



## The Birmingham News

### Election set for vacated seat on commission

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The Jefferson County Election Commission on Tuesday officially called a Feb. 5 special election to fill the District 1 seat on the County Commission.

The Election Commission, made up of Probate Judge Alan King, Sheriff Mike Hale and Circuit Clerk Anne Marie Adams, called the election hours after Larry Langford resigned his County Commission post to become Birmingham mayor.

The officials set the election to coincide with Alabama's presidential primary and scheduled a runoff, if necessary, for Feb. 26.

Unlike the regular commission races, this special election is non-partisan without primaries. Candidates must file a statement of candidacy by Jan. 15. That statement must include the signatures of at least 100 voting age residents of District 1.

Election Commission members have said 2004 state legislation that gives the governor power to fill county commission vacancies by appointment specifically excludes counties that have their own rules for special elections, such as Jefferson County.

However, Gov. Bob Riley maintains he has authority to fill the seat. Riley's staff says county election officials are misinterpreting the 2004 act, and that the 1977 law providing for elections to fill vacancies in Jefferson County was rendered void by the 2004 law.

"It is our opinion that the governor will make this appointment," Riley's press secretary, Tara Hutchison, said Tuesday.

King said the Election Commission will carry out its mandate.

"The Election Commission of Jefferson County has passed a resolution for an election to fill the vacancy, and it is our duty to proceed with holding the election as previously set," King said.

District 1 stretches from Fairfield north to Fultondale and east to Roebuck.

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