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THE OFFICIAL
PUBLICATION OF THE
ALABAMA RETAIL
ASSOCIATION

*THE VOICE
of Retailing in Alabama*



ALABAMA RETAIL
ASSOCIATION

ALABAMA RETAIL ASSOCIATION NAMES "RETAILERS OF THE YEAR"

The Alabama Retail Association recognized seven outstanding retailers from across the state on September 30 with the sixth annual "Retailer of the Year" Awards. The presentation was made during the University of Alabama's Annual Retailing Day. The University was a co-sponsor of the awards.

The Gold Award in the category "Annual Sales \$2 Million and Under," went to **Randy and Mary Adamy** of **O'Henry's Coffee, Inc.** in Birmingham. Terry Smith, owner of **Edgar's Bakery, Inc.** nominated The Adamys. The Silver Award was presented to **Dee Tipps** of a.k.a. **Girls Stuff, LLC** in Homewood. Ms. Tipps was nominated by Lori Leonard, Executive Director of the Homewood Chamber of Commerce. **David Wales** of **Wales Jewelry Company** in Scottsboro received the Bronze Award. Rick Roden, President of the Greater Jackson County Chamber of Commerce nominated Mr. Wales.

In the category "Annual Sales \$2-10 Million," the Gold Award went to **Charles Smith** of **Floral Pharmacy, Inc.**, in Florida.



Mr. Smith was nominated by Debra T. Childs of **Floral Pharmacy**. The Silver Award was presented to **Denise Knox** of **Private Gallery** in Fairhope. Ms. Knox was nominated by Darrelyn J. Bender of the Eastern Shore Chamber of Commerce. The **Huntsville Team** of **Ivan Allen** in Huntsville received the Bronze Award. Loren Traylor of the Huntsville Chamber of Commerce nominated the group.

In the category "Annual Sales Over \$10 Million," the Gold Award was presented to **Lynn Layton** of **Lynn Layton Chevrolet** in Decatur. John Seymour, President of the Decatur-Morgan Chamber of Commerce nominated Mr. Layton.

"This was an exciting day for us," said Charles McDonald, President of the Alabama Retail Association. "We have been working on this for some time and it is an honor to be able to recognize such an outstanding group of retailers. They are a credit to this profession and an asset to their communities."



Pictured left to right: B. Lynn Layton (Lynn Layton Chevrolet, Inc.), Charles T. Smith (Floral Pharmacy, Inc.), Dee Tipps (a.k.a. Girls Stuff), David Cook (for the Ivan Allen Huntsville Team), David Wales (Wales Jewelry Company), Denise Knox (Private Gallery, Inc.), Mary and Randy Adamy (O'Henry's Coffee, Inc.).

THE VOICE

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Jimmy Smith Jewelers, Decatur

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The Athlete's Foot, Tuscaloosa

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FROM THE PRESIDENT

CHARLES MCDONALD

A citizen of America will cross the ocean to fight for democracy, but won't cross the street to vote in a national election. — Bill Vaughan

Voter apathy is a growing problem, especially in the younger generations. I am afraid all of our talk of never making a difference has so jaded the younger generations that they are afraid to even TRY to make a difference. At a time when United States Soldiers are losing their lives to give citizens of foreign countries the right to vote, their peers in America have never even bothered to register.

Hollywood has taken note. Celebrities have raised enormous amounts of money for their mostly liberal candidates. They are making appearances across the country signing up people in voter registration drives. They have designed lines of clothing around candidates and get-out-the-vote themes. Sadly, many will be influenced by their favorite star's candidate instead of getting educated on them all.



You, as an employer, can change that dynamic. In this issue are biographies of Alabama Retail Pac-endorsed judicial candidates. These candidates are supported by most of the business community, and will work to interpret rather than make the law. We must do all that we can to see them elected.

Talk to your employees about these candidates and others you are supporting. Educate yourself so that you can answer their questions. We have information sheets on these candidates and sample ballots we will be sending in the coming weeks. Give them to your employees, friends, family—maybe even your customers.

This election is going to be extremely close in many races. The importance of voting is paramount.

Let's get out OUR votes!

GET OUT THE VOTE

OBJECTIVE

To turn out as many voters as possible. Employers need to talk to their employees about the November 2 General Election and the importance of exercising their right to vote. Educated voters are more likely to take the time to go to the polls to cast their votes.

