

Arise Bills of Interest 2007 Regular Session

May 25, 2007

The Alabama Legislature will reconvene on Tuesday, May 29nd, for the 28th legislative day of this session. Under Senate rules, no bill may leave that chamber and receive a first reading in the House after the 26th legislative day. Therefore, any Senate bill listed below that does not reflect receipt and committee assignment in the House is no longer significant for this session. Because of the time requirements for enactment, any bill must be received in the second chamber by the end of the 28th legislative day in order to have sufficient time for passage.

BILLS RELATED TO ARISE LEGISLATIVE AGENDA ISSUES:

Medicaid long-term care reform

HB115 /SB5 (Schmitz/Coleman) – Money Follows the Person Act – allows Medicaid beneficiaries who are medically eligible for nursing home placement to choose to receive Home- and Community-Based Services. *HB115 is in the House Government Appropriations Committee; SB5 received a favorable report and is on the Senate calendar.*

Constitutional Reform

HB98/SB99 (Newton, D./Little, T.) – Calls for an election to determine whether to hold a convention to amend and replace the Constitution of Alabama of 1901. *HB98 received a favorable report from the House Constitution & Elections Committee and is on the House calendar, and SB99 received a favorable report from the Senate Constitution, Campaign Finance, Ethics & Elections Committee and is on the Senate calendar.*

Death Penalty Moratorium

HB189/SB125 (Coleman/Sanders) – Establishes a moratorium on imposition and execution of the death penalty for a period not to exceed three years. *HB189 is in the House Judiciary Committee, and SB125 is in the Senate Judiciary Committee.*

SB127 (Sanders) – Authorizes DNA forensic testing for individuals serving a term of imprisonment or awaiting execution. *SB127 received a favorable report from the Senate Judiciary Committee and is on the Senate calendar.*

SB142 (Sanders) – Prohibits the imposition of the death penalty for a crime committed by a minor. *SB142 is in the Senate Judiciary Committee.*

SB143 (Sanders) – Prohibits the imposition of the death penalty when the defendant is a person with mental retardation. *SB143 is in the Senate Judiciary Committee.*

HB52 (Newton, D.) – Prohibits a judge in a capital case from overriding the sentence imposed by the jury. *HB52 received a favorable report from the House Judiciary Committee but failed to receive approval of the Budget Isolation Resolution. HB52 remains on the House calendar.*

Campaign Finance Reform

HB32 (Gipson) – Substantially alters the ethics law, including the granting of subpoena power to the Ethics Commission and reducing the amounts of unreported spending by lobbyists. *HB32 is in the House Judiciary Committee.*

HB118 (Hinshaw) – Requires the disclosure of the source of funding for electioneering communications and paid political advertising. *HB118, as substituted, has passed the House, received a favorable report from the Senate Government Affairs Committee, and is on the Senate calendar for final approval.*

HB120 (McLaughlin) – Prohibits PAC-to-PAC transfers. *HB120 has passed the House, was substituted in the Senate Government Affairs Committee, and is on the Senate calendar.*

HB122 (Black) – Amends the definition of lobbyist in the Ethics Law to include person attempting to influence no-bid contracts. *HB122 has passed the House, received a favorable report from the Senate Government Affairs Committee and is on the Senate calendar for final approval.*

HB130 (Robinson, O.) – Requires lobbyists to report all expenditures on public officials, public employees and the family members of public officials or employees. *HB130 is in the House Judiciary Committee.*

HB158/SB95 (Hubbard/Orr) – Campaign Finance Transparency Act – prohibits PAC-to-PAC transfers. *HB158 is in the House Constitution & Elections Committee, and SB95 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

HB159/SB134 (McMillan/Brooks)) – Requires lobbyists to report all expenditures on public officials. *HB159 is in the House Judiciary Committee, and SB134 is in the Senate Judiciary Committee.*

SB57 (Orr) – Requires reports of campaign contribution and expenditures to be filed, whether or not a candidate has opposition, before all elections. *SB57 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

SB134 (Brooks) – Requires lobbyists to disclose all expenditures on public officials. *SB134 is in the Senate Judiciary Committee.*

SB237 (Mitchell) – Prohibit certain unfair political campaign activities and PAC-to-PAC transfers. *SB237 received a favorable report from the Senate Governmental Affairs Committee and is on the Senate calendar.*

