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Election for Alabama governor still unsettled

MONTGOMERY, Ala. (AP) — For the past week, in a sort of political version of "To Tell the Truth," two men have each claimed to be the next governor of Alabama. And some people are getting mighty tired of the whole spectacle.

The standoff between Democratic Gov. Don Siegelman and Republican Rep. Bob Riley is even competing with the annual Alabama-vs.-Auburn football game these days as the big topic on talk radio and at lunch across the state.

The official tally shows Riley leading by 3,115 votes out of 1.3 million cast, but Siegelman is demanding a statewide recount and complaining about the accuracy of the optical scanners used to read ballots. Since Election Day, each man has acted as if he is Alabama's next governor.

Some voters are calling on Siegelman to end the controversy.

"Accept your lame-duck status. Call your mover. Pack your bags and vacate the Governor's Mansion," suggested Allen Cotton, a military veteran from Prattville.

Other voters are encouraging Siegelman to press for a recount in the nation's last undecided governor's race.

"Any election that close needs to be recounted. Neither one of the candidates has a mandate," said Linda Rosen, a Tuscaloosa guidance counselor. She said a recount would help unite the state: "If we feel a majority is behind one man or one woman, we will go along because that's our way."

Riley and Siegelman spent a total of more than \$22 million

on their campaigns, much of it attacking each other. The nastiness has continued during the disputed vote counting.

Siegelman had initially led in unofficial returns and called on Riley to concede. But Riley jumped in front on election night when Baldwin County officials reduced Siegelman's total by nearly 7,000 votes, saying a computer glitch in their election system had overstated his returns.

"Any election that close needs to be recounted. Neither one of the candidates has a mandate."

— Linda Rosen
Tuscaloosa guidance counselor

Siegelman's supporters filed petitions in every Alabama county last week for a recount. But the move was all but shut down by Republican Attorney General Bill Pryor, who said recount rules do not override a state law that keeps ballots sealed except in limited circumstances. At least one county, however, said it would begin a recount on Thursday.

Siegelman's options are getting a court order to open the ballots or filing an election contest with the Legislature. The Legislature does not convene until Jan. 14, but Siegelman is considering calling a special session.

Jim Kelly, who grows cotton and peanuts in Hartford, said there is a recount, it should be limited to Baldwin County. "I don't need to bog the whole state down by recounting all counties," he said.

Montgomery Mayor Bob Bright, an independent who has worked closely with the governor on economic development, said Siegelman needs to show some evidence of ballot problems or "move on."

"Unless there is a specific incident where the numbers be challenged, we need to accept them as certified," Bright said.

But Hugh Lee, a Tuscaloosa lawyer who worked on Gore's legal team during the Florida election dispute, said Siegelman is in a bind. "You want to see evidence of problems, but 'without the ballot it's hard to make a case to the public.'"

The Birmingham News, Alabama's largest newspaper, wants a quick resolution. "The governor believes he won shorted votes in Baldwin County, he should pursue a court order to unseal the ballots there and get a machine recount. Otherwise, Siegelman should start practicing his concession speech," the newspaper said in an editorial.

Hank Childers of Alabama said the best way to solve the dispute may be to combine Alabama's passion for politics and football, with the Alabama-Auburn clash looming Nov. 25. "Let the two morons kick field goals at halftime of the Iron Bowl to decide who is the chief idiot of the state," he said in a letter to the editor.

Court denies benefits to twins conceived after father's death

PHOENIX (AP) — A federal judge ruled that 6-year-old twins conceived after a Tucson man's death are not considered his children under Arizona law, and therefore aren't entitled to Social Security benefits.

"Only a child who survives a deceased parent or was in gestation at the time of the deceased parent's death may inherit," wrote U.S. District Court Judge John Roll.

The ruling, issued Nov. 6 in Tucson, was received by attorneys Tuesday.

Anthropology professor Robert Netting, 59, and his wife, Rhonda Gillett-Netting, now 38, were trying to have children when he was diagnosed with cancer in December 1994. He stored sperm before his death in February 1995. Ten months after his death, his wife became pregnant through in vitro fertilization. After giving birth to a son and daughter, Gillett-Netting petitioned the Social Security Administration for

benefits. Her initial claim and an appeal were denied, and in January she sued. Federal officials argued that the children do not qualify as survivors because they didn't exist when Netting died.

Bebe Anderson, an attorney for the Center for Reproductive Law and Policy, which represented Gillett-Netting, said attorneys are still deciding what to do next. "The ruling denies his children benefits based on the circumstances of their birth," Anderson said. "The court has misinterpreted Arizona law, which treats all children equally."

Similar cases have been filed in Louisiana, New Jersey and Massachusetts, according to the center. State courts have found that posthumously conceived children are entitled to state benefits, and children in Louisiana ultimately received benefits after a settlement with the Social Security Administration.

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