



ALABAMA HOUSE MAJORITY CAUCUS

ALABAMA STATE HOUSE

MONTGOMERY, ALABAMA 36130

NATHANIEL LEDBETTER
MAJORITY LEADER

To: Alabama House Republican Caucus Members

From: Majority Leader Nathaniel Ledbetter

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HOUSE REPUBLICAN CAUCUS TALKING POINTS MEMO FOR THE WEEK OF APRIL 19 - 23

HEALTH EMERGENCY VISITATION LEGISLATION

- The Alabama State Senate on Tuesday awarded final passage to legislation by State Rep. Debbie Wood (R - Valley) that requires hospitals and nursing homes to allow at least one family member or caregiver to visit patients or residents during public health emergencies.
 - Wood offered her legislation, which previously passed the House by an 83 - 4 margin, because thousands of Alabamians died or suffered alone in hospitals and nursing homes because of COVID-19 restrictions and guidelines that were in place.
 - Wood's own mother, Peggy Hamby, passed away from COVID-19 in January.
- House Bill 521 sets "minimum standards for visitation when visitation may be limited due to a public health emergency" and also provides civil immunity to hospitals and nursing homes that comply with the legislation.
 - A visitor would have to follow any rules that may be in place, such as social-distancing protocols or mask-wearing requirements.
 - A portion of the bill specifically states, "The Legislature finds that it is in the best interests of the residents of Alabama to continue to have access to their loved ones receiving acute care or residing in long-term care facilities during a public health emergency and that companionship with one's loved ones during that time can provide support and peace of mind that positively impacts the healing process."
- The bill now goes to the governor's desk for consideration and signature.

STATE PARKS BOND ISSUE

- The Senate Finance and Taxation General Fund Committee on Wednesday favorably reported a constitutional amendment by State Rep. Nathaniel Ledbetter (R - Rainsville) that, if passed by the Legislature and ratified by voters, would allow Alabama to issue \$80 million in bonds for improvements in the state parks system.
 - Most of the bonds' proceeds will be used to expand and improve campground and recreational facilities at Alabama's 21 state parks.
 - Specific projects include expanding campgrounds, modernizing day-use areas, adding cabins or swimming pools and providing internet connectivity to overnight accommodations.
- The COVID-19 pandemic and extended lockdowns prompted an additional 1.2 million Alabamians to utilize the state parks and the outdoor activities they offer.
- In 1998, voters approved a \$110 million bond issue for improvements at state parks and historic sites, and those bonds have been essentially paid off, which allows the state to borrow these funds at no additional cost.
 - The fiscal note on the legislation indicates it would increase General Fund spending by roughly \$5 million annually, but because the new issue would replace the previous bonds, the costs is actually flat-lined.
- State parks are not funded by the State General Fund, but, instead, generate 80-90% of their revenue directly through entrance, rental, lodging, golf and other recreational fees.
- In 2016 Alabama voters approved a constitutional amendment that would prevent future reallocating of state park funds for other uses in the state's budgets.
 - It is estimated that state parks have a \$375 million economic impact on Alabama's economy.

EXECUTIVE AGREEMENT OVERSIGHT BILL

- The Senate Finance and Taxation General Fund Committee on Wednesday also approved a bill by Rules Committee Chairman Mike Jones (R - Andalusia) that provides the Legislature with an additional layer of oversight and information on executive branch contracts, leases, and agreements exceeding \$10 million.

- Under the provisions of House Bill 392, which appears first on Tuesday's special order calendar, a new Joint Legislative Oversight Committee on Obligation Transparency that consist of the chair and vice chair of the House Ways and Means General Fund Committee, the chair and vice chair of the Senate Finance and Taxation General Fund Committee, and the ranking minority members of both committees would be formed.
- The oversight panel will be tasked with reviewing state agency agreements and obligations totaling at least \$10 million or five percent of the agency's annual appropriation.
- If no objection is raised by the committee within 45 days of an agreement being submitted, it will be deemed approved, but if it is disapproved, the agreement will remain suspended until final adjournment of the next regular session, which will provide the Legislature an opportunity to address any issues by statute or other legislative action, if necessary.
- Jones noted that the legislation applies only to future, not current, contracts, leases, and other obligations.
- The bill was prompted by Gov. Kay Ivey's plan to sign 30-year leases on three new men's prisons without legislative consent.
 - The lease payments for all three prisons are expected to total about \$3 billion over 30 years. Payments will start when the prisons are ready to use, which is expected to be in 2025.
 - It was announced this week that London-based financial services company Barclays and two other investment banks decided to withdraw as the underwriters for the private prison agreement between the Ivey administration and CoreCivic, and it is uncertain how the project will proceed with current events and social upheaval placing pressure on banks and financiers to avoid engagement in the correctional system sector.