SB273 (Little, T.) – Requires the disclosure and identification of sponsors of telephone callings for political purposes. *HB273 is in the Senate Committee on Constitution, Campaign Finance, Ethics & Elections.*

Public Transportation

HB417 (Hall) – Provides for a constitutional amendment to add public transportation to the purposes for which motor vehicle related fees and taxes can be used. *HB417 is in the House Government Appropriations Committee.*

Revenue Measures

HB2 (Thomas, E.) – Proposes a constitutional amendment to limit the frequency and percentage of periodic increase of property reappraisals for ad valorem tax purposes. *HB2 is in the House Government Appropriations Committee.*

HB18/SB2 (Allen/Means) – Proposes a constitutional amendment to limit the frequency of property reappraisals for ad valorem tax purposes. *HB18 is in the House Government Appropriations Committee, and SB2 is in the Senate Finance & Taxation – Education Committee.*

HB131 (Thigpen) – Proposes a constitutional amendment to limit the frequency of property reappraisals for ad valorem tax purposes. *HB131 is in the House Government Appropriations Committee.*

SB3 (Means) – Limits the percentage of periodic increase of property reappraisals for certain qualified taxpayers. *SB3 is in the Senate Finance & Taxation – Education Committee..*

Budget Measures

HB21/SB6 (Lindsey/Sanders) – Provides for the issuance of \$850 million in bonds for educational facilities construction. *HB21, as substituted, passed the House and is in the Senate Finance & Taxation – Education Committee and SB6 is in the Senate Finance & Taxation – Education Committee.*

HB109/SB151 (Hammon/French) – Prohibits pass-through appropriations and establishes penalties for violation. *HB109 is in the House Government Appropriations Committee, and SB151 is in the Senate Finance & Taxation General Fund Committee.*

HB125 (Robinson, O.) – Prohibits pass-through appropriations and establishes penalties for violation. *HB125 has passed the House and is in the Senate Fiscal Responsibility & Accountability Committee.*

HB162/SB188 (Wren/French) – Proposes a constitutional amendment to establish a General Fund Rainy Day Account. *HB162 passed the House and is in the Senate Finance & Taxation – General Fund committee, SB188 received a favorable report from the Senate Finance & Taxation – General Fund Committee and is on the Senate calendar.*

HB208/SB191(Knight/Bedford) – General Fund Budget for fiscal year 2008 – provides appropriations for ordinary expenses of executive, legislative and judicial branches of government. *HB208 passed the House and is on the Senate calendar for final action; SB191 is in the Senate Finance & Taxation – General Fund Committee.*

HB209/SB190 (Knight/Bedford) – Provides the annual appropriation for the Coalition Against Domestic Violence. *HB209 passed the House and is on the Senate calendar for final action; SB190 is in the Senate Finance & Taxation – General Fund Committee.*

HB210 /SB189 (Knight/Bedford) – Provides the annual appropriation for the Alabama Network of Children’s Advocacy Centers. *HB210 passed the House is on the Senate calendar for final action; SB189 is in the Senate Finance & Taxation – General Fund Committee.*

HB211/SB200 (Knight/Bedford) – Provides the annual appropriation from the Children First Trust Fund. *HB211 passed the House and is on the Senate calendar for final action; SB200 is in the Senate Finance & Taxation – General Fund Committee.*

HB212 (Knight) – Provides supplemental appropriations for FY2007 from various funds to various departments and agencies. *HB212 passed the House and is on the Senate calendar for final action;*

HB213/SB183 (Lindsey/Sanders) – Education Trust Fund Budget for fiscal year 2008 – provides appropriations for the support, maintenance and development of public education. *HB213, as substituted, passed the House is on the Senate calendar for final action; SB183 is in the Senate Finance & Taxation – Education Committee.*

HB214/SB184 (Lindsey/Sanders) – Provides a 7% cost-of-living increase for education employees. *HB214 is in the House Educational Appropriations Committee; SB184 is in the Senate Finance & Taxation – Education Committee.*

HB215/SB185 (Lindsey/Sanders) – Provides the annual appropriation for Talladega College. *HB215 passed the House and is on the Senate calendar for final action; SB185 is in the Senate Finance & Taxation – Education Committee.*

HB216 /SB204 (Lindsey/Little, T.) – Provides the annual appropriation for Lyman Ward Academy. *HB216 passed the House and is on the Senate calendar for final action; SB204 is in the Senate Finance & Taxation – Education Committee.*

