

STATE HOUSE ADVOCATE



THIS WEEK IN LEAGUE ADVOCACY

The State House Advocate is a service of the Alabama League of Municipalities

May 21, 2021

At a Glance:

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- Other Legislation That League Advocacy Team Engaged On
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Legislative Update

On Monday, May 17, the Alabama Legislature adjourned sine die. Both budgets, the Education Trust Fund and General Fund, have been sent to Governor Ivey for her review and signature. The \$7.69 billion Education Trust Fund includes \$95 million for a teacher stabilization program, \$29 million to the state's pre-K program, \$17.4 million for special education, \$700 per unit for classroom supplies and \$2 million for the Alabama Reading Initiative. The \$2.4 billion General Fund budget provides a two percent pay raise to teachers and state employees, effective Oct. 1, as well as \$58.7 million for the Alabama Bureau of Pardons and Paroles, a 4.9 percent increase to the Alabama Department of Corrections and \$11.2 million for the Alabama Department of Mental Health.

In other news, lawmakers ended the legislative session without a vote on gambling. Several weeks ago the Senate passed SB19, enabling the citizens of Alabama to vote on a constitutional amendment to allow for lottery and gaming and SB309, which created enabling legislation for the Alabama Lottery Commission; however, those bills failed to come up for a vote in the House. Governor Ivey has indicated that she will only call a special session for this issue if all lawmakers have reached an agreement.

Throughout the 2021 Legislative Session, the ALM Advocacy Team worked diligently to ensure the voice of municipal government was heard loud and clear at the State House. As soon as lawmakers returned to Montgomery on February 2nd, we kicked off *Coffee and Conversations*, a series of thoughtful discussions with state leaders. Each week throughout the legislative session special guests, such as elected officials and state leaders, virtually

joined municipal officials to discuss their legislative priorities, department updates and resources available to municipalities. In addition, we hosted weekly dinners with various legislators at our headquarters in downtown Montgomery to share our perspective on various pieces of legislation impacting municipalities. Together, the virtual calls and dinners proved to be an effective way to spend time with state leaders and develop lasting relationships. We appreciate the lawmakers, state leaders and our membership for collaborating with ALM this session to strengthen municipal government.

League Supported Legislation That Passed

Municipal Elections – HB151 by Rep. Hill and SB 119 by Senator Waggoner is a League endorsed bill that the Advocacy Team successfully passed in 17 legislative days. Click [here](#) for ACT#2021-157.

To read more about what the legislation accomplishes, click [here](#).

Other Legislation That League Advocacy Team Engaged On

Police & Planning Jurisdictions – SB107 by Senator Elliott, as introduced, eliminated municipal planning jurisdictions and placed a moratorium on police jurisdictions. The League was successful in navigating numerous changes to the bill prior to its passage. **Click [here](#) for ACT# 2021-297. The final legislation included language that allows for the extension of the PLANNING jurisdiction by local law. We appreciate the House and Senate sponsor, as well as all stakeholders involved for working diligently during the past several years to come to a compromise.**

Click [here](#) to review talking points for SB107. These talking points are an overview of what the legislation accomplishes.

Medical Marijuana - SB46 by Senator Melson and Rep. Ball legalizing medical marijuana has been signed by Governor Ivey. The legislation authorizes the use of medical cannabis for roughly a dozen conditions, including cancer, chronic pain, depression; sickle-cell anemia; terminal illnesses and HIV/AIDS. Patients would need doctor approval to use medical marijuana, which could only be obtained from special dispensaries, and would have to purchase a medical cannabis card, costing no more than \$65 a year. **An amendment is included in the legislation that requires a municipality to opt in to allowing medical cannabis businesses in their communities. Click [here](#) for ACT#2021-450.**

