

OFFICE OF THE ATTORNEY GENERAL

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Honorable Pat Duncan
State Auditor
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Board of Registrars -
Director of Voter
Registration

The chairman of the board of registrars has the authority to preside over the meetings of the board of registrars. The Director of Voter Registration does not have the authority to supervise the boards of registrars or the individual members of the boards.

Dear Ms. Duncan:

This opinion of the Attorney General is issued in response to your request.

QUESTIONS

1. What authority does the chairman of each county board of registrars have over the other registrars working in that county?
2. What is the authority of the Alabama Director of Voter Registration over the individual voter registrars in each county?

FACTS AND ANALYSIS

Members of the county board of registrars are appointed pursuant to ALA. CODE § 17-4-150, et seq., (1975) (all cites are to the CODE). The only statement concerning a chairman appears in § 17-4-150(a) which provides:

One of the members shall be designated by the Board of Appointment as chair of the board of registrars for each county.

The chairman is not given any other specific duties or authority. This Office has held that the chairman has no more authority than any other board members and cannot unilaterally exercise the authority of the board. Opinion to Honorable Charles D. Langford, State Senator, dated August 29, 1988, A. G. No. 88-00438. That opinion cited § 17-4-155 which states:

The action of a majority of the board of registrars shall be the action of the board, and a majority of the board shall constitute a quorum for the transaction of all business.

The word "chairman" is defined by Black's Law Dictionary, 208 (5th ed. 1979), as "a name given to the presiding officer of an assembly, public meeting, convention, deliberative or legislative body, board of directors, committee, etc." The word "preside" means "to direct, control or regulate proceedings as chief officer, moderator, etc." Id. at 1066.

The chairman of the board of registrars has the authority to preside over the meetings of the board of registrars but does not have any other authority over the other board members.

The duties and responsibilities of the Director of Voter Registration are specifically set forth in § 17-4-211. These duties, with respect to the boards of registrars, include serving as a liaison between the state and the boards on implementation of laws relating to voter registration and providing assistance to the boards in determining the names of persons to be removed from the voter registration lists. The Director is not given the authority or responsibility to supervise the boards of registrars or the individual members of the boards.

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CONCLUSION

The chairman of the board of registrars has the authority to preside over the meetings of the board of registrars. The Director of Voter Registration does not have the authority to supervise the boards of registrars or the individual members of the boards.

I hope this opinion answers your questions. If this Office can be of further assistance, please contact Brenda F. Smith of my staff.

Sincerely,

BILL PRYOR
Attorney General
By:


JAMES R. SOLOMON, JR.
Chief, Opinions Division

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