VOTER GUIDE 2004
from the office of
SECRETARY OF STATE NANCY L. WORLEY

COUNTY, STATE AND FEDERAL OFFICES

November 2, 2004
General Election
Dear Alabama Voter,

Thank you for your interest in Alabama’s elections. As you participate in YOUR government by casting YOUR vote, you are keeping democracy alive.

This booklet will give you basic information about Alabama’s elections. It will also answer questions that are frequently asked about voting. If you need information about county elections, please call your Probate Judge, who is the chief elections official in your county. For information about city elections, please call your City Clerk.

To register to vote or to update your voter registration, please contact your county’s Board of Registrars. A list of Registrars’ offices with their addresses is provided in the back of this booklet.

Your most basic act of patriotism, voting, is an important duty and responsibility. You and I support our men and women in the military, past and present, some of whom shed blood to give us (and individuals throughout the world) the right to cast a vote in free elections. Be patriotic! VOTE!

Your vote is important. In order for our democracy to be of the people, by the people and for the people, the people must vote. If you fail to vote on the issues, and if you do not help to select your government’s leaders, you diminish your right to complain about your federal, state, or local government. Join me at the polls on Election Day!

Sincerely yours,
Nancy L. Worley
Secretary of State
IMPORT IMPORTANT DATES FOR ELECTION 2004

MARK YOUR CALENDAR! DON’T MISS AN IMPORTANT DEADLINE!

For the November 2 General Election

October 22  Last day to register to vote.

Locate your county’s Board of Registrars in the directory at the back of this booklet. You may also obtain applications at libraries and universities, or from the many government agencies that are cited in this booklet’s VOTER REGISTRATION section.

October 28  Last day for voter to make application for an absentee ballot.

Write or visit your local Absentee Election Manager (usually the Circuit Clerk) in your home county.

November 1  Last day for voter to hand-deliver or postmark an absentee ballot.

Return the ballot to your local Absentee Election Manager by mail or in person. You may designate someone else to hand-deliver your ballot only in case of a medical emergency.

November 2  Election Day.

Cast your vote at your local polling place in the precinct where you reside. At the time of registration, the Board of Registrars mails to each registered voter the location of his or her polling place.
OFFICES ON THE BALLOT

Federal, State, and County

President ◆ U.S. Senate ◆ U.S. Representative (7 districts) ◆ Supreme Court Justice (3 seats) ◆ Court of Civil Appeals Judge ◆ Public Service Commissioner (President) ◆ State Board of Education (4 districts) ◆ Circuit Court Judges (various seats) ◆ District Court Judges (various seats) ◆ District Attorneys (various counties) ◆ Various County Offices

VOTER REGISTRATION

Any United States citizen may register ...

Provided that he or she
- resides in Alabama
- is at least 18 years old by election day
- has not been barred from voting due to a felony conviction
- has not been declared mentally incompetent by a court.

Applicants may register the same day that they move into the state.

Keep your voter registration record up to date . . .

A voter should immediately notify the Board of Registrars of any changes, such as a change in name or address. The law requires that any voter whose name or address is not correct on the voter list must provide current information before being allowed to vote. The form to update registration will be available at all polling places.

If a voter moves to another county within the state, he or she must re-register in the new county of residence.

Citizens may register to vote all year except . . .

REGISTRATION is closed during the 10 days prior to any election.

Deadline to register for the general election is October 22, 2004

Where and how to Register . . .

A citizen may register to vote
- when applying for or renewing a State of Alabama driver's license or identification card
  or at
- state and local government offices when applying or recertifying for Aid to
Dependent Children, Food Stamps, WIC, Medicaid, or Rehabilitation Services
- public libraries
- armed forces recruiting stations
- the Board of Registrars located at the county seat in the county of residence
  or by
- postcard that is available through Probate Judge and License Commissioner offices, colleges and universities, public schools, or libraries. A postcard registration form may also be obtained by calling the county Board of Registrars or the Elections Division in the Office of Secretary of State at 1-800-274-VOTE (8683). You can also e-mail the Elections Division at <alavoter@sos.al.gov>.

Applications must be filled out completely and returned to the Board of Registrars' Office located in the county where the applicant resides.

Political Party Registration . . .
Alabama does not have a party registration law; therefore, a citizen does not have to declare a party preference when registering to vote.

AT THE POLLING PLACE

Assignment . . .
The Board of Registrars sends a certificate of registration that lists the voter's polling place. Voters who have not received such a certificate or card should contact the local Board of Registrars for information on their polling places. For municipal elections, check with the City Clerk.

