



**POLICY COUNTS FOR KIDS**  
2009 Weekly Legislative Updates

## Policy Counts for Kids

Welcome to *Policy Counts for Kids*, VOICES' Legislative Update - emailed weekly during the Legislative Session to help you stay informed on policy issues that affect Alabama children and their families.

## VOICES' 2009 Legislative Priorities

- **Protect First Class Pre-K:** Continue the state's long-standing commitment to quality early learning and protect current funding for state supported high-quality pre-k.
- **Strengthen Alabama's Graduated Drivers License (GDL) System:** Lessen teen crash fatalities and injuries, and institute a strengthened and more comprehensive GDL system.
- **Institute Clean Indoor Air Act**  
Protect children from the dangers of hazardous substances by enacting legislation prohibiting smoking in most public places and workplaces.
- **Support Elimination of Sales Tax on Groceries:** Lessen the tax burden on families and eliminate the state portion of sales tax on groceries.
- **Enact All Terrain Vehicle (ATV) Safety:** Increase child safety and require protective helmet use by children under the age of 16 who operate or ride on ATVs.

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**February 2 – 6, 2009**

### This Week at the Alabama State House

The '09 Legislative Session kicked off to a fairly good start this week. Among numerous changes which have taken place in the Alabama Senate, lawmakers recently announced the decision to elect Rodger Smitherman (D-Birmingham), President Pro Tem. His former posts as Judiciary Chair and Confirmations Chair have been filled by Myron Penn (D-Union Springs) and Hinton Mitchem (D-Albertville) respectively.

This week over 600 bills were introduced, including legislation to strengthen Alabama's current graduated drivers license law, enact smoke-free legislation and prohibit cell phone use and text messaging while driving.

In other good news, a constitutional amendment to eliminate the state portion of sales tax on groceries received a favorable report out of committee on Thursday. Lawmakers from both parties spoke in support of the bill and proposed to continue moving forward in bipartisanship.

Perhaps the most troubling issue on the minds of legislators and citizens of Alabama alike is the current state of the economy and the impact on the state's budgets. There is broad consensus between the executive branch and legislative leadership to delay serious budget discussions until the fate of the federal economic recovery package is decided in Congress. As it stands, we can expect to see state budget discussions begin early April.

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## **National News**

This week President Obama signed bipartisan legislation to reauthorize and expand publicly funded health insurance for children. An additional four million children will now have access to affordable health care. Alabama's program, known as ALL Kids, currently covers over 71,000 children. Congressman Mike Rogers (R-3rd), Artur Davis(D-7th) and Parker Griffith (D-5th) all voted in favor of the expansion.

## **February 9-13, 2009**

### **This Week at the State House**

The Alabama Legislature closed its second week on Thursday, February 12. The Senate got off to a rocky start on Tuesday when it stalled over a sewer line dispute. After getting back to business, members easily passed a bill providing oversight of the commercial and tax preparation industry. Many low-income households lack the resources or knowledge to file their own taxes and rely heavily on costly commercial tax preparers which makes passage of this legislation even more crucial. The bill is sponsored by Quinton Ross (D-Montgomery) in the Senate and Laura Hall (D-Huntsville) in the House.

Members of the House Public Safety Committee approved a bill to strengthen Alabama's current graduated drivers license (GDL) law. HB282, sponsored by Mac Gipson (R-Prattville), is the same bill introduced last year. Though a minor change was made to the bill synopsis, there are no significant differences. In the '08 session the GDL bill passed the House unanimously, but failed to make it to the Senate floor before the session adjourned.

In other news, the Senate Finance & Taxation-Education Committee discussed the governor's proposed education budget, but took no formal action. Constitutional reformers opted for a different approach in '09, introducing a resolution in place of a bill calling for a Constitutional Convention. This method will potentially address many of the obstacles faced in previous years. A bill to increase the mandatory school attendance age from 16 to 17 was introduced in the Senate. Arthur Orr (R-Decatur), the bill's sponsor noted that 24 states use 16 as the dropout age, while remaining states use 17 or 18. Members of the House passed a ban on PAC to PAC transfers for the eighth consecutive year.

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## **Contact Committee Members for a Smoke-Free AL**

Members of the Senate Education Committee will take up the Clean Indoor Air Act (SB130) on Tuesday, February 17. Reach out to committee members and ask them to support SB130! Tell them:

- A smoke-free Alabama is not a political issue, but rather a health issue.
- Children are especially vulnerable to the hazards of secondhand and third-hand smoke.
- Each year, secondhand smoke exposure is linked to up to 2 million ear infections in children, nearly 530,000 doctor visits for asthma, up to 436,000 episodes of bronchitis in children under five years of age, and up to 190,000 cases of pneumonia in children under five years of age.

