



Policy Counts for Kids

2009 LEGISLATIVE REPORT

2009 Legislative Successes

Pre-K Funding Increased

Child Care Slots Protected

Alabama Commission to Reduce Poverty Created

Funding for CHIP Increased

individuals who solicit children for sex via internet, even if the person being solicited is an undercover operative; create the Alabama Interagency Autism Coordinating Council; require local boards of education to adopt school safety plans; mandate licensed child care facilities to have written emergency plans; and to increase the mandatory school attendance age from 16 to 17, which state leaders hope, when combined with other dropout prevention initiatives, will ultimately increase Alabama's graduation rate. Final passage was also given to legislation providing for public school system policies to aid in the prevention of harassment amongst students, and a bill creating the Alabama Commission to Reduce Poverty, naming VOICES for Alabama's Children among the collection of partners appointed to serve on the commission.

Other bills which passed during the '09 legislative session include measures to spend \$6 million of state money to stimulate home sales as well as a bill providing for state investment in an individual development account program, a matched savings account program which enables low-income families to save and build assets. Though advocates contributed a great deal of effort and compromise in order to pass the bill, the Governor issued a pocket veto after the session adjourned.

A measure authorizing the Department of Human Resources to take certain administrative action in child support enforcement cases was given final passage as well as a resolution permitting the Retirement Systems of Alabama to assess and make recommendations on the state's distressed prepaid affordable college tuition (PACT) program.



All Things Considered

Though many would agree that the 2009 regular legislative session was quite eventful, depending on whom you ask, the question of productivity is hit or miss. All things considered amid a crumbling economy, shrinking budgets, numerous controversial bills and typical political warfare, members were relatively successful in addressing the people's business. Under the circumstances children of Alabama fared well. While there is much to celebrate, it is certainly not a time to rest on our laurels. It is important to note that any gains for Alabama's children will help set the bar higher for elected officials in keeping children and families a priority at the legislature.

The first couple of weeks in the '09 session got off to a rigorous start, though not at all indicative of how the entire session would run. In spite of numerous setbacks, within the first few weeks legislators had taken up key measures including bills prohibiting smoking in public indoor places, providing for oversight to members of the commercial and tax preparation industry which in some cases prey on low-income families, strengthening the state's current graduated drivers licensing law and removing the state portion of sales tax on groceries.

Numerous pieces of legislation pertinent to Alabama's children and families made it all the way to the finish line. The legislature passed bills to criminally charge

Bills which were not so lucky include a plan to change state law in order to expand unemployment benefits using \$100 million in federal stimulus funds; a bill to provide oversight to commercial tax preparers; a measure creating the state's first housing trust fund targeted at low-income families; a resolution calling for a constitutional convention to rewrite the 1901 Constitution; and a bill instituting rules on how state and federal funding is allocated to organizations that are members of the Alabama Network of Family Resource Centers.

State Budgets: A Children's Issue

Throughout the session, the most troubling issue by far was the ever declining state of the economy. Lawmakers addressed the budget crisis through a combination of cuts and federal assistance. Apart from which side one stands in regards to the acceptance of federal stimulus monies, without those dollars state budgets would have faced massive shortfalls.

February 17, 2009, the signing of the American Recovery and Reinvestment Act (ARRA), helped change the conversation on state budgets and ultimately saved numerous programs from deep cuts. Although the process was long and painful, legislators prolonged budget discussions in order to obtain more definitive information and better understanding on guidelines of how stimulus dollars could be used.

The ARRA will provide the state of Alabama \$3 billion in recovery assistance over the next two years geared toward boosting the state economy. The financial fix, while much needed, is only temporary. State lawmakers have a tough road ahead and must adopt new strategies to secure adequate funding for the programs and services upon which so many Alabamians rely.

Though several financial blows were dealt, the FY 2010 budgets did yield some pretty big rewards for children and families. The \$6.2 billion education budget and the \$2.5 billion general fund saw increases in the millions, making more money available to state agencies than would have otherwise been appropriated.

Legislators again showed their commitment to getting Alabama's children off to a good start by increasing funding for Alabama First Class, the state's nationally recognized, state-supported, voluntary pre-k program. With the \$3.2 million increase in funding, the Office of School Readiness will be able to fund an additional 20 to 40 pre-k sites across the state. As touted as Alabama's pre-k program is, it continues to reach only six percent of the four-year-old population. Increased commitment for pre-k at both the state and federal level is a sure sign

that the message of investing early in children is being heard loud and clear. Advocates vow to continue efforts to build public support for proven programs, such as Alabama First Class, which yield enormous short-term and long-term results.