Fireworks Preemption – SB55, as introduced, by Senator Melson prevents a municipality from prohibiting the transportation, storage, retail sale or possession of sparkling devices or novelties. SB55 passed the House and Senate with several amendments from each body. To work out differences with the legislation, SB55 was sent to a conference committee for further discussion. The final version of the legislation exempts Class one municipalities and allows municipalities to adopt ordinances limiting the sale or use of novelty fireworks following the enactment of this legislation. **ALM supports the amendment allowing municipalities to adopt ordinances. Click [here](#) to view ACT#2021-399.**

Utility Services - HB446 by Rep. Faulkner would provide that no governmental entity

may prohibit a person or entity from using utility services from a provider that is capable of providing service and is otherwise authorized to do business in this state. As originally introduced, HB446 did not make any accommodations for local permitting of utilities or regulation for public safety reasons. **The ALM Advocacy Team was successful in protecting local government regulation for permitting and regulation. Click [here](#) to view ACT#2021-336.**

League Opposed Legislation That Failed to Pass

Public Records - SB165 by Senator Orr would have replaced existing law with a new Alabama Public Records Act. The bill, as introduced, would have established procedures for requesting public records from local governments as well as procedures for how government officials respond to those requests. **The League worked diligently with the sponsor and several stakeholders on this legislation and made several recommended changes/suggestions. Ultimately, the bill failed to come up for a vote. Moving forward the League will continue to advocate for transparency and accountability as it pertains to public records, so long as there is no undue burden on local governments when meeting public records requests.**

SB281 by Senator Shelnett - Under existing law, gasoline and other motor fuel taxes levied by the state are restricted in use. Generally speaking, motor fuel taxes levied by municipalities are not restricted in use. This bill would have required a municipality levying a motor fuel tax to use the proceeds for road and bridge construction and maintenance with certain exceptions. **ALM opposed this legislation, and we appreciate our membership reaching out to their delegation to ask that they continue to allow local governments to manage local resources how they best see fit in an effort to address local needs.**

SB288 by Senator Shelnett - Under existing law, a municipality may require a business to obtain a local business license that is based on gross receipts. SB288 would have allowed any business paying a municipal business license based on gross receipts to deduct from gross receipts any excise tax imposed by the federal, state and local governments. **ALM opposed this legislation, and we appreciate our membership reaching out to their delegation to ask that they give us an opportunity to determine the financial impacts this legislation would have on our local economies.**

For a complete list of bills we tracked this session, click [here](#).

For a complete list of League supported bills that passed, click [here](#).

For a complete list of League opposed bills that failed to pass, click [here](#).

Engagement Opportunities With ALM


*The League recognizes our Strategic Partners,
Community Partners and League Programs*




Strategic Partnership levels are designed specifically for organizations and companies that share the same mission and vision as the Alabama League of Municipalities. Strategic partnerships with ALM provide unique and intentional collaboration opportunities to foster vibrant communities where businesses want to invest and where citizens want to live, work, play and prosper. Based on the investment from your company/organization, you will have access to exhibiting and complimentary event registration opportunities, invitations to networking events as well as inclusion in all printed materials as it relates to sponsored meetings and conferences. You will also be listed on ALM's website as a valued strategic partner. For more information on how to become a strategic partner, click [here](#).

2021 CMO Regional Training

Strengthen Your Core:
Fundamentals of Municipal Government

This summer, the League's Legal Team will lead seven one-day trainings on fundamental topics in municipal government

[Click HERE for more information](#)





Looking for in-person training in a city or town near you? Are you newly elected and aspiring to achieve the designation of Certified Municipal Official? We've got the training for you! Join other elected officials, and municipal personnel for the 2021 CMO Regional Training. This summer, the League's Legal Team will lead seven one-day trainings on four fundamental topics in municipal government. To register, visit almonline.org.

GRASSROOTS ADVOCACY LINKS

- [League Legislative Page](#)
- [Grassroots Advocacy](#)
- [ALISON](#)
- [Governor's Office](#)
- [Contacts for the House](#)
- [Contacts for the Senate](#)

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