The bill's sponsor, Vivian Davis Figures (D-Mobile), has advocated smoke-free legislation for several years now and is confident the bill will see success during this legislative session. Mary Sue McClurkin (R-Pelham) introduced the House version of the Clean Indoor Air Act this week.

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## National News

Members of the U.S. Congress continue deliberations on the \$789 billion federal economic recovery package. As it stands, the plan includes (but is not exclusive to) the following benefits for children and families:

- **Increases food stamp benefits by over 13%** to help offset rising food costs for more than 31 million Americans, half of whom are children.
- **Provides \$1.1 billion for Early Head Start and \$1 billion for Head Start** which provide comprehensive development services to low-income infants and preschool children – thereby providing services for 110,000 additional infants and children.
- **Provides \$2 billion for the Child Care Development Block Grant** to provide child care services to an additional 300,000 children in low-income families while their parents go to work.
- **Child Tax Credit earnings threshold lowered to \$3,000.**

A vote is expected to come as soon as this afternoon. Stay tuned to hear how this plan impacts children!

## February 16-20, 2009

### This Week at the State House

Thursday concluded the sixth legislative day of the '09 Session. In the House it was business as usual, but the Senate was locked down yet again by a Tuscaloosa senator over a procedural disagreement.

Nonetheless, child and family advocates had yet another victory with the Senate Finance and Taxation-Education Committee approving a constitutional amendment to remove the

state portion of sales tax on groceries. As it stands, the bill has been approved by committees in both chambers and will now make its way to the floors for debate.

In other news, House members approved a measure prohibiting convicted sex offenders from living within 2,000 feet of a college or university as well as a bill outlawing texting while driving. The House Government Appropriations Committee continued to assess the state's financial situation, hosting budget hearings with various state department heads. No formal budget action is expected to take place until late in the session.

The Senate Education Committee approved a bill to delay 16-year-olds from obtaining their driver's licenses if they have repeated school disciplinary problems, while members of the House Judiciary Committee approved bills to criminally charge an individual who solicits a child for sex via internet even if the person being solicited is an undercover police officer.

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### **What's Harming Kids?**

According to the Campaign for Tobacco-Free Kids, smoking kills more people than alcohol, AIDS, car crashes, illegal drugs, murders, and suicides combined. We now know the dangers related to secondhand and third-hand smoke, both of which children are most susceptible. So, what can our state do protect the health of our children?

Alabama lawmakers are on the right track by taking up the **Clean Indoor Air Act (SB130/HB490)**, but it's up to each of us to ensure that this crucial piece of legislation is a priority in both chambers. This week members of the Senate Education Committee voted favorably for the bill to ban smoking in public places, including bars and restaurants. It now awaits action in the House. Begin now, urging your Representative to support this measure!

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### **National News**

President Obama signed into law the American Recovery and Reinvestment Act of 2009 on February 17, 2009. Over the next two years, Alabama will receive over \$3 billion in recovery assistance geared toward boosting our state economy and creating jobs in communities across the state.

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### **A Note to Advocates**

When your legislator doesn't hear from you, he or she assumes there is little or no support for an issue or specific piece of legislation. However, we can rest assured they are hearing from the other side.

Through our e-advocacy tool VOICES is able to connect you with your elected officials like never before. We urge you to take advantage of this innovative tool and engage your legislators. Email, call, write or visit-- just take action!

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## **Graduated Drivers License (GDL) Passes House**

Beginning in the late 1990's, VOICES led advocacy efforts calling attention to the issue and need for implementing a GDL system in the state. In 2002, after years of hard work and numerous setbacks, advocates experienced success with the Alabama Legislature enacting the state's first GDL law, a multi-step licensing procedure. The statute was designed to help lower Alabama's teen death rate and reduce injuries.

While passage of the law was a triumph, teen death rates did not decrease as significantly as hoped. As of 2008, Alabama ranked #2 in the nation for teen driver deaths, second only to Wyoming. In order to save more lives and prevent more teen crashes we must strengthen the current law and adopt a more comprehensive system.