HB217/SB187 (Lindsey/Penn) – Provides the annual appropriation for Tuskegee University. *HB217, as substituted, passed the House and is on the Senate calendar for final action; SB187 is in the Senate Finance & Taxation – Education Committee.*

HB218/SB186 (Lindsey/Sanders) – Transfers Children First Trust Fund receipts allocated to the State Board of Education to the General Fund during fiscal year 2007. *HB218 passed the House and is in the Senate Finance & Taxation – General Fund Committee; SB186 is in the Senate Finance & Taxation – Education Committee.*

HB219/SB256 (McClurkin/Butler)) – Provides for the issuance of \$850 million for educational facilities construction – Education Facilities Act. *HB219 is in the House Education Appropriations Committee and SB256 is in the Senate Finance & Taxation – Education Committee.*

HB385 (Lindsey) – Provides for a cost-of-living increase for education employees. *HB385 has passed the House and is on the Senate calendar for final approval.*

SB7 (Mitchem) – 2007 Excellence in Education Bond Issue Act – provides for the issuance of bond for school construction projects. *SB7 is in the Senate Finance & Taxation – Education Committee.*

Predatory Lending

SB119 (Barron) – Amends the Deferred Presentment Act of 2003 by authorizing a consumer to rescind loan transactions within one day, prohibiting rollover loans, providing for extended payment plans and prohibiting transactions of this nature for military personnel. *SB119 is in the Senate Banking & Insurance Committee.*

SB120 (Barron) – Specifies that a financial transaction in which the title of a vehicle is used to guarantee payment is a loan subject to the provisions of the Alabama Small Loan Act. *SB120 is in the Senate Banking & Insurance Committee.*

SB121 (Byrne) – Repeals the Deferred Presentment Act of 2003 and specifies that such transactions are regulated under the Small Loan Act. *SB121 is in the Senate Banking & Insurance Committee.*

Tax Reform

HB164 (Gipson) – Authorizes county commissions to increase gasoline taxes by as much as six cents a gallon and provides that the proceeds are to be used for roads and bridges in all counties, but allows Jefferson County to also use such funds for public transit programs. *HB164 is in the House Government Appropriations Committee.*

HB200 (Hall) – Provides that purchases of food by persons 60 years of age and older are exempt from state sales and use tax on the first Friday of each month. *HB200 is in the House Education Appropriations Committee.*

HB267 (Bridges) – Provided that there is sufficient growth in the Education Trust Fund, establishes a work opportunity tax credit to encourage employers to hire and employ certain targeted employees. *HB267 is in the House Education Appropriations Committee.*

HB270 (Gipson) – Exempts from state sales and use taxes over-the-counter medications. *HB270 is in the House Education Appropriations Committee.*

HB273 (Galliher) – Provides income tax credits for employers and employees for educational advancement and training. *HB273 is in the House Education Appropriations Committee.*

HB277 (Love) – Provided that there is sufficient growth in the Education Trust Fund, would increase on a phased basis personal and dependent deductions from state income tax. *HB277 is in the House Education Appropriations Committee.*

HB278 (Love) – Provided that there is sufficient growth in the Education Trust Fund, would provide an income tax deduction, based on income level, for health insurance premiums paid. *HB278 is in the House Education Appropriations Committee.*

HB281 (Davis) – Exempts from state income tax retirement incomes up to certain amounts. *HB281 is in the House Education Appropriations Committee.*

HB555 (Knight) – Proposes a constitutional amendment to eliminate the state income tax deduction for federal incomes taxes, to increase individual income tax standard and dependent deductions, and to eliminate the state sales tax on food. *HB555, as substituted, received a favorable report from the House Education Appropriations Committee and is on the House calendar.*

OTHER LEGISLATION:

HB26 (Allen) – Alabama Taxpayer and Citizen Protection Act – would require proof of citizenship to receive certain public assistance benefits. *HB26 is in the House Government Operations Committee.*

HB29 (Allen) – Would require the use of a photo identification in order to establish identity for voting purposes. *HB29 is in the House Constitution & Elections Committee.*

HB58/SB96 (Buskey/Coleman) – Proposes a constitutional amendment to increase the number of dissenting votes in the Legislature that would require a statewide vote on a local constitutional amendment. *HB58 is in the House Constitution & Elections Committee, and SB96 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