Hours . . .
Alabama polling places are open from 7 AM to 7 PM. Please note that polling places located in the Eastern Time Zone are open 7 AM to 7 PM Eastern Time.

Basic voting procedure . . .
1. The voter appears at the polling place and provides his or her name to the poll workers. The voter must also present an acceptable form of identification. Acceptable forms of identification are listed on the opposite page.

2. A poll worker checks the individual's name against the list of registered voters for that precinct. If the voter has an "I" by his/her name, this indicates a need to update registration information. The voter must complete a Voter Update Form that is available at the polling place.

3. The voter signs a poll list. If the election is a party primary, the voter must state in which party primary he or she wishes to vote and then must sign that party's poll list.

4. The voter casts his or her vote.
VOTING PROCEDURES VARY according to the type equipment used in the county. For more specific information, look for instructions printed in large type that should be visible at each polling place. Also, poll workers will provide information on voting procedures, at the voter’s request. Poll workers are not allowed to tell a citizen how to vote or to attempt to influence a voter in any way.

REPLACEMENT BALLOTS are available if the voter makes a mistake in marking his or her ballot, or if the ballot gets torn or otherwise damaged. The voter should take the original ballot to a poll worker and request the replacement ballot. The poll worker will issue a new ballot and place the original ballot in an envelope marked “spoiled ballots” for security purposes.

Name not on the list of voters or no valid ID . . .

If a person finds that his or her name does not appear on the list of registered voters for the polling place, the poll worker should contact the local Board of Registrars to determine if the person is eligible to vote at that polling place. If the Board of Registrars is unable to verify the person’s voter registration, or if the voter does not have proper identification, he or she may vote a “provisional ballot.” A provisional ballot is voted the same as any other ballot except the voter must sign an affidavit attesting to his or her eligibility to vote. The ballot will be counted only if the county Board of Registrars is able to confirm, after the election, that the person casting the ballot is a duly qualified elector of the county.

Acceptable forms of identification for use at polling places

In 2003, the Alabama Legislature approved Act 2003-381, the State’s voter identification (ID) law. All voters must now present some form of ID at the polling place before they may vote. Acceptable forms of ID are:

- Government-issued photo identifications authorized by law (current and valid, including any branch, department agency or entity of the federal government)
- Employee identification for employee with photo of employee produced by the employer
- Utility bill of voter with voter’s name and address
- Bank statement with voter’s name and address
- Government check with voter’s name and address
- Paycheck with voter’s name and address
- Valid identification card (authorized by law) issued by the State of Alabama (including any branch, department, agency, or entity of the State of Alabama, including colleges, universities, and technical or professional schools)
- Valid identification card (authorized by law) issued by any of the other 49 states (including any branch, department, agency, or entity of that State)
- Valid United States passport
- Valid Alabama hunting license
- Valid Alabama fishing license
- Valid Alabama pistol/revolver permit
- Valid pilot's license issued by the FAA or other authorized agency of the federal government
- Valid United States military identification
- Birth certificate (certified copy)
- Valid Social Security card
- Naturalization document (certified copy)
- Court record of adoption (certified copy)
- Court record of name change (certified copy)
- Valid Medicaid card
- Valid Medicare card
- Valid electronic benefits transfer (EBT) card
- Government document that shows the name and address of the voter
Marked sample ballots . . .
Voters may take such items as marked sample ballots or pencils into the polling place provided they are used only for personal assistance and are not distributed to others in the polling place. Also, the voter should not leave such items in the polling place.

Campaigning on election day . . .
Campaigning is allowed on election day so long as it is done at least 30 feet from the door of the building in which the polls are located.

VOTER ASSISTANCE
Any voter who wishes to have assistance is entitled to help. The voter may ask anyone (except his or her employer, an agent of the employer, or an officer or agent of the voter's union) to give that assistance. If the voter does not have a specific individual in mind, a poll worker will assist the voter upon request.

Time in the booth . . .
A voter remaining in a voting machine booth (or in the polling place where paper ballots are used) for four minutes or longer may be asked by a poll worker if assistance is needed.

IF THE VOTER DOES NOT WANT ASSISTANCE, he or she is permitted to remain for one additional minute. At the end of that minute, if individuals are waiting to vote, the voter may be informed that time is up and may be asked to leave. If there is no line, the voter may have as much time as necessary to finish voting.