VACCINE PASSPORT PROHIBITION

- The House Health Committee gave a favorable report on Wednesday to legislation being carried in the body by State Rep. Paul Lee (R - Dothan) which would prohibit

state and local government agencies from requiring “vaccine passports” in order to access services or enter public spaces.

- Likewise, the legislation also mandates that an entity or individual doing business in Alabama can’t refuse to provide goods or services to anyone based on their immunization status or lack of documentation.
- It provides certain exceptions, such as vaccine requirements for public schools that are required under state law, and colleges, universities, and medical practices and facilities would be exempt, as well.
- The measure was introduced after the Biden administration indicated it was working on a vaccine passport system similar to other nations that are building databases of vaccinated citizens, but the president later changed direction after negative public outcry resulted.

FEDERAL EXECUTIVE ORDER PROTECTION BILL

- The House Judiciary Committee on Wednesday approved a bill by State Rep. Shane Stringer (R - Citronelle) that seeks to protect the state from unconstitutional executive orders issued by the president.
 - House Bill 319 authorizes the Legislative Council to review executive orders issued by president submit to the Alabama Attorney General for review.
 - Any orders considered unconstitutional by the attorney general will be deemed unenforceable by state of local law enforcement officers.
 - The measure specifically applies to executive orders relating to epidemics, land use, natural resources, agriculture, and gun rights.

ELECTION REFORM MEASURES

- The State Senate voted on Thursday to approve several House bills designed to maintain the integrity of Alabama’s election system and avoid the questions and inefficiencies that have plagued balloting in other states around the nation. Among the measures were:

- A bill by State Rep. Alan Baker (R - Brewton) that originally shortened the deadline to mail absentee voter applications from five days to ten days, but the Senate amended the deadline to seven days.
 - Baker has said that slower post office delivery times requires the deadline to be adjusted so that applications can be received and processed in a timely manner.
 - Applications may still be submitted in-person within the five-day window, according to Baker's bill.
 - The legislation also allows the counting of absentee ballots to begin at 7 a.m. on Election Day rather than after polls close as currently required.

- A constitutional amendment by State Rep. Jim Carns (R - Vestavia Hills) that prevents legislative election law changes to be implemented within six months of an election.
 - The amendment, which must be ratified by voters before taking effect, ensures a fair and equal process for all candidates and prevents last-minute rules changes while an election is taking place.
 - Passage of the amendment would help protect Alabama elections from manipulation and mischief at a time when several statutes are under scrutiny because of questionable changes in their 2020 presidential balloting.

- Legislation by State Rep. Chris Blackshear (R - Smiths Station) that imposes criminal penalties on Alabamians who cast multiple ballots both within the state and out-of-state, as well.
 - The measure was necessary because Alabama law makes it a crime to cast more than one ballot in the same election within the state, but the statute did not cover individuals who cast an in-state ballot and then travel out-of-state to cast another ballot in the same election.
 - In towns like Phenix City, which borders neighboring Georgia and is included in Blackshear's legislative district, the temptation to cross state lines and cast an additional ballot naturally increases when elections are predicted to be especially close.

- During the 2018 election, at least six individuals cast a ballot in Alabama and also cast a ballot in another state, according to Blackshear.
- House Bill 167 makes multi-state balloting a Class A misdemeanor, which is the highest level of misdemeanor and carries penalties of up to one year in jail and a fine of \$6,000.
- HB312 by State Rep. David Wheeler (R - Vestavia Hills), which allows poll workers registered to vote in one precinct to staff polling places in another precinct; HB116 by Rep. David Standridge (R - Hayden), which allows a one-time, post-election audit following the 2022 statewide balloting in order to determine the accuracy of the state's voting system; and HB154 by State Rep. Andy Whitt (R - Harvest), which requires municipal candidates to file campaign finance reports with the Alabama Secretary of State.
- Senate Democrats blocked initial passage of a bill by State Rep. Wes Allen (R - Troy) that bans curbside voting in Alabama and prohibits voting machines from being set up outside a polling place.
- House Bill 285 resulted from a court fight over the need to open up alternative methods to vote during the COVID-19 pandemic.
 - A federal judge last year ruled that Alabama can't prevent local election officials from offering curbside voting, but the order was later stayed by the U.S. Supreme Court.