HB59 (DeMarco) – Requires the Ethics Commission to provide training on the ethics law for legislators, constitutional officers, cabinet members, executive staff and lobbyists. *HB59 passed the House, received a favorable report from the Senate Governmental Affairs Committee and is on the Senate calendar for final approval.*

HB64 (Ward) – Establishes a Transportation Commission to oversee the operations of the Transportation Department. *HB64, as substituted and amended, was passed by the House, and is in the Senate Fiscal Accountability and Responsibility Committee.*

HB105 (Moore) – Establishes Black Studies Departments in the state’s colleges and universities. *HB105 is in the House Education Appropriations Committee.*

HB132 (Kennedy) – Proposes a constitutional amendment to establish and confirm the Education Trust Fund and to provide for the disbursement of funds from ETF. *HB132 received a favorable report from the House Education Appropriations Committee and is on the House calendar.*

HB138 (Knight) – Exempts food banks across the state from state, county and municipal sales and use taxes. *HB138 has passed the House, received a favorable report from the Senate Finance & Taxation – Education Committee and is on the Senate calendar.*

HB144/SB66 (Ison/Bedford) – Provides that the Senior Services Department will license and regulate home and community based professional services. *HB144 is in the House Health Committee, and SB66 is in the Finance & Taxation General Fund Committee.*

HB188 (Coleman) – Prohibits health care providers from charging uninsured individuals more than Medicare would pay for the same service. *HB188 is in the House Health Committee.*

HB246 (Davis) – Directs the Code Commissioner and state agencies to replace outdated and offensive terms in the Code of Alabama and in the Administrative Code dealing with individuals with disabilities. *HB246 received a favorable report from the House Judiciary Committee and is on the House calendar.*

HB247 (Holmes) – Would add crimes motivated by the victim’s sexual orientation to the protected list of hate crimes. *HB247 failed to gain approval of the Budget Isolation Resolution and remains on the House calendar.*

HB263 (Ball) – Proposes a constitutional amendment to allow the enactment of general laws and constitutional amendments by an initiative. *HB263 received a favorable report from the House Constitution & Elections Committee and is on the House calendar.*

HB288/SB216 (Hammon/Beason) – Requires that citizens age 18 or over prove lawful presence in the U.S. in order to receive public benefits. *HB288, as substituted, received a favorable report from the House Government Operations Committee and is on the House calendar, and SB216 is in the Senate Judiciary.*

HB290 (Hammon) – Requires that personal property acquired by an individual in this country illegally to be forfeited. *HB290 received a favorable report from the House Judiciary Committee and is on the House calendar.*

HB321/SB150 (Williams/Marsh) – Proposes a constitutional amendment to grant the Governor veto authority over line items in a budget and to further require a super majority in each legislative chamber to override any veto by the Governor. *HB321 is in the House Committee on Constitution & Elections, and SB 150 is in the Senate Finance & Taxation – General Fund Committee.*

HB322 (Williams) – Prohibits the legislature or any other governmental entity from establishing a minimum wage higher than the federal minimum wage currently in effect. *HB322 received a favorable report from the House Commerce Committee and is on the House calendar.*

HB331 (Todd) – Establishes a state minimum wage. *HB331 is in the House Commerce Committee.*

HB337 (Baker, L.) – Establishes a Human Services Coordination Commission. *HB337, as substituted, received a favorable report from the House Government Appropriations Committee and is on the House calendar.*

HB407 (Newton, D.) – Provides that the election of presidential and vice-presidential electors be in direct proportional relationship to the popular vote beginning in the 2008 presidential election. *HB407 received a favorable report from the House Constitution & Elections Committee and is on the House calendar.*

HB420 (Schmitz) – Requires applicants for publicly funded health care benefits to disclose the names of their employers. *HB420 is in the House Government Operations Committee.*

HB498 (Todd) – Creates a task force to assess the current and future impact of poverty on the residents of Alabama. *HB498 is in the House Government Appropriations Committee.*

HB567/SB369 (Ball/Beason) – A constitutional amendment prohibiting the legislature from passing a law restoring a felon's right vote. *HB567 is in the House Constitution & Elections Committee, and SB369 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

HB605 (Newton) – A constitutional amendment to provide for the nonpartisan election of candidates for circuit and district court judgeships. *HB605 is in the House Constitution & Elections Committee.*