A bill before the legislature would require the following:

- Restricted drivers to be off the road by 10 p.m. on weeknights and 11 p.m. on weekends.
- Limit the number of passengers to one, with exceptions.
- Outlaw use of electronic devices while driving.
- Require drivers with a learner's permit to be accompanied by a licensed driver 21 or older.

On Tuesday members of the House took a step in the right direction, passing legislation to strengthen the current GDL law. Check out [roll call!](#) The bill now awaits action in the **Senate Commerce, Transportation & Utilities Committee. Please contact those members and ask them to support HB282/SB181.**

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## **February 23-27, 2009**

### **At the State House**

On Thursday the Alabama Legislature concluded its eighth legislative day. This week advocates expected a full House debate on a bill to remove the state portion of sales tax on groceries, but action was delayed. Legislators continue compromise and anticipate the bill to hit the floor for debate soon.

In other news, the House passed a bill to criminally charge an individual who solicits sex from a child even if the child is actually an undercover police officer. Members also approved bills appropriating funds to rebuild portions of a tornado damaged school in Walker County

as well as a measure to delay receipt of drivers licenses for 16-year-olds with repeat school disciplinary problems. Legislators introduced a bill to enhance domestic case law involving the "best interest of a child" in the event of a parent or guardian's arrest.

The Senate Governmental Affairs Committee voted favorably on a bill making it illegal to send and read text messages while driving. Similar legislation passed the House last week. The Senate Education Committee approved a measure to raise the school dropout age to 17.

## March 2-6, 2009

### At the State House

It was business as usual with the Alabama Legislature concluding its fifth week. With the session ending on or before May 18, the mid-point is quickly approaching. Nonetheless, child advocates still have time to get vital legislation passed before adjournment!

This week House members passed legislation requiring law enforcement to inform a convicted sex offender (prior to release) if the address he or she provided places the offender in violation of state law. The Senate approved a stimulus measure to spend \$6 million of state funds to help fuel home sales in the state as well as bills to create a system for alerting the public when an elderly person is missing.

Members of the House Education Policy Committee swiftly approved a bill to require parental consent for a 16 or 17-year-old child to withdraw from school enrollment. The House Education Appropriations Committee passed a proposal to establish regional autism centers at universities around the state.

The Grocery Tax Amendment (HB116/SB115) remained stalled in the House, but advocates are hopeful bill sponsors will obtain the number of votes needed to bring it up for floor debate.

A bill to strengthen Alabama's current graduated drivers licensing law, which passed the full House last week, awaits approval from the Senate. Advocates expect resistance from some Senate members, but you can help! Begin reaching out to members of the Senate Commerce, Transportation & Utilities Committee and ask them to support the GDL bill (HB282/SB181)!

The Clean Indoor Air Act (SB130/HB490) remains in the Senate Rules Committee, but is expected to hit the Senate floor soon! Advocates expect passage in the Senate, but anticipate opposition in the House. Don't forget to [contact](#) your Representative and ask them to "Vote YES for the Clean Indoor Air Act!"

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### ATV Related Child Deaths

Children under the age of 16 are four times more likely to experience injury while operating ATVs. In 2006, at least 139 children under the age of 16 died as a result of ATV-related injuries. Currently 27 states have a minimum age requirement for ATV operation—*the state of Alabama has no such law.*

This week members of the Alabama Legislature took a step in the right direction introducing legislation to extend current bicycle equipment provisions to ATVs as well. The ATV Safety bill (HB626), sponsored by Rep. James Gordon (D-Mobile), would require helmet use for both the driver and passenger. The bill was referred to the House Public Safety Committee. It is important to note that the American Academy of Pediatrics recommends no one under the age of 16 should operate an ATV.

### March 9-13, 2009

#### Legislators Break Next Week, Let's Keep Working!

Next week members of the Alabama Legislature will take a week long break. This is the perfect time to contact your elected official while he or she is in their home district and ask for their support on bills of interest. In particular, we need you to reach out to your House member and ask them to support the **Grocery Tax Amendment (HB116)!**

The bill is **on the calendar for Tuesday, March 24**, after legislators return from the break. The vote will be close so it will take all of us working together to get the number of votes needed for passage.

Removing the sales tax on groceries will help all Alabamians and is critical to fixing the *Upside-Down* tax system which holds us back!

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#### GDL Passes Senate Committee

Members of the Senate Commerce, Transportation & Utilities committee voted unanimously to approve a bill to strengthen the state's current graduated drivers licensing law. Though a big win for advocates, we must continue reaching out to members of the Senate in order to get the bill to the floor for debate.