IF THE VOTER WANTS ASSISTANCE, he or she may have no less than an additional five minutes to vote. At the end of the time, if others are waiting to vote, the assisted voter may be told that time is up and may be asked to leave the polling place. However, if there are no voters waiting, the assisted voter shall have as much time as necessary to finish voting.

ACCESSIBILITY
If an elderly voter or a voter with a disability is assigned to a polling place that is not accessible, two options are available. He or she may request that

■ the local Board of Registrars change the voting assignment to an accessible polling place, or
■ an alternate method for casting a ballot be made available.

After contacting the local Board of Registrars and/or the County Commission, if a voter believes that a polling place is still inaccessible and that no acceptable alternate arrangement has been made, he or she may contact the Office of Secretary of State.
Some laws governing each type of election vary. For example, primary elections are different from general elections.

**PRIMARY ELECTION** – held by the political parties to select each party's nominee for the General Election. In the Primary, separate party ballots are printed, and the voter must choose between the ballot with Democrats running against other Democrats or the one on which Republicans run against other Republicans.

If there are three or more candidates in a race, and if no one receives a majority of the votes cast, then a Second Primary Election or Runoff Election is held between the two candidates who receive the highest number of votes in the first Primary. The winner of this second election will be the party nominee.

**GENERAL ELECTION** – between party nominees and any independent or write-in candidates. The General Election determines which candidate will occupy the office that is up for election. In the General Election, a voter may split the ticket to select candidates from all parties on the ballot. However, a voter may choose only one candidate per office.

**CONSTITUTIONAL AMENDMENT ELECTION** – When constitutional amendments appear on the Primary Election ballot, if a voter does not want to participate in one of the party primaries, he or she may vote on the amendments only. The voter should ask the poll worker for instructions to vote in the amendment election only.

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**ABSENTEE VOTING**

Absentee voting eligibility . . .

In the 2004 elections, a voter may cast an absentee ballot if he or she

- **WILL BE ABSENT FROM THE COUNTY** on election day
- **IS ILL OR HAS A PHYSICAL DISABILITY** that prevents a trip to the polling place
- **IS A REGISTERED ALABAMA VOTER LIVING OUTSIDE THE COUNTY**, such as a member of the armed forces, a voter employed outside the United States, a college student, or a spouse or child of such a person
- **IS AN APPOINTED ELECTION OFFICER OR POLL WATCHER** at a polling place other than his or her regular polling place
- **WORKS A REQUIRED SHIFT, 10-HOURS OR MORE**, that coincides with polling hours.

**BUSINESS/MEDICAL EMERGENCY VOTING** applications can be made after the absentee deadline but no later than 5 PM on the day before the election, if the voter:

- is required by an employer under unforeseen circumstances to be out of the county on election day for an emergency business trip, or

Absentee procedures continue ➔
has a medical emergency requiring treatment from a licensed physician.

In addition to application information outlined in the next section, the business emergency application contains an affidavit acknowledging that the voter was not aware of the out-of-county business trip prior to the normal absentee ballot deadline. The medical emergency application requires that the attending physician describe and certify the circumstances as constituting an emergency.

IMPORTANT 2004 ABSENTEE VOTING DATES . . .

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ABSENTEE BALLOT APPLICATION DEADLINE:
OCTOBER 28
ABSENTEE BALLOT SUBMISSION DEADLINE:
POSTMARKED BY NOVEMBER 1 OR HAND-DELIVERED BY 5:00PM NOVEMBER 1

A Special Note for . . .
Military Personnel and Alabamians Residing Overseas

Alabama citizens who are members of the Uniformed Services and their family members, merchant marine, commissioned corps of the Public Health Service, the National Oceanic and Atmospheric Administration, and Alabama overseas citizens can find additional information on absentee voting from the Office of the Secretary of State or www.fvap.gov, the web site of the Federal Voting Assistance Program (FVAP). The FVAP administers the Uniform and Overseas Citizens Absentee Voting Act (UOCAVA), a federal law which provides for specialized absentee voting procedures for military personnel and U.S. citizens residing overseas. Please note that the FVAP web site provides information for UOCAVA citizens only.

Absentee ballot application . . .