SUMMARY

It is permissible for an employer to distribute information about a particular candidate for office and to solicit employees' support for identified candidates so long as employers do not practice job discrimination in any form with regard to the employees' free exercise of their vote.

DISCUSSION

It is permissible for corporations to distribute campaign literature and brochures to employees, solicit votes for identified candidates for state-wide office, or solicit contributions for identified candidates, so long as such solicitations are not accompanied by job discrimination, financial reprisal or coercive threats of any kind. Both federal and state law prohibit any coercion of this sort in connection with solicitation of employees' support for identified candidates.

Ala. Code §§ 17-23-10 & 11 prohibit an employer, or the officer or agent of an employer, "by coercion, intimidation, threats to discharge or to lessen the remuneration of an employee" from attempting to influence a vote of an employee in an election.

The Alabama Fair Campaign Practices Act prohibits "job discrimination or financial reprisals" of any sort in soliciting contributions to a candidate or political action committee and further prohibits coercion or threats made for the purpose of "interfering with the right of such other person to vote." Ala. Code §§ 17-22A-16 & 20.

Likewise, federal law makes it a criminal offense to threaten or intimidate the free exercise of the vote. 18 U.S.C. § 241.

ADVICE BY ALABAMA CIVIL JUSTICE REFORM COMMITTEE COUNSEL

Employers and officers or agents of employers may distribute campaign literature for identified candidates and encourage support for identified candidates so long as the solicitation could not be construed as intimidating, threatening or coercive of an employee's free and unfettered exercise of his

(Continued on page 8)

ALABAMA RETAILPAC ENDORSED JUDICIAL CANDIDATES



ALABAMA SUPREME COURT – PLACE 2

When she was appointed to the bench at age 27, Judge Patti Smith became one of the youngest judges in the history of Alabama. Since then she has been elected and re-elected four times as District Judge in Shelby County, making her one of Alabama's most senior jurists.

While serving as Shelby County's only Juvenile Court Judge for a population over 150,000, Patti Smith continues to work on local and state juvenile justice issues. She has been recognized nationally for her work on juvenile justice and the many programs she has founded in this area. Judge Smith organized Shelby County's Children's Policy Council and works with many other local charities and nonprofit organizations.

Prior to her service as District Judge, Patti Smith was an Assistant District Attorney and worked as an attorney in private practice.



ALABAMA SUPREME COURT – PLACE 3

After fifteen years on the bench and deciding more than 17,000 cases, Judge Mike Bolin has the experience we need on the Alabama Supreme Court. A native and lifetime resident of Jefferson County, Judge Bolin was elected Probate Judge in 1988, 1994, and 2000. Before being elected to the bench Judge Bolin spent 16 years as an attorney in private practice.

Judge Mike Bolin is a leader in making adoption easier for Alabama families. As Probate Judge, he has presided over 6,000 adoptions and wrote Alabama's Putative Father Registry Law, which protects the rights of parties in adoption proceedings.

Judge Mike Bolin is a principled conservative who believes judges should adhere to the law as it is written—from the Constitution to the laws of legislature—and not make law from the bench.



COURT OF CIVIL APPEALS

Tommy Bryan worked for nearly two years as a staff attorney for the state Court of Criminal Appeals before joining the Department of Environmental Management as associate general counsel, a position he has held for 17 years.

He is conservative, believes in judicial restraint and in a strict construction of the constitution and statutes of our state. He knows that the court system's number one function is fairness and there must be an equal playing field for all that enter the doors of justice.

Bryan pledges to "devote every single day to the basic fairness, integrity and efficiency you would expect from those who you have entrusted to make this state a better place to live."

ALABAMA CENTENNIAL RETAILERS ANNOUNCED

The Alabama Retail Association recognized ten Alabama Centennial Retailers—retailers with 100 or more years in business in Alabama—on September 30. “For businesses to survive

and thrive despite the dramatic changes of the past century is a remarkable achievement,” said ARA President Charles

McDonald. “It is fitting to celebrate their enduring contributions to their communities in Alabama.”

Alabama Centennial Retailers were honored at the Alabama Retailer of the Year Awards Luncheon held at the University of Alabama. Each received a bronze plaque for the outside of the business and a certificate suitable for display inside.

The Alabama Retail Association presents awards annually to additional Centennial Retailers. To notify ARA of a retail business that had been in operation for 100 years or more, please contact Alison Wingate at: (800) 239-5423 or awingate@alabamaretail.org.