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#### This Week at the State House

It was a fairly active week in the Alabama Legislature, with legislators concluding their 12<sup>th</sup> meeting day. Both Houses took up bills related to electronic bingo and gaming. Many suspect these same bills will be the cause of a drastic slow down in weeks to come.

Members of the Senate passed numerous bills, including legislation providing tax breaks to movie and film production companies working in the state of Alabama, criminally charging

an individual who solicits a child for sex via internet even if the person being solicited is an undercover police officer and a bill requiring the State Department of Education and the Alabama Institute for Deaf and Blind to employ school nurses in each local school system.

The Senate Education committee approved a bill to implement model policy to prevent student harassment in schools. Advocates were successful in getting the Clean Indoor Air Act (SB130) on the calendar, but the Senate adjourned before debating the bill. We will continue to follow this critical legislation and urge you take action on this item if you have not done so!

The House approved a bill requiring each local board of education to develop a comprehensive school safety plan and approved a measure to amend procedures for issuing protection orders in domestic violence cases.

### **Alabama's Budgets**

This week the Commissioner for the Department of Children's Affairs presented a budget request to the House Governmental Appropriations committee. Legislators did not make any definitive statements on whether funding would be cut.

More intensive budget discussions are expected to begin after the break. As stimulus dollars continue rolling into the state, legislators will hopefully be better equipped to address the state's budget concerns. According to the Governor's spokesperson, the state can expect to see a boost in dollars for Medicaid, special education, Title I programs, K-12 and higher education. *Stay tuned for the most up-to-date information on our state's budgets!*

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### **VOICES Speaks Out to Protect Child Care**

Child care subsidies in the state of Alabama are at risk! Click [here](#) to read what advocates from multiple organizations had to say about the crisis at a recent press conference. Also, here breaking news from the Alabama Department of Human Resources.

**March 23-27, 2009**

### **This Week at the State House**

The Alabama Legislature completed its seventh week, with Thursday, March 26, concluding the 14th meeting day of the '09 session. As the end draws nearer and more and more controversial bills are introduced the question remains—could this period represent the beginning of the end of productivity in the legislature? Only time will tell as legislators continue tackling tough issues in the upcoming weeks, including bingo bills, the grocery tax measure, constitutional reform and perhaps most importantly the state's budgets.

This week began with the bingo battle heating up and ended with the House in a lockjam over a measure to remove the state portion of sales tax on groceries and the Senate in a

filibuster led by Phil Poole (D-Tuscaloosa). Nonetheless, advocates saw a glimmer of hope with the House Public Safety Committee swiftly approving the **ATV Bill (HB 626)**, extending bicycle helmet provisions to drivers and passengers on all-terrain vehicles and other motorized scooters.

The House Committee on Boards and Commissions discussed but did not vote on a measure **(SB 201) to regulate tax return preparers**. The bill sailed through the Senate in February and will be back in Boards and Commissions on **Wednesday, April 1, 1:30p.m., Rm. 601**. Advocates are hopeful a compromise will be reached before the session concludes.

A bill to establish the first affordable housing trust fund in Alabama received its first reading this week. The measure, sponsored by Laura Hall (D-Huntsville), will provide housing opportunities for low-income individuals and families.

Members of the Senate Education Committee held public hearings on measures prohibiting students from wearing clothing items which expose their underwear and authorizing security personnel employed by a board of education to carry a firearm under certain conditions. All parties involved agreed more discussion is needed before taking any action on either bill.

The Senate Health Committee approved a measure to change the name of the Department of Mental Health and Mental Retardation, to the Department of Mental Health. In other news, the Board which oversees the state's PACT program agreed to continue paying tuition, but discontinue new enrollment. The legislature is expected to address the PACT crisis in coming weeks.

Next week Members are planning a three day work schedule, taking up bills Tuesday, Wednesday and Thursday.

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### **Will Legislators Eliminate Grocery Tax?**

Perhaps the more appropriate question is, will they give the citizens of Alabama the opportunity to vote? If you ask some Members, chances are you'll get a resounding NO!

This week a procedural vote to bring the Grocery Tax Amendment up for debate, narrowly failed the House. The vote was pretty much split down party lines, three votes shy of the amount needed. See the Roll Call [here!](#)

Members of the Black Caucus ended the week with stalling tactics protesting the lack of action taken on the bill. As the session approaches its halfway mark, tension and anticipation is keen. If you have not reached out to your House member, please do so now! Just one simple phone call can make all the difference. Get your Representative's number here!

