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'Lackadaisical': How the 2018 elections loom large over legislative session

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The Alabama legislative session begins Tuesday, Jan. 9, 2018. (file photo)

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State lawmakers who arrive for the start of the 2018 legislative session on Tuesday will likely be thinking more about calling campaign donors than fretting about gas taxes or prison construction.

With state offices up for election this year, political analysts anticipate a low-key and dull legislative session where bare bones issues such as approval of the annual General Fund and Education budgets will be the focus before campaigning begins in earnest.

But will the annual assembly on Goat Hill be a complete waste of time for lawmakers and taxpayers? Most observers aren't going that far in their assessments, but they don't paint a rosy picture when it comes to Alabama tackling high-profile matters.

"I know the expression has been overused, but I believe they will try to 'kick the can down the road' as much as possible," said William Stewart, professor emeritus of political sciences at the University of Alabama and a longtime observer of state politics.

Said Steve Flowers, a former Republican in the Alabama House who is currently a political analysts and writer: "It will be a lackadaisical session. Nothing gets done in a

campaign year."

A host of lawmakers are also predicting a "nuts and bolts" session ahead of the June 5 primaries and the Nov. 6 general election. All statewide offices are up for election this year, including every House and Senate seat.



But lawmakers are also keenly aware of looming unknowns that could surface and force the Legislature's hand when dealing with issues that otherwise would be avoided in an election year.

The two often cited examples include the potential for multi-million dollar expenditures to beef up mental health and correctional officer staffing inside the state's beleaguered prisons and the prospects of raising the state's tax on fuel purchases to provide match money for a federal infrastructure program.

"They could have something forced on their platter by court orders or external circumstances," said Jess Brown, a retired political science professor from Athens State

University, who is also a longtime observer of state politics.

State Sen. Cam Ward, R-Alabaster, and a longtime backer of reforming the state's prison systems, said he anticipates lawmakers approving an additional \$30 million to \$40 million for additional prison staffing. The Alabama Department of Corrections is asking for \$50 million extra for next year.

The move comes as the state and the Montgomery-based Southern Poverty Law Center have yet to reach a settlement in a federal lawsuit alleging inadequacies in mental health services provided to inmates.

"We have a lot of major issues we need to tackle and we were elected to four-year terms, not three, so we need to address the federal court decision on prisons," said Ward.

State Sen. Rusty Glover, R-Semmes, who is running for lieutenant governor this year, said that if Congress approves an infrastructure program in Washington, D.C. before the end of session, lawmakers may be forced to increase the state's gasoline tax.

Alabama hasn't raised the gasoline tax beyond its current 18-cent-per-gallon charge since 1992.

But if nothing happens before the Legislature's expected April 23 adjournment, the gas tax is likely staying put, Glover said.

"I've heard from the Senate President Pro Tem (Del Marsh) and the Speaker (Mac McCutcheon) that there will not be a gas tax bill this year and if they are saying it this early, the likelihood is that it's not likely," Glover said.

State Rep. Randy Davis, R-Daphne, who is not seeking re-election this year, said he's concerned that the Legislature did not consider an increase to the gasoline tax in the past "two to three years."

He said, "there may be something coming out of Washington, D.C., that requires a significant amount of match money. We have basically little-to-no match money because of what we have done with the (past road construction) programs we have now. The bill dollar road projects, what was our match money, is going back to pay off debt."

Davis said if a federal infrastructure program is approved out of Congress quickly - a "big if," according to most political observers - then Alabama lawmakers may have to reassess the situation.

President Donald Trump is expected to roll out a massive plan this month to address boosting the nation's roads, bridges and airports.



"I don't know how it will play out in Alabama," Davis said. "If it happens quickly in January, that gives a whole different perspective to the legislative session."

Lawmakers will also keep an eye on Congress for what may happen with the reauthorization of the Children's Health Insurance Program (CHIP), which provides health insurance to children in lower-income families. The program is currently set to expire in March, and Alabama could be on the hook to fund tens of thousands of children insured under Medicaid through the CHIP program.

"We carried forward \$92 million from the 2018 budget, which is available," said state Sen. Trip Pittman, R-Montrose, referring to additional resources the state carried over from last year. "The unknowns are the CHIP program and the potential additional asks for mental health and corrections."

Another unknown is whether the large number of retiring House and Senate members may be tempted with introducing controversial legislation before their terms expire.

About nine to 11 Senators are in their final legislative session, while the Alabama House will say goodbye to nearly two dozen members. Not all, however, are retiring as some will be running for higher office.



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"There is a bit of a wild card in the usual predictions about election years and that is the relatively high proportion of lawmakers who do not intend to run for re-election," said Jim Carnes, policy director with the Arise Citizens' Policy Project. "Are some of them going to be more willing to take their time to pursue something a little more controversial because they are no longer concerned about campaign season? I think that has the potential to disrupt some of the predictions about normal fourth-year behavior."

Angi Horn Stalnaker, a Republican political strategist in Alabama, said one thing she anticipates is the Legislature steering clear of unnecessary "fluff" or "feel good legislation" that could get mocked on the campaign trail.

"I doubt you'd see legislation that gets us a state dessert or pizza that we've seen in the past," she said. "You'll see a hard-nosed focus on what are the constitutional duties of the Legislature which, in my mind, is a good thing."



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