

Special session ends without a budget, but speaker doesn't foresee shutdown

Sara Falligant | Opelika-Auburn News | Twitter | Posted: Sunday, August 16, 2015 9:00 am

After closing the regular 2015 state legislative session without a General Fund budget in June, Alabama legislators ended the special session Tuesday still lacking a budget. With a second special session on the horizon, Alabama Speaker of the House Mike Hubbard (R-Auburn) is confident a “workable, reasonable” budget will be passed by the start of fiscal year 2016 on Oct. 1, at least in the House of Representatives.

“I’m optimistic in the House. The Senate, I have no idea what they’re going to do,” Hubbard said. “I think we sent a pretty loud message earlier in the week when we rejected their budget 92-2. So it was an overwhelming, bipartisan saying to the Senate, ‘Look, we’re not going to do something stupid like that.’”

The House and Senate have failed to agree on a budget for the \$1.6 billion General Fund, which still presents a \$250 million budget shortfall. If the two can’t come to a consensus, Alabama is looking at a government shutdown, which could mean taking state troopers off the highways and closing the doors at DHR and the Alabama Department of Mental Health.

“The last thing in the world that I want is for state government to collapse. There are some that are like ‘Let’s burn the village to the ground in order to save it.’ And I think that’s absolutely the wrong tactic. That’s why we’re elected, that’s why we’re the leaders, is to ward off any disasters. It would hurt a lot of people if we let the government shut down. It would also cost even more money to start it back up,” Hubbard said. “There are some who would just love for it to burn down. I don’t think it is. I just don’t think that responsible men and women who are elected to do the right thing will ever allow that to happen. I’m not going to allow that to happen, as much as I can do as the Speaker of the House.”

Some legislators have the stance that there isn’t a need to raise new revenue through tax increases, the speaker said, in favor of taking dollars from the Education Trust Fund, whose budget passed both houses unanimously.

“I don’t believe that that’s the case. If you did that, you’d basically be saying we’re spending too much money on education,” he said. “We kind of have a three-legged stool. I’ve looked at this thing. You have education coming to the table, and they are more than willing to come. ... We have business, and I believe that they are ready and willing to come to the table. They actually have been. And then, I think, we have to look at some sort of consumer revenue source – cigarette tax, FICA deduction, whatever it is. If one of those legs breaks, then the stool falls down. That’s kind of what happened when the cigarette tax failed. Because it’s not fair for one entity or two entities to share the whole weight of it.”

Hubbard said he’s disappointed legislators didn’t come out of the special session with an agreed-upon General Fund budget. He cited multiple factors for the failure to agree on a budget, including the timing

of Gov. Robert Bentley's call for legislators to return to Goat Hill.

"Number one, I think the governor called us back too quickly. We had a discussion, and we all thought we had an agreement that he was not going to call us back in until the 17th of August, so we still wouldn't have been in session," he said. "The legislative branch is not like the executive branch that has one guy that says, 'Here's what I'm going to do.' We have 140 members in the Legislature; I've got 105 in the House. So you can't just say, 'OK, do this.' Or, 'Here's what we're going to pass.' It's a process, and you have to respect everyone's own districts, their own thoughts, their own priorities. And then my job as the speaker is to try to bring everybody together to reach a consensus, and we just didn't have time to do it."

He also expressed difficulties with working with the Senate, describing the group as "unpredictable."

With each special session costing an estimated \$400,000, according to Alabama political columnist and former legislator Steve Flowers, legislators expect to be called back to Montgomery to a second session in early September. Legislators are allowed 30 days to complete 12 meeting days, so they'll have to work fast to pass a budget by the start of the fiscal year.

"At least in the House, I believe that we are going to put out a reasonable, workable budget. It's not going to be everything the governor wants, but the governor never gets everything he wants. It's not going to be everything that we want. But my goal is to send a workable, reasonable budget to the Senate," Hubbard said. "I think it's time now for us to put this all behind us, forget the politics of it, and let's just do the right thing."

Though the regular session was punctuated with debate over gambling and gaming bills to fill the \$250 million budget deficit, the speaker doesn't expect those bills to surface during the second special session.

"All it is is a distraction, because it's a constitutional amendment. It wouldn't do anything for the fiscal year '16 budget, so why in the world would we spend any time or energy on something that's not going to solve the problem that we have staring us in the face?" he said. "That'd be like having a hole in the roof and worried about putting new carpet in your house. You've got to fix the roof. That's the thing that we have to get done; that's of paramount importance is to get the budget done."

Hubbard does expect two bills to resurface in the second special session, one on unearmarking funds and another that created a permanent joint oversight and accountability committee of legislators that would monitor how money is spent year-round. Both failed in the Senate.

And in nearly two decades as an Alabama legislator, Hubbard can't remember a need for two special sessions to pass a General Fund budget.

"I don't remember it. I remember going in one time, and I know we've cut it close before. The General Fund's been a problem ever since I've been in the Legislature. Hopefully we can fix it and fix it for the long term," he said. "But at the end of the day, when you look at a budget as big as this, it's worth taking the time to get it right. I think we could've done without that last special session. We did get some things accomplished, but I think we could've done them in one special session."