## **March 30 – April 3, 2009**

### **This Week at the State House**

This week members of the Alabama Legislature convened a three day work week, hitting the half way mark. Whether or not the extra day proved helpful is strictly a matter of opinion, with both chambers experiencing numerous setbacks and delays. Thursday, April 2 concluded the 17th legislative day on the '09 calendar.

Members gave final passage on a bill to spend \$6 million of state money to stimulate home sales. The bill now goes to the Governor. The House approved a bill increasing unemployment benefits using stimulus dollars. Sponsors of the grocery tax bill attempted and failed twice to obtain the number of votes needed to bring the bill up for debate on the House floor.

A bill to increase the legal drop out age for students from 16 to 17 passed the House Education Policy Committee. Members of the House Board & Commissions Committee approved legislation regulating tax preparers. The bill would require commercial tax preparers in the state to obtain licensure, to aid in the reduction of fraud within the industry.

The House Government Appropriations Committee approved a measure providing financial rescue to the state's broken PACT program. Sponsors are hopeful the bill will make it to the House floor for discussion.

The fact that Alabama is one of seven states with no fund for affordable housing could change soon if Rep. Laura Hall (D-Huntsville) and Rep. Patricia Todd (D-Birmingham) are successful in passing a bill to create the state's first Housing Trust Fund. The fund, to be supported by mortgage recording taxes, will target low-income families (living below 60 percent of area median income) with the hopes of creating more affordable home ownership and rental opportunities.

The Clean Indoor Air Act, while on the Senate calendar three times in a row, has not made it to the floor for debate.

While a bill to strengthen the state's graduated drivers licensing law awaits final action in the Senate, several teens across the state have been killed or injured over the last few weeks in youth related crashes. Unfortunately, time is not on our side. Stay tuned for new developments on this critical piece of legislation.

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## **Alabama Budgets & Federal Stimulus**

This week members of the Alabama Legislature held a joint meeting with Government Appropriations to discuss the state operating budget and the federal stimulus package. Though many tough questions were addressed, a good bit of uncertainty remains.

During the hearing, it was quickly established that funds would go to existing programs and "ready to go" projects only. Competitive funds are available to states, but officials are unsure how Alabama will fare in that regard. State overseers of federal dollars assured members of the legislature that each county will receive stimulus dollars in some form, however the amount will vary from area to area.

The good news-- the state has been rescued from deep cuts. However, lawmakers are still tasked with crafting an appropriate spending plan for state and federal dollars.

Education Appropriations will hold a similar hearing on Wednesday, April 8, 9:00 a.m. in the House Chamber.

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### **Grocery Tax: Third Time's a Charm?**

Unfortunately, not in this case. For the third time in the '09 Session, the procedural vote to bring the Grocery Tax Amendment up for debate failed. The bill has been through several compromise phases and sponsors suggest they are open to even further compromise in order to get the bill passed. Advocates expect the bill will be up again for debate next week.

Join the fight to end the state sales tax on groceries! [Click here for FAQ.](#)

**April 6-10, 2009**

### **This Week at the State House**

This week the Alabama Legislature closed out its 9th week of the '09 Regular Session, with Thursday April 7 concluding the 19th meeting day. Members of both chambers were in lockdown much of the week over local contested bills, upset over failure to debate the grocery tax measure and partisan bickering-- just to name a few. During brief spurts of harmony lawmakers did manage to pass numerous local bills and a few bills with statewide implications as well.

House members passed legislation establishing domestic violence fatality review teams to study methods of preventing similar subsequent incidents. The Senate and House created a conference committee to revise the wording of a resolution to draw down federal stimulus dollars for unemployment benefits in the state.

The Senate Judiciary Committee voted Wednesday on a bill placing a three-year moratorium on the death penalty. The measure is intended to give the state an opportunity to assess

impartiality of the current system. Members of the Senate approved legislation allowing schools to employ registered nurses as well as licensed practical nurses.

A joint session on the state's education budget and the federal recovery package, hinged on saving the jobs of Alabama teachers. State leaders feel confident that with the help of federal stabilization funds, Title 1 and special education stimulus dollars, over 3,500 teacher jobs will be saved.

The Grocery Tax Bill (HB116) sponsored by John Knight (D-Montgomery), to remove the state portion of sales tax on groceries, is expected to come up for a fourth vote before adjournment of the '09 Session. The bill has failed three times to make it to the House floor for debate.