HB644 (Knight) – Authorizes the Department of Public Health to pay the operator of a long-term care facility which has lost Medicaid certification for a certain period of time in order for Medicaid patients to remain in the facility. *HB644 is in the House Government Appropriations Committee.*

HB667/SB395 (Hammon/Beason) – Prohibits a state employee, public education employee or a person who performs services under a personal service contract with the state or certain public education institutions from hold an elected state office. *HB667 is in the House Government Operations Committee, and SB395 is in the Senate Fiscal Responsibility & Accountability Committee.*

HB683 (Irons) – Amends sections of the Code of Alabama to utilize more appropriate terminology when referencing individuals with disabilities. *HB683 received a favorable report from the House Judiciary Committee and is on the House calendar.*

HB686 (Knight) – Provides that the annual salary of the Commissioner of the Alabama Medicaid Agency is \$129,108. *HB686 was passed by the House and is in the Senate Finance & Taxation – General Fund Committee.*

HB710 (Newton, D.) – Proposes a constitutional amendment to provide for the merit selection of candidates for state appellate judicial offices, to provide for retention elections for appellate judges, and to remove the age restriction for being elected or appointed to a judicial office. *HB710 is in the House Constitution & Elections Committee.*

HB718 (Hall) – Establishes the Equal Pay Remedies and Enforcement Act and the Equal Pay Commission. *HB718 is in the House Commerce Committee.*

HB828 (McLaughlin) – Proposes to require political action committees to file an annual report with the Secretary of State, to require PACs to file weekly electronic reports of contributions and expenditures, to require the name of the PAC to contain a relevant description of the purposes of the committee and to require that if an individual forms a PAC, that the PAC must contain the individual's name. *HB828 is in the House Committee on Constitution & Elections.*

HB863 (Irons) – Provides for the licensing and regulation by the Department of Public Health of personal care homes. *HB863 is in the House Committee on Health.*

HB903 (Kennedy) – Provides for a fee for each initial divorce petition with the funds generated from such fee to be used for the operation of domestic violence shelters. *HB903 is in the House Government Appropriations Committee.*

SB21 (Byrne) – Removes the statutory privilege from arrest for members of the Legislature traveling to or from a legislative session. *SB21 is in the Senate Judiciary Committee.*

SB22 (Byrne) – Proposes an amendment to the constitution to remove the privilege from arrest for members of the Legislature traveling to or from a legislative session. *SB22 is in the Constitution, Campaign Finance, Ethics & Elections Committee.*

SB36 (Coleman) – Proposes a constitutional amendment to remove the requirement that requires a statewide vote on local amendments if there is a dissenting vote in the Legislature. *SB36 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

SB40 (Denton) – Establishes a Transportation Commission to oversee the operations of the Transportation Department. *SB40 received a favorable report from the Senate Governmental Affairs Committee and is on the Senate calendar.*

SB59 (Erwin) – Prohibits abortion except to preserve the life of a pregnant woman. *SB59 is in the Senate Judiciary Committee.*

SB82 (Dixon) – Proposes an amendment to the constitution to remove the privilege from arrest for members of the Legislature traveling to or from a legislative session. *SB82 is in the Senate Judiciary Committee.*

SB150 (Marsh) – Proposes a constitutional amendment to allow the Governor to veto line items in the budget bill and to require a super-majority vote in each chamber of the Legislature in order to override the veto. *SB150 is in the Senate Finance & Taxation General Fund Committee.*

SB152 (Marsh) – Proposes a constitutional amendment to limit members of the House and Senate to three full terms in each body. *SB152 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

SB392 (Brooks) – Directs the Code Commissioner to avoid and replace references to certain individuals with disabilities. *SB392 is in the Senate Economic Expansions & Trade Committee.*

SB399 (Erwin) – Proposes a constitutional amendment to prohibit abortion except in an extreme case where the pregnancy threatens the life of the mother. *SB399 is in the Senate Judiciary Committee.*

SB473 (Erwin) – Authorizes certain students at state-supported schools to carry a firearm. *SB473 is in the Senate Education Committee.*

SB495 (Griffith) – Provides for the consideration of additional provisions by the Alabama Department of Environmental Management when issuing permits. *SB495 is in the Senate Committee on Energy and Natural Resources.*

SB504 (Singleton) – Establishes the Alabama Low Income Home Energy Assistance Program. *SB504 is in the Senate Finance & Taxation – Education Committee.*