

PUBLICATION

Alabama Legislative Update - Special Session Approves Redistricting

May 29, 2012

In a special session that saw cries of racial discrimination, parliamentary maneuvering and another constitutional amendment coming to the ballot, legislators adjourned the 2012 special session *sine die* in the early hours on May 24.

State's Borrowing Power On The Ballot

In November, Alabama voters will decide if state government may increase its borrowing to provide more money to attract industries to the state. In the closing hours of the special session, legislators approved a proposed constitutional amendment that would rewrite the rules for a state commission, The State Amendment 666 Bond Commission can sell up to \$750 million in bonds. Its name is derived from the numerical order of the constitutional amendment that created it. The commission is currently close to its limit, having issued \$720 million in bonds and therefore lacks the resources to attract major economic development projects. Money to pay off the bonds comes from royalties that oil companies pay to the state for natural gas wells drilled in Alabama's coastal waters. After seeing his jobs bill die in the Alabama Senate during the regular session, the Governor included this economic development proposal in the call for a special session.

Under current law, the bond fund's \$720 million total does not go down as the state pays the principal on the bonds. Governor Bentley's proposed constitutional amendment would change that and allow more bonds to be issued as the state pays off the debt. Moreover, the Governor has proposed refinancing some of the bonds at lower interest rates. Due to the way the law is currently written, the refinancing of bonds would count against the \$750 million limit rather than replacing the old bonds in the calculation. This proposed constitutional amendment would eliminate that practice.

The House passed the legislation 101-1 and the Senate 33-2. It will now be up to the voters of Alabama to decide if they agree.

Alabama Legislature Passes Redistricting Plan

The Legislature approved plans to redraw House and Senate districts after an all-night session. It was after 4 a.m. when the Senate voted 23-12 to pass a House redistricting plan moments before the House approved a Senate plan by a 62-34 vote. Governor Bentley and the U.S. Justice Department must approve the redistricting plans before they take effect for the 2014 elections. When the Senate approved the House redistricting plan, several Democratic senators called Senate Republican leaders "prejudiced racists" and claimed Senate President Pro Tem Del Marsh ignored pleas from Democrats that the bill be read aloud before the vote. Marsh said reading the 605-page bill would have taken 36 hours and cost the state thousands of dollars. The bill's sponsor, Senator Gerald Dial of Lineville, caught Democrat senators off guard when he suddenly called for a vote. Earlier that morning in the House, at approximately 2 a.m., Representative Thomas Jackson asked that the Senate bill be read at length. An electronic reader was reading the bill when Jackson, after learning of the Senate action, withdrew the request. The Senate version then quickly passed the House. Republican House Speaker Mike Hubbard of Auburn praised the plans. "I think we did an excellent job," Hubbard said. He said the plans passed by the House drew districts that are almost the same size. He also said the districts were fairer and came closer to following federal rules than those passed ten years ago when Democrats controlled

the House and Senate. Governor Bentley has indicated he plans to sign both redistricting proposals. To learn more about the approved redistricting plans, please click [here](#) for the House plan and [here](#) for the Senate plan.

Throughout this legislative session, the Alabama State Public Policy Team has monitored all proposed and pending legislation and maintained a presence in the State House. As legislators conclude their 2012 work and begin to lay the foundation for the 2013 regular session, we will continue working to protect and promote our clients' interests.