This week House Republicans introduced an alternative plan to address the sales tax on groceries, proposing tax credits for families with incomes up to \$22,000. As advocates, we must continue non-partisan pressure and urge legislators to find common ground. Alabama families deserve it!

A bill introduced this week would help provide a safety net for the Alabama Department of Child Abuse Prevention, *Children's Trust Fund*. HB829, sponsored by Cam Ward (R-Alabaster) and Mike Ball (R-Huntsville), would add no additional burden on the state's budgets, but would offer additional unattached dollars to the Trust Fund that could be matched with federal dollars to provide increased funding for services. The identified dollars are unclaimed funds currently released to non-profit agencies at the discretion of the court and would not cost the state a penny. Please contact your House and Senate member and ask for their support on HB829!

Early on in the session it appeared that the Smoke-Free bill would meet the same fate in the Senate as last year, but given recent activity that may not be the case. SB130 has now been carried over after a series of amendments threatened to water the bill down. Stay tuned...

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**April 13-17, 2009**

### **This Week at the State House**

This week the Alabama Legislature concluded its tenth week, with nine legislative days remaining in the '09 session. Both chambers were bogged down intermittently by stalling tactics and numerous debates. In the Senate, Phil Poole (D-Tuscaloosa) and Bobby Singleton (D-Greensboro) filibustered both Tuesday and Thursday, while members of the House continued to deal with lingering upset regarding legislation to repeal the state portion of sales tax on groceries.

The House passed several local bills as well as a resolution to change state law if necessary, in order to draw down all federal stimulus dollars for unemployment benefits. The Senate gave final passage to a bill establishing the Interagency Autism Coordinating Council on Thursday. Concurrently, hundreds gathered outside of the State House advocating

improvement of services for those with autism. The bill now awaits approval from the Governor.

This week lawmakers introduced legislation authorizing use of state dollars to ensure each participant in the prepaid college tuition program receives all tuition payments as well as a bill addressing infant mortality by calling for a state and a regional perinatal advisory council through the Bureau of Family Health Services of the Alabama State Board of Public Health.

Members of the Senate Finance & Taxation-Education Committee approved a bill requiring local school boards to develop a school safety plan. The bill will now go to the Senate.

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### **State Budgets: Crisis or Opportunity?**

Members of the House Government Appropriations Committee addressed numerous budgetary items this week, approving a version of the General Fund Budget, the Children First Trust Fund Appropriation bill, funding for Child Advocacy Programs as well as the Coalition Against Domestic Violence. Committee members commented that the current version of the General Fund intends to fully fund Medicaid and the state's child health insurance program. Members also approved a measure providing supplemental appropriations for departments and programs including the Conservation and Natural Resources Department and the Community Intensive Treatment for Youth (C.I.T.Y.) Program.

The Senate Finance & Taxation-Education Committee met this week and for the first time approved what is now the third version of the state's education budget. The budget passed through committee with the understanding that more changes and perhaps a fourth and even fifth version of the bill is soon to come.

It is still unclear if the Governor will opt to use the remaining funds in the ETF rainy day account and important to note that even with stimulus dollars, K-12 continues to face a funding shortfall.

Changes to both budgets can be expected to occur as updated information on federal guidelines for stimulus dollars continue to trickle down from Washington. A more in-depth budget analysis will be conducted as lawmakers close in on final versions of both budgets.

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### **DHR to Hold Public Hearing**

Alabama DHR will hold a public hearing on the Child Care and Development Fund (CCDF) State Plan, **Wednesday, May 6, 10:00 a.m.**, Gordon Persons Building Auditorium.

**April 20-24, 2009**

### **This Week at the State House**

This week concludes the eleventh week of the Alabama Legislature's '09 Session. With only seven legislative days left, lawmakers find themselves up against the wire with several key issues remaining including state budgets and other more controversial measures regarding electronic bingo, removing the state portion of sales tax on groceries, and mending the state's broken PACT program. Nonetheless, legislators definitely put in overtime this week trying to meet those demands and will hold a three day work session in the upcoming week.

Members of the Senate passed a bill providing Medicaid coverage for certain women diagnosed with breast or cervical cancer as well as a host of local bills. They also debated and approved the state's \$6.2 billion education budget (ETF) which is a good sign for local superintendents who are anticipating the financial futures of their school systems. Total appropriations for the education budget, includes over \$500 million in federal stimulus dollars. The bill is expected to be voted on in the House Tuesday, April 28.