2004 ALABAMA CENTENNIAL RETAILERS

Banks and Company, Eutaw
 Founded in 1889 by James O. Banks and Beckam Palmer
 Owners: Mr. James O. Banks, Jr., Philip B. M. Banks and James E. Banks

Clark Memorials of Alabama, Inc.
 Decatur, Gadsden, Birmingham, Tuscaloosa, Montgomery and Selma
 Founded in 1898 by Egbert Clark
 Owner: Pierre Tourney, Jr.

Cullman Tribune, Cullman
 Founded in 1874 by George Parker and G. A. Prinz
 Owner: Delton Blalock

Fincher & Ozment Jewelers, Tuscaloosa
 Founded in 1904 by William H. Fincher & Eugene Truman Ozment
 Owners: Tommy Ozment and Tom Ozment, Jr.

Floralia Pharmacy, Inc.
 Florala, Andalusia, and Enterprise
 Founded in 1904 by Steve Wynn and John McLean
 Owner: Charles T. Smith

Herald Printing and Office Supplies
 Florence
 Founded in 1884
 Owner: John Martin

Louis Crew & Co., Goodwater
 Founded in 1877 by Colonel Madison Crew
 Owner: Johnny Crew Watson

Lowe's Pharmacy, LaFayette
 Founded in 1890 by B. B. McGehee and A. Berry
 Owner: Lewis Lowe

Parisian
 Alabama, Florida, Georgia, Indiana, Michigan, Mississippi, Ohio, South Carolina and Tennessee
 Founded in 1887 by Bertha and Estella Sommers
 Owner: Public Company

The Choctaw Advocate, Butler
 Founded in 1890 by Charles Edward McCall
 Owners: Helen W. Cleary, William A. Davis, Ann W. Allen, Hunter Doggette and Shirley M. Perry



Pictured left to right: Ann Banks (for Banks and Company), William A. Davis and Helen W. Cleary (The Choctaw Advocate), Lewis Lowe and John Lowe (Lowe's Pharmacy), Charles T. Smith (Floralia Pharmacy, Inc.), Johnny Crew Watson (Louis Crew & Co.), and Ben Cooper (for Parisian).

ADOR ONLINE SERVICE MAKES BUSINESS REGISTRATION QUICK AND EASY

THE ALABAMA DEPARTMENT OF REVENUE ADDS ONLINE BUSINESS TAX REGISTRATION TO ITS EVER-EXPANDING LINEUP OF ELECTRONIC SERVICES.

New business owners can now register for various business taxes by accessing the ADOR's new online registration system at www.ador.state.al.us.

Within the last year, the ADOR has made remarkable strides in its electronic tax filing and payment programs. Today, we have now come full circle with the addition of the online business tax registration program," said ADOR Commissioner Tom Surtees.

The free online registration system allows new business owners to register for any of the following ADOR-administered state and local taxes:

- State Sales Tax
- State Consumer's Use Tax
- State Seller's Use Tax
- State Rental or Leasing Tax
- State Lodgings Tax
- State-Administered Local Sales, Use,
- Mobile Communications Services Tax
- Rental/ Leasing, and Lodgings Taxes
- Utility Service Use Tax
- Utility Gross Receipts Tax
- Utility Excise Tax
- Pharmaceutical Provider's Tax
- Alabama Nursing Home Privilege Tax
- Alabama Income Withholding Tax

Prior to the new online system, new business owners had to complete a "paper" registration application form, mail or deliver the form to the ADOR, and then wait approximately seven to ten days for the paper form to be processed.

The online registration system allows new business owners to complete their registrations anytime at their convenience and electronically transmit the registration application free of charge to the ADOR for immediate processing. By using the online registration

system, new business owners can help the ADOR significantly reduce the registration processing time from seven to ten days to only two to three days.

The online service is limited to registration only. Those taxpayers wishing to add business locations or provide changes of address must contact the department via telephone or letter.

"Our number one goal is to make tax registration, filing, and payment methods easier and more convenient for all Alabama taxpayers. Our move to an electronic business tax format not only will save valuable taxpayer dollars in forms processing, printing, and postage costs, but also will expedite many tax registration procedures that will allow businesses to open their doors sooner," added Surtees.

The ADOR encourages taxpayers who do not have computer access, but wish to register, file or pay their business taxes online to visit the nearest ADOR Taxpayer Service Center located in Auburn/Opelika, Dothan, Gadsden, Huntsville, Mobile, Montgomery, Muscle Shoals, or Tuscaloosa.

