RHONDEL R



THOMAS E JACKSON

**WORKING HARD FOR THE WIREGRASS**

*On County Day #2, ACCA President Steve McKinnon of Dale County (left) caught up with Rep. Donnie Chesteen at the Statehouse.*



@JOSEPHSTEPHENM1



@DONNIECHESTEEN

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**TEAM EFFORT**  
*Leaders from southwest Alabama turned out big for their County Day at the Statehouse, and many of them called on Sen. Greg Albritton together.*

*From left: Commissioner Joseph Abston (Washington), Albritton, Commissioner Leonard Millender (Conecuh), Commissioner Rhondel Rhone (Clarke), Commissioner Allen Bailey (Washington), Commissioner Larry White (Escambia), Probate Judge and Chairman Greg Norris (Monroe), Commissioner Marvin Bradley Johnston (Washington), Commissioner Wendell Byrd (Conecuh), Commissioner Michael Riley (Conecuh) and Commissioner Billy Ghee (Monroe).*



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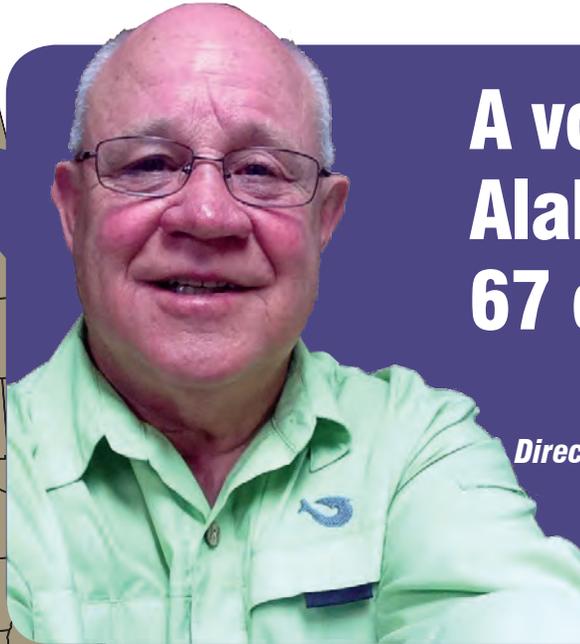


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## A voice from Alabama's 67 counties

**Johnny Hart**

*Director, Marshall County 9-1-1  
President,  
Alabama Association  
of 9-1-1 Districts (AAND)*

**Q** Tell us about Alabama's special significance in the history of 9-1-1.

**A** AAND is proud to celebrate the 50th anniversary this year of the first 9-1-1 call made in this country. On February 16, 1968, Sen. Rankin Fite completed the first 9-1-1 call made in the United States in Haleyville, Alabama. The serving telephone company was then Alabama Telephone Company. This Haleyville 9-1-1 system is still in operation today in Winston County.

**Q** This has to be one of the most popular public services that local government provides. What has stayed the same over the last half century? What has changed?

**A** *The constant is that 9-1-1 is here*

to provide the public with a local access point to request immediate assistance from police, fire and rescue personnel for any in-progress situation that could potentially result in danger to someone's life and/or property. *How we go about doing that is the piece that changes.* Throughout history, developments, in technology and communications have gone hand-in-hand, and the latest technological developments such as the internet and mobile devices, have resulted in the advancement of the science of communication to a new level.

**Q** Alabama 9-1-1 continued its trailblazing ways just a few years ago, when the districts successfully advocated for an innovative new funding mechanism. What's important about that achievement?

**A** When 9-1-1 was formed, funding was mostly from wireline phones and very few wireless phones. With the overwhelming shift to wireless and

IP systems, financial support was in decline, even though the service was as important as ever, if not more so. Some 9-1-1 emergency communications districts (ECDs) were losing about 50 percent of their funding. Today, wireless phones are approximately 75 percent of phones used to call 9-1-1. With the new funding mechanism, all connections are charged the same fee. Finances have stabilized, and so operations are more stable, too.

**Q** From the consumer perspective, what is next for 9-1-1 in Alabama?

**A** The future of 9-1-1 communications is changing. The things that worked in the past have been sufficient, but thanks to innovation and technology, there are now new opportunities to enhance the dynamic between the person reporting a public safety incident and the responder mediating the conversation. Cell phones and wireless connectivity are shaping up to be great contributors to the next generation of 9-1-1 operations.

**Q** What about from the operational side of things? What is next for 9-1-1 there?

**A** The rise of cell phone and internet usage has proven to be rather beneficial to 9-1-1 call stations and emergency responders. Providing individuals with new ways of communicating in emergency situations can reduce response time, making communities safer. Ideally, Next Generation 9-1-1 (NG911) will be able to support SMS text messaging, as well as MMS picture and video messaging. Having the capability to send a message from a mobile device can save a life thanks to its discreet – not disruptive – nature. Since most mobile phones can access wireless networks, either one provided by the carrier or local

WiFi connections, next generation 9-1-1 makes sense. The internet is usually a fast and stable way of communicating information, which can be advantageous for NG911 as a medium to receive updates and additional information to properly and quickly respond to the situation.



**Q** What are the benefits of AAND membership?

**A** It provides a sound basis for effective planning; since the goals are clearly established

and resources clearly identified, both short term as well as strategic planning becomes more focused and realistic, and such planning contains the provision to permit changes to be made in the right direction. It also results in increased cooperation and a sense of pride among members of the organization.

**Q** What does “67 Counties, One Voice” mean to you?

**A** To have or express a single, unified opinion. *It goes all the way back to the Bible*, in Mark 3:25, to a phrase popularized in an 1858 speech by Abraham Lincoln, who as a candidate urged the members of his political party to unite because he understood that a house divided against itself cannot stand. ■



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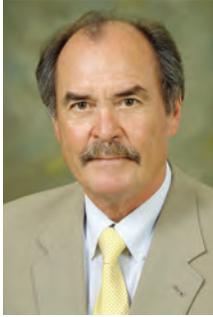
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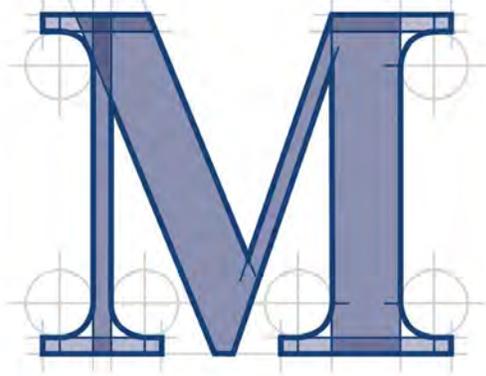


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