

**ALABAMA BOARD OF OPTOMETRY
ADMINISTRATIVE CODE**

**CHAPTER 630-X-4
NOMINATING AND ELECTING NOMINEES FOR BOARD APPOINTMENT**

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630-X-4-.01 Time And Place Of Annual Meeting.

On or before June 1 of each year, the Board shall prescribe by resolution duly adopted at a regular or called meeting the exact time and place of a meeting to be held at least 30 days prior to October 1 of that year for the purpose of selecting five persons whose names shall be certified to the Governor for appointment to the Board. On no later than July 1 of that year, the secretary-treasurer or executive director shall mail to or send by electronic mail each optometrist holding a current annual registration certificate to practice in Alabama at the address shown on his current registration, notices setting out the exact date, place, and hour of the meeting, the purpose of the meeting, and advising him or her of the right to attend and vote at the meeting.

Author: Wallace D. Mills

Statutory Authority: Code of Ala. 1975, §34-22-40.

History: Filed July 9, 1990. **Amended:** Published September 30, 2025; effective November 14, 2025.

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Amended: Filed March 6, 1985. **Repealed:** Filed July 9, 1990.

630-X-4-.02 Nominations.

(1) Nominations of persons to be selected at the annual meeting shall be made in the manner herein prescribed and no person shall be a nominee eligible to be selected at the annual meeting unless so nominated.

(2) The executive director shall enclose with or attach to the notice required by Rule 630- X-4-.01 of this regulation to be mailed or emailed a brief summary of the qualifications required for appointment to the Board.

(3) Each licensee holding a current annual registration certificate shall have the right to submit the names of up to five (5) qualified optometrists he would like to be considered for nomination. Each licensee desiring to submit such names shall do so on a form which shall be included with the other material required by this regulation to be mailed. Each form shall be signed by an optometrist licensed in Alabama. The form is attached to this regulation as Appendix A.

(4) Said forms shall be forwarded to the executive director in sufficient time for the executive director to receive the same at least 14 days prior to the date of the meeting. Forms received by the executive director less than 14 days prior to the date of the meeting, listing the name of persons not qualified, or listing more than five (5) names shall be void.

(5) Immediately after a date 14 days prior to the date of the meeting, the secretary-treasurer shall then count and tabulate the forms so received and the ten persons qualified for Board membership listed the highest total number of times on valid forms shall be the nominees to be voted on at the annual meeting. In the case of ties, all persons listed a sufficient number of times to create the tie shall be included as a nominee regardless of the number.

(6) Seven days prior to the meeting, the executive director shall post on the Board's website a list of persons so nominated to be voted on at the annual meeting.

(7) The executive director shall make available at his office and at the annual meeting all such forms received by him (valid and invalid) for inspection by any optometrist licensed in Alabama, in person or by attorney with written authorization, and shall make no disposition thereof until at least March 1 of the following year.

(8) Only those persons nominated shall have their names included on the ballot for voting at the annual meeting.

(9) Any Person who is nominated and who does not wish to be considered, may have their name removed from the list of nominees by request made in writing, which shall be received by the secretary-treasurer prior to submission of the list to the Governor.

Author: Wallace D. Mills

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630-X-4-.03 Voting.

Votes at the annual meeting will be cast and counted as herein provided.

(a) Prior to the annual meeting the secretary-treasurer shall cause to be prepared a sufficient number of ballots containing the names of those persons listed the highest number of times on the forms as hereinabove provided and such ballot shall contain blanks for the insertion of the names of persons who may be nominated by petition at the annual meeting.

(b) The secretary-treasurer shall cause the names of all persons so nominated to be inserted on the ballots. The ballots so prepared by the secretary-treasurer shall be the official ballot and shall be used in conducting the election.

(c) As each licensed optometrist holding a current annual registration is given a ballot, said optometrist shall sign a form signifying the receipt of said ballot and also signing his license number next to his signature. Balloting is by secret ballot and the optometrist need not sign the ballot sheet. No ballots will be given out prior to the voting and each optometrist shall be given only one ballot as they sign the form provided for above.

(d) The president shall appoint a committee of up to ten (10) licensed optometrists in attendance at the meeting to serve as election clerks and it shall be the duty of the election clerks to take up, count, and tabulate the ballots, and to report the tabulation to the president who shall announce the results.

(e) No cumulative or proxy voting shall be permitted and each optometrist voting must vote for five nominees in order for his ballot to be valid. Any ballot indicating votes for more or less than five nominees shall be null and void and shall not be counted.

(f) After all valid ballots are counted, the five persons receiving the greatest number of votes shall be the five persons certified to the Governor for appointment to the Board, without substitution.

(g) Within three days after the meeting, the secretary-treasurer shall notify those licensees whose names shall be certified to the Governor that their names shall be submitted to the Governor. Ten days after the meeting, the secretary-treasurer shall submit the list to the Governor. In order for a person to withdraw from the list to be certified to the Governor, the person must do so in writing and present it to the secretary-treasurer prior to the submission of the list to the Governor. If a person withdraws

their name from the list, the list shall be composed solely of those names remaining.

(h) In the event of ties, run-off elections will be conducted using blank ballots furnished by the secretary-treasurer with votes being cast by writing in the name(s) of the nominees involved in the run-off selected by the persons voting.

Author: Wallace D. Mills

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