To obtain an absentee ballot, write or visit the local Absentee Election Manager (usually the Circuit Clerk), request an absentee ballot, and provide the following:

- name and residential address (or other such information in order to verify voter registration).
- election for which the ballot is requested.
- reason for absence from polls on election day.
- party choice, if the election is a party primary. (It is not necessary to give a party choice for a general election; however, in a party primary a voter may participate in only one political party’s primary; thus a choice must be designated so that the appropriate ballot can be provided. If the voter declines or fails to designate a choice for a primary or primary runoff ballot, the absentee election manager may send only the ballot for constitutional amendments.)

Absentee procedures continue ➔
- address to which the ballot should be mailed.
- voter signature (If a mark is made in place of a signature, it must be witnessed).

The absentee ballot application must be returned to the Absentee Election Manager by the voter in person (or by the voter's designee in the case of medical emergency voting) or by U.S. Mail.

Upon receiving the absentee ballot application, the Absentee Election Manager may request additional evidence on the reason for voting absentee if the voter has a history of absentee voting.

APPLICATIONS FOR MILITARY PERSONNEL AND OVERSEAS CITIZENS - Applications submitted by military personnel and U.S. citizens residing overseas are valid for a period of two years. However, these voters should ensure that they keep their mailing addresses updated with their counties’ Boards of Registrars and with the Absentee Election Manager.

Ballot receipt/return . . .

If the absentee ballot application is approved, the Absentee Election Manager
- forwards the absentee ballot by U.S. Mail, or
- personally hands the absentee ballot to the voter (or to a designee in the case of emergency voting).

BALLOT PROCEDURE - The absentee ballot comes with three envelopes--one plain (the secrecy envelope), one with an affidavit, or oath, printed on the outside, and one plain envelope, preaddressed (the outer envelope). Once the voter casts the ballot, the procedure is as follows:
- Seal the ballot in the plain envelope.
- Place the plain envelope inside the accompanying affidavit envelope.
- Seal the affidavit envelope and complete the affidavit that is on the outside of the envelope.
- Sign the affidavit and have the signature witnessed by either a notary public or two witnesses 18 years of age or older.
- Place the affidavit envelope and a COPY of voter identification inside the outer envelope.
- Remember to place a copy of your I.D. (NOT THE ORIGINAL) inside the outer envelope.

WITNESSES OR NOTARIZATION - An absentee ballot cannot be counted unless the affidavit is notarized or has the signatures of two witnesses.

The voter has only the following legal ways to return the absentee ballot:
- send the ballot to the Absentee Election Manager by U.S. Mail
  or
- personally deliver the ballot to the Absentee Election Manager (or by a designee in the case of medical emergency voting).

VOTING DEADLINE - An absentee ballot returned by mail must be postmarked no later than the day prior to the election. If hand-delivered, the ballot must be in the office of the Absentee Election Manager by the close of business (but no later than 5 p.m.) on the day
FREQUENTLY ASKED QUESTIONS

1. I TURNED IN A VOTER REGISTRATION APPLICATION. AM I REGISTERED TO VOTE?

Just because you turned in a voter registration application does not necessarily mean you are registered to vote. Once your application has been processed by your local Board of Registrars, you should receive an acknowledgement from the Registrars indicating the status of your application. This acknowledgement will usually be a voter identification card confirming that you are registered to vote. However, if your application was incomplete, you may receive a letter requesting additional information to complete your application. If you are unsure about the status of your application, you can always call your local Board of Registrars and check.

2. I TURN 18 AFTER THE VOTER REGISTRATION DEADLINE BUT BEFORE THE ELECTION. CAN I VOTE IN THAT ELECTION?

Yes. As long as you turn 18 before an election, even if your birthday is after the voter registration deadline, you can apply for voter registration and participate in that election (as long as you meet other voter qualifications). Please note though that you must turn your voter registration application in before the deadline for registering.

3. I HAVE MOVED FROM ONE PART OF THE COUNTY TO ANOTHER AND WANT TO VOTE. WHAT SHOULD I DO?

You must contact the Board of Registrars and submit an update to your voter registration record. Remember, where you live determines who represents you. To be sure you are voting on the right candidates, it is important to be voting in the right precinct.

4. I HAVE MOVED FROM ONE COUNTY TO ANOTHER AND WANT TO VOTE. WHAT SHOULD I DO?

When you move across county lines, you must register to vote in your new county. Voter registration does not automatically follow you from one county to another.

5. IT’S THE DAY BEFORE THE ELECTION AND I FORGOT TO REGISTER TO VOTE. IS IT TOO LATE?

Yes, it is too late to register to vote for that election. To participate in an election, you must submit your application before registration closes for that election. Registration is closed during the ten days prior to an election.