The current version of the ETF includes over \$19 million for the Office of School Readiness, the state agency overseeing Alabama's high-quality, voluntary pre-k program. Funding levels represent a \$3.2 million increase from the 2009 prorated budget amount. Alabama's pre-k program has been named the nation's best for the third-consecutive year and department leaders remain hopeful the program can be expanded to reach more children throughout the state. Regrettably, funding for the state's incredibly successful math, science and technology initiative and distance education programs has been scaled back.

Members of the House narrowly approved a measure to include crimes against gays, lesbians and bisexuals in the hate crime statute as well as appropriations for the Children First Trust Fund, Child Advocacy Programs, and Coalition Against Domestic Violence. The House also unanimously approved the state's \$2.5 billion general operating budget which includes slightly over \$1 billion in federal stimulus monies. Many agree that without the stimulus dollars our state would face massive shortfalls.

Under the current version of the general fund budget, the children's health insurance program received an additional \$4 million. With the help of stimulus monies the Department of Human Resources received an increase of nearly \$39 million, some of which will be used to prevent further cuts and hopefully reverse changes made to the state's much needed child care subsidy program. Medicaid stands to receive over \$750 million, an increase of roughly \$139 million.

Members of the Senate Judiciary Committee delayed action on a bill to ban texting while driving, as many feel the measure is too difficult to enforce, but approved a measure to delay receipt of a driver's license to a 16-year-old with school disciplinary problems. The House Judiciary Committee approved a measure making sexual contact between an educator and a student under the age of 19 a crime.

This week lawmakers were slated to take up an *oldie but goodie*, legislation calling for a convention to address the state's antiquated 1901 Constitution. Committee members failed to take action on the measure (HJR 91/SJR 20) ultimately delaying its path to the House floor for debate. Advocates expect the bill to be up before adjournment of the session.

Many lawmakers have not given up hope on removing the state portion of sales tax on groceries. Beginning late afternoon on Thursday, stalling tactics were implemented to encourage House members to bring the grocery tax measure up for consideration. Several legislators spoke candidly about their disgust with the rest of the legislative body for failing to bring the bill up for debate.

On a more positive note, there is a good possibility that the graduated drivers licensing bill will be placed on the Senate Special Order Calendar after the budgets are completed. This could take place as soon as next week.

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### **Alabama Highlighted in Child Care Study**

The report, *Underprotected, Undersupported: Low-income Children at Risk*, addresses double standards in childcare which endanger the health and safety of children in license-exempt facilities. The report highlights Alabama's child care system. Click [here](#) for full report!

**April 27 – May 1, 2009**

### **This Week at the State House**

This week concludes the twelfth week of the '09 legislative session. With only five working days remaining, advocates are in a crunch to get key legislation passed. If no major changes occur we can expect to see the session conclude on May 15.

Lawmakers opted for a two day work week instead of the three day week previously agreed upon, but with much of the time spent bogged down in dilatory tactics the change may have been a wise one. A fairly productive work day on Tuesday quickly slowed down by Thursday with a filibuster in the House over legislation concerning deregulation of phone services and a fiery dispute between two Senators over local legislation. With both state budgets nearing final passage, anxieties are high as spectators anticipate which bills will be debated before adjournment.

After lengthy debate, members of the House passed the state's \$6.2 billion education budget along with additional companion appropriations measures. State finance personnel speculate that the ETF would be short nearly \$1 billion without stimulus dollars from the federal government. The Senate accepted minor House made changes to the education budget which now awaits the governor's approval. It is important to note that none of the changes added or subtracted funds, but rather addressed language in the bill.

With committee approval out of the way members of the Senate are expected to take action on the state's \$2.2 billion general operating budget, along with the Children First Trust Fund appropriations bill, on Tuesday, May 4. It is unclear just how many changes will be made, but the budget chair of the Senate has already proposed a couple. The good news...Both state budgets will likely be signed by the governor before the session comes to a close.

In other news, the House passed a measure requiring written emergency evacuation plans for child day care centers and gave final approval to bill deregulating all telephone services. A vote on a measure to change state law in order to draw down all federal stimulus dollars for unemployment benefits was blocked in the Senate.

A bill outlawing texting while driving still awaits action in the Senate Judiciary Committee. Amid widespread national attention to the dangers of such behaviors many legislators find the issue a real cause for concern. The House Judiciary Committee approved a bill allowing children over the age of 15 to choose, in some divorce cases, with which parent they wish to live.