Medicaid and the Children's Health Insurance Program (CHIP), known as ALL Kids in Alabama, both received a boost in funding. Medicaid received over \$400 million as a result of federal stimulus dollars. The increase in funding will assist those who have been displaced due to the economic downturn and now rely on such services. The nearly \$4 million increase to ALL Kids will expand the program to cover children in families between



200 and 300 percent of the federal poverty level, reaching an estimated 14,000 additional uninsured children.

With record numbers of parents in today's workforce, child care has emerged as a critical component of our nation and state's workforce and economic development. The federal government will invest \$2 billion into the Child Care and Development Block Grant (CCDBG) over the next two years as part of the ARRA. The state of Alabama will receive \$38 million to be divided between 2009 and 2010. The investment certainly could not have come at a better time, as the Alabama Department of Human Resources reluctantly prepared to make cuts to the child care subsidy program because of the downturn in the economy. Added funding and tireless efforts on behalf of child advocates resulted in thousands of children and families continuing their enrollment in the program. However, more restrictive eligibility requirements enacted last year, due to lack of funds, will likely remain in effect.

Key appropriations and programs, including the Children First Trust Fund, Children's Advocacy Centers, C.I.T.Y. Program, Alabama Reading Initiative and Home Instruction for Parents of Preschool Youngsters (HIPPY) were all protected in the budget. The Department of Child Abuse Prevention experienced a decrease in appropriations, but will nonetheless be able to continue targeted funding of community-based organizations that work to protect the health and safety of Alabama's children. The funding match for AIDS services was cut in half in the general fund budget, jeopardizing federal funding to HIV/AIDS programs throughout the state. These programs serve people of all ages, some of which are Alabama youth.

VOICES' Agenda: Challenges & Opportunities

Though several bills pertinent to children and families gained traction in the '09 session, there were numerous missed opportunities as well. Lawmakers failed to pass legislation strengthening Alabama's current graduated drivers licensing law. The bill passed the House, but failed to gain final passage in the Senate. However, a favorable report out of the Senate committee was an accomplishment as this was not the case in the '08 session. The bill, sponsored by Rep. Mac Gipson (R-Prattville) and Sen. Quinton Ross (D-Montgomery), would tighten restrictions on adolescent drivers in areas most closely associated with auto crashes and fatalities including, number of passengers, use of electronic devices and nighttime driving. States that have implemented comprehensive systems have seen up to 40 percent reductions in teen crashes. If strengthening Alabama's law saves one life, it is well worth.

Adolescent drivers have higher crash rates per mile driven than any other age group. Over the past several years, nearly 190,000 Alabama youth between the ages 15 and 20 were involved in crashes, 1,200 of which were fatal. However, the numbers do not reflect the injuries and fatalities to drivers in other vehicles. The issue of inexperienced adolescent drivers is and should be a serious concern for all drivers.

Despite failure to pass improvements to the graduated drivers licensing law, teen drivers may still face challenges to obtaining full driving privileges. As a result of a new law, school disciplinary problems may hinder some students from getting behind the wheel of a car.

Legislation that generated extensive debate, but was not successful included the Clean Indoor Air Act, also known as the smoke-free bill, sponsored by Sen. Vivian Figures (D-Mobile) and Rep. Mary Sue McClurkin (R-Pelham). Basically sailing through the Senate last year, the bill did not meet the same fate during the '09 session. With legislators unable to hammer out negotiations the bill died in the Senate and never reached the House floor for debate.

The basis for smoke-free laws is founded in clear scientific evidence about the hazards of exposure to secondhand and third-hand smoke, especially for children. Tobacco related illness is the most preventable cause of death in the United States, and the human and economic costs continue to grow rapidly. Virginia, a state in which tobacco is a key crop, recently adopted legislation making it a smoke-free state. If the state of Virginia can take a stand to protect the health of its citizens, certainly the state of Alabama can do the same. Another controversial but failed proposal which gained

widespread publicity and emerged as a top priority for both Republicans and Democrats was the grocery tax measure, sponsored by John Knight (D-Montgomery) and Hank Sanders (D-Selma). Though both sides agreed on the fundamental of the bill, removing the state portion of sales tax on groceries, they strongly disagreed on how to make up for the lost revenue. After lots of compromise, numerous filibusters and four failed attempts at a procedural vote to bring the measure up for debate, partisanship won out and the bill died in the House.

A substitute bill which never reached the floor for full consideration would both remove the sales tax on groceries and phase out the federal income tax deduction over a three year period. It is unclear which version of the bill will be introduced in next year's session, but several members of House and Senate leadership have again listed the removal of sales tax from food as a top priority in 2010.

