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DEC 3 1984

Mr. Al Tidwell
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25th Judicial Circuit
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Boards of Registrars - Registra-
tion - Voter Reidentification -
Representatives

Discussion of the term "repre-
sentative" as used in Code of
Alabama 1975, §17-4-182.
(Purging of Registration Lists)

Dear Mr. Tidwell:

Our office received an opinion request from you
concerning the following matter:

1. Under Section 17-4-182 of the Code of Alabama, what is the meaning of the term "representative"?
2. What are the prerequisites for one person to act as a representative for another person for the purpose of re-identifying to vote?
3. Can a husband or wife act as the representative of his or her respective spouse without formal authorization such as a power of attorney?

Code of Alabama 1975, §17-4-182 provides in pertinent part:

Each voter whose name appears on the list of electors to be removed shall reidentify himself by appearing in person before a registrar or deputy registrar ... or through his or her representative before the board of registrars in regular session....

As can be seen from the above excerpt, the term representative is not defined. Therefore, in answer to your first question, the Attorney General is of the opinion that for one to act as a representative he must be duly authorized by the elector whose name appears on the list of electors to be removed.

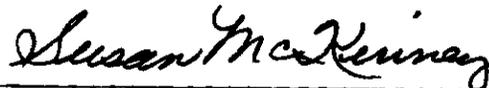
In answer to your second question, Code of Alabama 1975, §17-4-182 does not provide any prerequisites for one to act as a representative in this capacity. Although an oral authorization may be valid, the Attorney General is of the opinion that there should be some form of written authorization which the representative should present to the board of registrars.

In answer to your third question, a husband or wife may act as a representative of his or her respective spouse. The representative spouse need not have formal authorization such as a power of attorney, but some sort of written authorization should be presented to the board of registrars.

I do hope I have adequately answered your inquiry. If, however, I may be of further assistance to you, please do not hesitate to contact me.

Sincerely,

CHARLES A. GRADDICK
Attorney General
By:



SUSAN MCKINNEY
Assistant Attorney General