For more information concerning ADOR's new online business tax registration system, call (334) 242-1170 or visit https://aldor.efile.govconnect.com/web/AL_CBR/WelcomeRegis.asp.

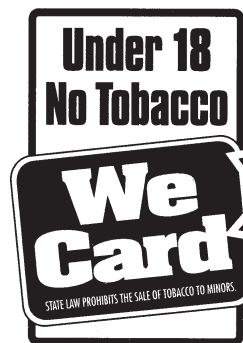
DID YOU KNOW?

Shoppers are incorporating more economizing behaviors into their weekly shopping trips. Most popular cost-cutting practices:

Making a list	56%
Following weekly ads	39%
Joining club card programs	34%
Stocking up on sale items	32%
Substituting store brands	28%
Clipping coupons	26%

Source: *Trends in the U.S. 2004*

Time to order your 2005 We Card materials!



We Card materials are now available for a nominal fee.

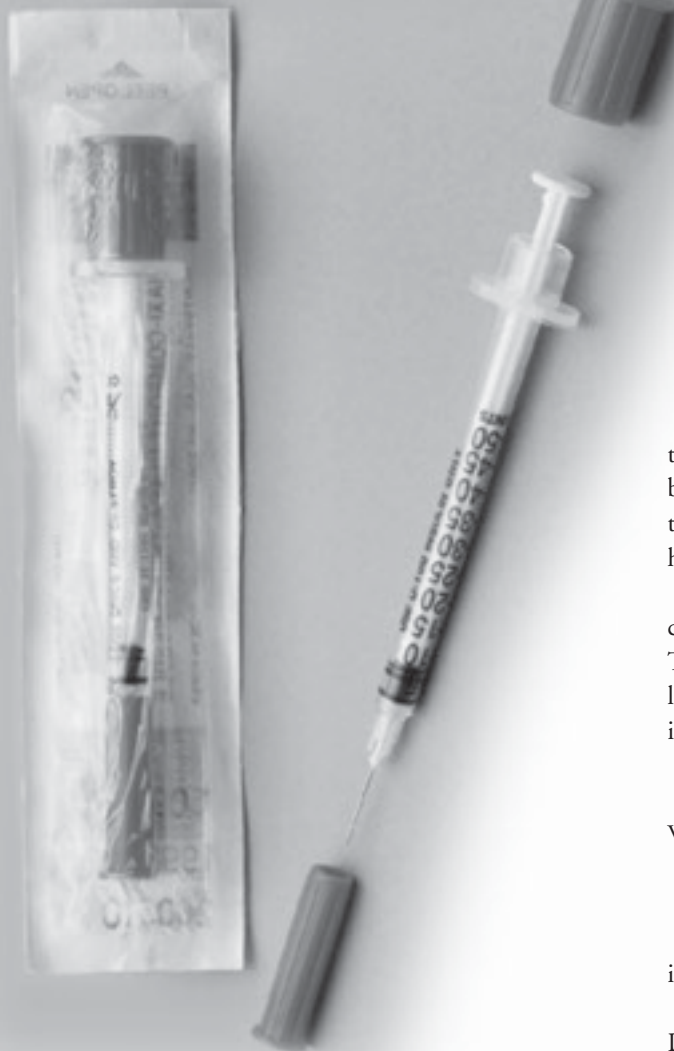
Need a calendar? Training materials?

Order your point-of-sale & training materials today!

CALL: 1-800-934-3968

ORDER ONLINE: www.wecard.org

ADPH WORKS WITH PROVIDERS TO TARGET INFLUENZA VACCINE TO PERSONS AT HIGHEST RISK



The Alabama Department of Public Health is partnering with the private sector in efforts to ensure that those persons at highest risk of severe complications of influenza have access to influenza vaccinations. The Alabama Department of Public Health is working with physicians, pharmacists, and other vaccine providers through the Medical Association of the State of Alabama, the Alabama Pharmacy Association, the Alabama State Board of Pharmacy and the Alabama Retail Association to inform the public that flu shots will be restricted this season.

“We are asking that pharmacies delay their vaccine initiatives and then target them to high-risk individuals. Both small and large pharmacies have been very cooperative in directing all available influenza vaccine for this season to those individuals at highest risk and health care workers who provide their direct care,” said Dr. Donald Williamson, state health officer. “We urge other healthy Alabamians to forego or delay influenza vaccination this year.”