Legislation to remove the state portion of sales tax on groceries is expected to come up for a vote next week. This particular vote is key as recent polls show that two-thirds of Alabamians support the measure. Even if legislators pass the bill it would still have to go to a vote of the people. As always the question remains—will they let the people vote? Stay tuned...

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### **Will GDL Gain Traction?**

That remains to be seen, but advocates are not giving up. Please join members of the Alabama Safe Teen Driving Coalition, of which VOICES is a partner, in a press conference to raise awareness on the need for a more comprehensive graduated drivers licensing system in the state of Alabama.

HB282/SB181 aims to strengthen Alabama's current graduated drivers license statute by implementing a three stage process to obtaining a regular, unrestricted license. With the Senate vote remaining there is still time to pass the bill, but we must build will among our elected officials.

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**May 4- 8, 2009**

### **This Week at the State House**

This week concludes the thirteenth week of the '09 legislative session. With Thursday marking the 28th meeting day, the Legislature is expected to adjourn May 15. Lawmakers opted for Thursday and Friday as the final meeting days of the regular session.

Legislators returned to work this week with a vengeance, putting in numerous hours of overtime to address key items. Members of both chambers passed numerous local bills, as well as general bills to include hospice services within the definition of health care facilities and increase the mandatory school attendance age. Some lawmakers argue that increasing the dropout age will cost the state more money, while others make the rebuttal argument that the costs associated with dropping out of school are far more crippling.

The House failed yet again in an attempt to bring up the grocery tax bill for debate. The final vote, 59-41, did manage to pick up three new votes including two Republicans and one Democrat.

If members adopted the procedural vote, the bill's sponsor planned to introduce a compromise substitute bill to remove the four percent sales tax on groceries over a three year period and phase out the federal income tax deduction over that same time frame. For example in year one, the state sales tax would be two percent and married taxpayers filing jointly making \$1.2 million or more and single tax payers making \$600,000 or more, would no longer qualify for the federal income tax deduction. Yet, single taxpayers and married taxpayers making less than \$400,000 and \$800,000 respectively, would retain the full deduction. In year two and three the dollar amounts would continue to decrease.

The House failed to take action on a resolution calling for a convention to rewrite the 1901 Alabama Constitution. The bill's sponsors and co-sponsors vow to bring the bill up again next year.

Thursday proved to be quite eventful and for some present, even historic. With the mid-morning closing of the Alabama State House due to the horrid weather conditions and subsequent flooding of the building, both Houses reconvened in the capitol's historic legislative chambers. Although working conditions were unfavorable legislators and staff pushed through with the handling of the people's business. Members have not conducted business in the Capitol since 1985.

After the Senate passed the general fund budget and the House rejected changes made, the bill was sent to a conference committee for further review earlier this week. Thursday, following a good bit of exhausting back and forth action, on top of the already uncomfortable working conditions, the legislature gave final approval to the state's \$2.5 billion general fund.

Push back over the budget was related to millions of dollars cut from the Department of Corrections (DOC), CHIP funding, and added community service grants which would go to members' districts. Ultimately \$4 million in CHIP funding and \$3 million to DOC was restored and community service grants remain in the budget. The budget now goes to the governor for approval. Given the large amount of lingering upset over the added community service grants there may be even more changes depending on the governor's decision to approve or reject the measure.

The Senate approved bills to create eight regional autism centers to provide individual and family services as well as appropriations measures which generally trail the general fund, including the Children's First Trust Fund, Children's Advocacy Programs, and the Coalition Against Domestic Violence.

In other news, the governor signed the \$6.2 billion education budget. A bill to regulate tax preparers is still pending while the House version of a measure to strengthen the state's current graduated drivers licensing law awaits action in the Senate.

**May 11-15, 2009**

### **At the State House**

Friday, May 15, concluded the 2009 regular legislative session. Members of both chambers passed numerous bills with both local and statewide application. Both houses rejected amendments made to the \$2.5 billion general fund and joined together in overriding the governor's veto.

Members of the Senate passed bills criminally charging an individual who solicits a child for sex via internet even if the person being solicited is an undercover police officer, increasing the dropout age from 16 to 17 and creating a state Commission on Poverty.

The Senate also gave final passage to a bill allowing the Department of Human Resources to take certain administrative action in child support enforcement matters as well as a resolution authorizing the state pension fund to further assess the state's broken PACT program.

Though many legislative matters were resolved during the regular session-- many were not, leading some to believe a special session may be on the horizon. So, is it over?

*Stay tuned for a final wrap-up of the '09 Legislative Session...*