In response to the increasing number of injuries and fatalities to children operating all-terrain vehicles (ATV), advocates partnered in a statewide campaign to raise awareness and introduce legislation to address the matter of ATV safety. The all-terrain vehicle bill, sponsored by Rep. James Gordon (D-Mobile) swiftly passed the House Public Safety Committee, but was later indefinitely postponed before adjournment. Even though the bill failed to pass, there was still a great deal of exposure to the issue of ATV safety, setting the stage for advocates to rally support behind the legislation in the 2010 session.

Because of the active role played by advocates in the 2009 regular legislative session, children and families remained a priority. Not every good bill that is filed will become law, which has certainly been made clear, but each year that we continue to fight brings us one step closer. With your help VOICES will continue to advocate for issues that impact Alabama's most vulnerable populations.

*Because powerless children
need powerful voices...*



Alabama House of Representatives

**How Your Legislator Voted:
Description of Bills**

Graduated Drivers License (HB282/SB181)— A bill to strengthen Alabama’s current graduated drivers licensing law by instituting a comprehensive three stage process to obtain a restriction free license. Passed the House; died in the Senate. Vote tally represents House vote. Senate vote not available.

Grocery Tax Amendment (HB116/SB115)— A bill to remove the state portion of sales tax on groceries. Failed four procedural votes in the House; failed to make it to the Senate. Vote tally represents the fourth House vote. No Senate vote available.

Clean Indoor Air Act (SB130/HB490)— A bill prohibiting smoking in public places and workplaces. Died in the Senate due to failed negotiations on numerous amendments; failed to make it to the House. Due to the overwhelming number of votes on amendments, a likely way of keeping the bill from obtaining a final vote, it is difficult to assess legislative support for the bill. No Senate or House vote available.

*No Senate votes available for selected bills.
*House District 6, Vacant

BILLS TO WATCH IN 2010

- Strengthen Graduated Drivers License Law
- Remove State Sales Tax on Groceries
- Clean Indoor Air Act
- All-Terrain Vehicle Safety

Questions or for more information, contact:

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	HB116 (BIR)	HB282
Allen	N	Y
Baker A.	N	Y
Baker L.	Y	A
Ball	N	Y
Bandy	Y	P
Barton	N	Y
Beasley	Y	Y
Beck	N	Y
Bentley	N	Y
Black	Y	Y
Boothe	Y	Y
Boyd	Y	Y
Bridges	N	Y
Buskey	Y	Y
Canfield	N	N
Clouse	N	Y
Coleman	Y	Y
Collier	Y	Y
Curtis	Y	Y
Davis	N	Y
DeMarco	N	Y
Drake	N	Y
Dukes	Y	Y
Dunn	Y	Y
England	Y	N
Faust	N	Y
Fields	Y	Y
Fincher	N	Y
Fite	P	Y
Ford	Y	Y
Galliher	N	Y

Alabama House of Representatives

	HB116(BIR)	HB282		HB116(BIR)	HB282
Gaston	N	Y	McCutcheon	N	Y
Gipson	N	Y	McDaniel	Y	Y
Gordon	Y	Y	McLaughlin	Y	Y
Graham	Y	Y	McMillan	N	P
Grantland	Y	Y	Millican	Y	N
Greenson	N	P	Mitchell	P	P
Grimes	N	P	Moore M.	Y	Y
Guin	Y	Y	Moore P.	N	Y
Hall	Y	Y	Morrow	Y	Y
Hammett	Y	Y	Newton C.	Y	Y
Hammon	N	Y	Newton D.	Y	Y
Harper	Y	Y	Oden	N	N
Hill	N	Y	Page	Y	Y
Hilliard	Y	A	Payne	N	Y
Hinshaw	Y	Y	Robinson J.	Y	Y
Holmes	Y	Y	Robinson O.	Y	Y
Howard	Y	P	Rogers	Y	Y
Hubbard	N	Y	Salaam	P	N
Hurst	Y	N	Sanderford	N	Y
Irons	Y	Y	Scott	Y	P
Ison	N	Y	Sherer	Y	Y
Jackson	Y	Y	Shiver	N	Y
Johnson	Y	Y	Spicer	Y	P
Keahey	Y	Y	Taylor	Y	Y
Kennedy	Y	Y	Thigpen	Y	N
Knight	Y	Y	Thomas E.	N	P
Laird	Y	N	Thomas J.	Y	Y
Letson	Y	Y	Todd	Y	Y
Lewis	N	N	Treadway	N	Y
Lindsey	Y	P	Vance	P	Y
Love	N	Y	Ward	N	Y
Martin	Y	N	Warren	Y	Y
Mask	N	Y	White	Y	Y
McCampbell	Y	P	Williams	N	Y
McClammy	Y	Y	Wood	N	Y
McClendon	N	Y	Wren	N	P
McClurkin	N	Y	Totals Yea/Nay/Other	59/41	80/10/2