6. WHAT IF I MAKE A MISTAKE MARKING MY BALLOT?

If you have not already placed your ballot in the ballot box or electronic voting machine, you may ask a poll worker for another ballot. The poll worker will spoil your first ballot so that it cannot be counted or reused.

7. ARE CANDIDATES ALLOWED TO CAMPAIGN OUTSIDE MY POLLING PLACE?

Yes, “electioneering” or campaigning is permitted outside the polling place. However, this activity must not be closer than 30 feet to the entrance of the polling place. If the polling place is within a building, the campaigning must not be closer than 30 feet to the entrance of the building.

8. MAY A CANDIDATE ASSIST ME IN MARKING MY BALLOT?

Yes, if you ask the candidate to help you. The only people who may not assist a voter are the voter’s employer, an agent of the voter’s employer, or an officer or agent of the voter’s union.
MORE FREQUENTLY ASKED QUESTIONS

- **MAY I WEAR CAMPAIGN BUTTONS OR TEE SHIRTS WITH POLITICAL ADVERTISEMENTS INTO THE POLLING PLACE?**
  Yes. However, the voter should not leave any campaign materials in the polling place.

- **MAY I CARRY A SAMPLE BALLOT INTO THE VOTING BOOTH?**
  Yes. However, the voter should not leave the sample ballot in the polling place.

- **IF CONSTITUTIONAL AMENDMENTS ARE INCLUDED ON THE BALLOT, MUST I VOTE ON THEM?**
  No. A voter is not required to vote on constitutional amendments. Similarly, a voter is not required to vote in all contests on the ballot. Participation is the voter’s choice.

- **IN A PRIMARY ELECTION, AM I ALLOWED TO VOTE FOR THE CONSTITUTIONAL AMENDMENTS ONLY?**
  Yes. In fact, if you choose not to participate in nominating candidates for either political party, you can request a constitutional amendment ballot that contains only the proposed constitutional amendments.

- **WHEN I VOTED IN THE PRIMARY ELECTION, I WAS ASKED TO DECLARE A POLITICAL PARTY PREFERENCE. WHY IS THAT?**
  In Alabama, the Primary Election is part of the nominating process for a political party. It is used to select who will represent a party in the general election. You are required to choose one political party’s primary over another because you cannot participate in the nomination of both parties’ candidates. However, in the general election, you are able to split your ticket and vote for candidates from each political party.

- **WHAT HAPPENS IF I DO NOT WANT TO DECLARE A POLITICAL PARTY PREFERENCE AT THE PRIMARY ELECTION?**
  If you choose not to declare a political preference at the Primary Election, you will not be eligible to vote in any political party’s Primary Election. You would, however, still be eligible to vote on any proposed constitutional amendments that are up for a vote.

- **I VOTED IN MY POLITICAL PARTY’S PRIMARY ELECTION. MY PARTY IS NOT HAVING A RUNOFF. MAY I VOTE IN THE OTHER PARTY’S RUN-OFF ELECTION?**
  It depends on the political party. The Democratic Party has a cross-over voting rule which prohibits anyone who voted in the Republican Party Primary from voting in the Democratic Runoff. The Republican Party does not have a cross-over voting rule. It is okay for voters who participated in the Democratic primary to vote in the Republican Runoff. Therefore, if you voted in the Democratic Primary, you may vote in either the Democratic Runoff or the Republican Runoff. If you voted in the Republican Primary, you may vote only in the Republican Runoff.

- **MAY I TAKE PHOTOGRAPHS OR VIDEOTAPE INSIDE MY POLLING PLACE?**
  No. Voters have a right to cast their ballot in secrecy and in private. Photography in the polling place may violate this right. Additionally, the U.S. Department of Justice has advised that photography or videotaping inside a polling place does not serve any useful purpose and may instead actually intimidate voters who are exercising their right to vote.
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<td>800 Forrest Ave Ste 6&lt;br&gt;Gadsden 35901-3641&lt;br&gt;(256) 549-5384</td>
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<td>103 First Ave NW Ste 4&lt;br&gt;Fayetteville 35555-2627&lt;br&gt;(205) 932-5432</td>
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<td>PO Box 70&lt;br&gt;Russellville 35653-0070&lt;br&gt;(256) 332-8849</td>
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<td>905D Centerville St&lt;br&gt;Greensboro 36744&lt;br&gt;(334) 624-4672</td>
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