

1 SB359
2 147486-2
3 By Senator Pittman (N & P)
4 RFD: Local Legislation No. 1
5 First Read: 14-MAR-13

ACT 2013 - 232



1 SB359

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With Notice and Proof

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ENROLLED, An Act,

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To alter, rearrange, and extend the boundary lines
and corporate limits of the City of Foley in Baldwin County.

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BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:-

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Section 1. The boundary lines and corporate limits
of the City of Foley in Baldwin County are altered,
rearranged, and extended to include within the corporate
limits of the City, in addition to the lands now included, all
of the following territory:

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Willow Lake Estates Phase I Division I as described
in Instrument Number 2117B and Willow Lake Estates Phase I
Division II as described in Instrument Number 2217E, both
recorded in the Office of the Judge of Probate, Baldwin
County, Alabama.

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Less and Except approximately 1.49 acres of common
areas and drainage areas not located in existing Right-of-Ways
consisting of Parcel ID 05-61-05-16-0-001-011.003, which is
known as the Common Area North of Lot 35; Parcel ID
05-61-05-16-0-001-011.002, which is known as the Common Area
North of and adjacent to Lot 19; Parcel ID

1 05-61-05-16-0-001-011.042, which is known as the Common Area
2 North of and adjacent to Lot 18; Parcel ID
3 05-61-05-16-0-001-011.043, which is known as the Common Area
4 North of Lot 1; and Parcel IDs 05-61-05-16-0-001-011.004 and
5 05-61-05-16-0-001-011.041, which are known as Willow Lake.

6 Section 2. In accordance with Section 11-42-6(b) of
7 the Code of Alabama 1975, a map showing what territory is
8 proposed to be annexed to the City of Foley is on file in the
9 office of the Judge of Probate in Baldwin County, Alabama, and
10 the map is open to the inspection of the public.

11 Section 3. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.

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Kay Ivey
President and Presiding Officer of the Senate

[Signature]
Speaker of the House of Representatives

SB359
Senate 02-MAY-13
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 09-MAY-13

By: Senator Pittman

APPROVED May 13, 2013
TIME 3:40 p.m.
Robert Bentley
GOVERNOR

Alabama Secretary Of State
Act Num....: 2013-232
Bill Num....: S-359
Recv'd 05/15/13 10:24amSLF

INSOR
[Signature]
SPONSORS

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SENATE ACTION

DATE: 3-14 2013
RD 1 RFD LLH

I hereby certify that the notice & proof is attached to the Bill, SB 359 as required in the General Acts of Alabama, 1975 Act No. 919.

PATRICK HARRIS,
Secretary

This Bill was referred to the Standing Committee of the Senate on LLH

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report

w/amd(s) _____ w/sub _____ w/eng sub _____
years _____ days _____ abstain _____
this 18 day of April 2013

Bo Darden, Chairperson

DATE: 4-24 2013
RF FAU RD 2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 359.

years 21 days 1 abstain 7
PATRICK HARRIS,
Secretary

DATE: 5-2-13 RD 3 at length
PASSED ☒ PASSED AS AMENDED ☐

years 21 days _____ abstain 7
And was ordered sent forthwith to the House.

PATRICK HARRIS,
Secretary

FURTHER SENATE ACTION (OVER)

HOUSE ACTION

DATE: _____ 2013
RD 1 RFD BCL

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on

Baldwin County Legislation
was acted upon by such Committee in session, and returned therefrom to the House with the recommendation that it be Passed,

this 18 day of May 2013
w/amd(s) _____ w/sub _____

Randy Jones, Chairperson

DATE: 5-7 2013
RF _____ RD 2 CAL

DATE: _____ 20
RE-REFERRED ☐ RE-COMMITTED ☐
COMMITTEE _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 359.

YEAS 30 NAYS 0
JEFF WOODARD,
Clerk

FURTHER HOUSE ACTION (OVER)

Fleming, Margaret

From: Fleming, Margaret
Sent: Thursday, May 16, 2013 4:50 PM
To: Michael C. Cox (Mike.Cox@koleyjessen.com)
Cc: Davis, Jim; Messick, Misty
Subject: US v. Chapman (UOCAVA)

Dear Mike:

As we discussed, I have some questions for the deponents next week, although I don't necessarily need the answers to be given in the formal context of a deposition. Here are my questions:

1. Did ES & S do everything within its power to get Alabama absentee ballots out on time in the last election? If not, what else might ES & S have done? Do you consider ES & S's performance in the last election in Alabama a success or a failure, when compared to its performance in other states? Why?
2. Did the Alabama Secretary of State do everything within her power to get Alabama absentee ballots out on time in the last election? If not, what else might her office have done? Do you consider the performance of the Alabama Secretary of State's Office in the last election a success or a failure, when compared to the performance of other states? Why?
3. Did Alabama local officials do everything within their power to get Alabama absentee ballots out on time in the last election? If not, what might they have done? Do you consider the performance of the Alabama local officials in the last election a success or a failure, when compared to the performance of other states' local officials? Why?
4. With what other states has ES & S contracted for absentee balloting systems? Did all of those other states get 100% of their absentee ballots out on time? What states had difficulty, and to what degree (i.e., how many ballots were late, and how late)?
5. Of the states that had difficulty getting ballots out, what remedial measures were taken by the state (e.g., extension of deadline for return of ballots)? Did DOJ express any dissatisfaction regarding the remedial measures taken by other states?
6. If any other state did not achieve 100% success in getting their absentee ballots out on time, how did DOJ respond to them? For example, did DOJ send complaints or demand letters to those states? Have other states changed requested changes to their systems or make other alterations because of complaints or demands received from DOJ?
7. There were 704 different ballot styles in Alabama in the last election. In the deposition of a local official earlier this week, it was brought up that one of the 67 counties in Alabama – Elmore County – alone had 54 different ballot styles. To complicate matters further, under Alabama law, each county Probate Judge must first approve the ballots before they can be printed. Question: How does the complexity of elections in Alabama compare to other states that you have worked with? Are elections in Alabama above average, average, or below average in their complexity, as compared to other states?
8. How was the project manager picked for Alabama? What was her level of experience, going in? Why was she selected for this particular project? Was the complexity of elections in Alabama a consideration in her selection? Why or why not?
9. DOJ appears to want perfection from Alabama. That is, there appears to be a zero tolerance for late ballots, even when the SOS acts to extend the deadline for receipt of ballots by emergency rule, so that each absentee voter receives at least 45 days within which to receive and return a ballot. Question: Is perfection – that is, zero error rate – a practical goal, the way elections are now conducted in Alabama? What changes, if any, would be required to achieve that goal? What changes, if any, would be helpful, based on your experience?
10. Do you know any other states that has experienced similar demands from DOJ – that is, is any other state being held by DOJ to a standard of zero-errors in balloting for UOCAVA voters? If so, please list them.
11. Does it appear that Alabama has been treated differently from other states by DOJ with respect to UOCAVA compliance? How?

I welcome your thoughts. Many of these questions are probably best posed to Kathy Rogers. Is Kathy available to meet with us following her deposition on Thursday for an informal discussion?

I look forward to meeting you next week. I am hoping for good weather.

With kind regards,

Margaret L. Fleming

Chief, Constitutional Defense Division
Office of the Attorney General
State of Alabama
501 Washington Avenue
PO Box 300152
Montgomery AL 36130
(334) 353-3738

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