The Centers for Disease Control and Prevention in coordination with its Advisory Committee for Immunization Practices (ACIP), issued interim recommendations for influenza vaccination during the 2004-05 season which are as follows:

Priority groups for vaccination with inactivated influenza vaccine are:

- all children aged 6–23 months,
- adults aged 65 years or older,
- persons aged 2–64 years with underlying chronic medical conditions,
- all women who will be pregnant during influenza season,
- residents of nursing homes and long-term care facilities,
- children 6 months-18 years of age on chronic aspirin therapy,
- healthcare workers with direct patient care, and out-of-home caregivers and household contacts of children aged less than 6 months.

Dr. Williamson said, “Regrettably, vaccine shortages dictate that there will not be enough vaccine for everyone this year. There will be clients who will not be able to receive immunizations this year at their local health departments this year unless they fall into the high-risk groups.”

Mass influenza vaccination clinics scheduled for four Alabama cities have been cancelled because of the lack of influenza vaccine. The Alabama Department of Public Health has also printed posters listing the high-risk groups who are eligible to receive influenza immunizations this season.

Other steps the department is taking include

- Delaying and revising implementation of the Worksite Wellness Program’s offering of influenza vaccine
- Assessing the status of vaccine availability in the state
- Maintaining surveillance of influenza illness
- Providing reference laboratory testing services to identify influenza viruses

Information regarding influenza will be updated on the Alabama Department of Public Health Web site at www.adph.org.

ONLINE SHOPPERS LEAD THE CHARGE FOR AN EARLY START TO THE HOLIDAYS

Online retailers will have plenty to be cheery about during the holiday season, according to a new survey of online shoppers and retailers. The 2004 Shop.org/BizRate.com Online Holiday Mood Study found that 98 percent of merchants are anticipating online growth this holiday season. Also, 32 percent of consumers plan to do more of their holiday shopping online this year.

Consumers who shop online are more likely to start their holiday shopping earlier than consumers who shop at traditional brick-and-mortar stores. And despite a common misconception that retailers start their holiday promotions earlier every year, 72 percent plan to begin holiday marketing at the same time as last year. Over half of

Survey Finds 98% of Merchants Expect Online Sales Growth

online retailers (53%) will wait until after Halloween to begin promoting the holiday season, though most online shoppers will have started their shopping nearly a month before. According to the survey, 53 percent of online shoppers plan to begin their holiday shopping by early October, when only 14 percent of merchants will have launched their online holiday marketing promotions.

“Online shoppers seem to be leading the charge to start the holiday season earlier every year,” said Scott Silverman, Executive

Director of Shop.org. “Online retailers who wait until November to begin holiday promotions might miss out on sales opportunities.”

This year, consumers will be relying on the Internet in a variety of ways. More than half of online shoppers plan to use the Internet more than last holiday season to comparison shop (89%), research gifts for others (86%), buy gifts for others (74%), and buy gifts for themselves (53%).

“The online sector is quickly becoming a one-stop shopping destination for consumers,” said Chuck Davis, CEO of BizRate.com. “Even consumers who may ultimately buy in the store are using the Internet to compare prices or research products.”

WELCOME NEW MEMBERS

Angler Seafood Restaurant, Inc Crane
 Auburn Lighting & Design, LLC Auburn
 Bay Animal Clinic North, LLC..... Spanish Fort
 Beck's Enterprise, Inc..... Russellville
 Blue Horizon, LLC Birmingham
 C & K Sales Guntersville
 Cahaba Media Group, Inc. Birmingham
 Carl-Sidney Land Company, Inc..... Montgomery
 Chapman Enterprises, Inc. Cropwell
 Chef Brad Productions, LLC..... Birmingham
 Chicken Outfits, Inc. Haleyville
 Costner Loan Company, LLC..... Anniston
 Crim Sales and Engineering, Inc. Birmingham
 CTT Investment, Inc., A Close Corporation Birmingham
 DMD, LLC Eufaula
 Don Pepe, Inc..... Birmingham
 Dunn's Wholesale Auto Sales, Inc. Cottondale
 Eagle Eye Outfitters, Inc..... Dothan
 El Rancho Mexican Grill Bessemer
 Ensley-Fairfield Mattress Co..... Birmingham
 Henderson Investments, LLC Birmingham
 HLP Deli, LLC Hoover
 House Of Java Inc..... Prattville
 J & K Junction, LLC..... Gilbertown
 J.C. Pippin Cleaners And Furriers, Inc..... Gadsden
 Kentucky Fried Chicken Of Haleyville, Inc. Haleyville

La Fiesta Mexican Grill Fayette
 M.D.G., INC. Montgomery
 Macnan Enterprises Birmingham
 Medina Brothers Food Co., Inc..... Hueytown
 Merchants Adjustment Service, Inc..... Mobile
 Mibe, LLC..... Dothan
 Milagros, Inc..... Tuscaloosa
 Nickco L.L.C..... Mobile
 NJM, Inc..... Selma
 Palladium Press, LLC..... Birmingham
 S & S, LLC Tuscaloosa
 Sasser, Rice & Barber, LLC..... Homewood
 Scrubs Stat!, Inc..... Madison
 Soul Burger, LLC..... Huntsville
 Staying Fit LLC..... Alabaster
 Steamers Restaurant & Oyster Bar, Inc. Northport
 Strategic Industrial Solutions, Inc..... Hoover
 Student Life Publishing, Inc..... Birmingham
 Sundtime South, LLC..... Montgomery
 T & AA, Inc..... Rogersville
 Taylor Running Company, Inc..... Huntsville
 Terry's Uniform & Screening Printing, Inc. Birmingham
 The House Of Paints, Inc..... Crestview
 The Pencil Company, Inc. Mobile
 ZTS, Investments, Inc..... Pleasant Grove

GOVERNOR'S REGIONAL ECONOMIC ROUNDTABLES

For many years, the Alabama Department of Industrial Relations has presented seminars on various topics of interest to employers, mostly on topics related to Labor Laws and Regulations. This year, DIR has teamed up with the Governor's Office, the Alabama Retail Association, the Business Council of Alabama, the Chamber of Commerce Association of Alabama; and the National Federation of Independent Business, to bring you a series of roundtables on a broader scale.

Based on a recent survey of Alabama employers, we are presenting information on topics voted the most important by you! We have also expanded the time frame from half a day, to a full day. (See survey results at: http://dir.alabama.gov/knowledge/opinion_results.aspx.)

Topics to be presented include:

- What the New Overtime Laws Mean for Your Business
- Employment Law
- Wage and Hour Law Overview
- Tips on Reducing Your Workers' Compensation Insurance
- Managing Your Unemployment Insurance Tax
- Confidentiality in the Workplace (Identity Theft)
- Complying with the New FAX and E-Mail Reporting Requirements
- Promoting Wellness Programs to Reduce Health Insurance Costs

2004 GOVERNOR'S REGIONAL ECONOMIC ROUNDTABLES

If you have any questions or would like additional information, call the DIR Public Information Office at 334/242-8609 or e-mail dherbert@dir.state.al.us.

Each Roundtable will have registration from 8:00-8:30 and conclude at 4:15 p.m.

November 8

Alabama Center for Commerce Auditorium (7th Floor)
401 Adams Avenue
Montgomery, AL 36109

November 10

Wiregrass Rehabilitation Center
795 Ross Clark Circle
Dothan, AL 36303

November 16

Huntsville Board of Realtors
535 Monroe Street
Huntsville, AL 35801

November 17

University of North Alabama Performance Center,
One Harrison Plaza
Florence, AL 35632-0001

November 18

Blue Cross/Blue Shield of Alabama
450 Riverchase Parkway East
Birmingham, AL 35244

REGISTRATION FORM GOVERNOR'S ROUNDTABLE

Please register me for the Governor's
Regional Economic Roundtable in

_____.

Please mail this form and a check for \$20.00 per person, payable to *Roundtable Fund*, to the address in the below. Confirmation of your registration will be sent via e-mail. If you don't have an e-mail address your confirmation will be mailed or FAXed to you.

E-mail address: _____.

FAX #: _____.

Please type or print your business name and address, and phone number, clearly below.

Person(s) attending seminar

Special Accommodations:

Return to:

DIR Public Information Office
649 Monroe St., Room 2440
Montgomery, AL 36131

GET OUT THE VOTE *Continued from page 2*

right to vote. An employer may limit its exposure to these concerns by providing a written statement in all communications to employees about a political race that no adverse action of any kind will be taken against an employee based on the employee's political views. Likewise, political contributions can be sought from employees so long as similar oral or written guidelines are distributed.



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