

Strange payments from Alabama State

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[By Bob Martin](#)

Most public officials and workers who are required to file a "statement of economic interests" annually with the State Ethics Commission do so promptly lest they get hauled into court facing fines or charges of a failure to file. Many state officials and employees hand-deliver their forms and obtain a receipt of delivery when they file just to ensure there are no problems.

The state's attorney general is charged with carrying out the prosecution of those who fail to file and despite what one might think those prosecutions do happen. I do not have the number of prosecutions carried out under the current Attorney General, Luther Strange or his assistants, but after two years in office I'm relatively sure there has been some.

Public officials and public employees who are required to file can be fined \$10 per day not to exceed \$1,000.00 for failure to timely file or be charged with a Class A misdemeanor for intentional failure to file. Every person who meets the necessary criteria, regardless of whether they retired the previous year or served/worked in the public position for any time, even a portion of a day during the previous year, is required to file.

Mr. Strange filed as required when he became a candidate for office in 2009 and he filed for 2011, but strangely has not filed for 2010, which was due on April 30, 2011.

The only explanation one might surmise is that between May 24, 2010 and February 8, 2011 Mr. Strange was paid at least \$41,250 by Alabama State University (ASU) for consulting services.

The time frame for the payments was during primary and general election campaigns for the state's top prosecutorial position in which Mr. Strange was a candidate and until almost a month into his first term in office after winning the election. He was paid \$15,000 of the money after he took office as attorney general. The checks were made to Strange, LLC his Birmingham law firm.

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As the current inquiry by the governor into the financial mess at ASU continues and if criminal prosecutions are necessary, the question would necessarily be raised as to whether or not these payments to Mr. Strange disqualify him or his office from participating.

Term limits, recalls proposed

State Senators Tripp Pittman of Baldwin County and Roger Bedford of Russellville have proposed term limits and recalls for state lawmakers. Pittman has introduced a bill establishing term limits in a constitutional amendment that would limit representatives and senators to three consecutive terms.

This is not Pittman's first shot out of the canon on this issue. He has sponsored previous bills to limit legislative terms to no avail. In his current proposal he adds a term, which would limit senators and representatives to three terms and would not count time already served.

Currently 15 states have term limits for lawmakers.

Last year Bedford got a recall bill out of a Senate committee that would give Alabama voters the ability to recall public officials, but acknowledged that the bill was very much a work in progress.

"I don't think it is something that will be used every year, but I think it is another tool for good government," Bedford said.

The Senate Constitution, Campaign Finance, Ethics, and Elections Committee approved the bill but only after committee members agreed that it would not move on the Senate floor without additional work.

As to the term limit bill, Pittman proposes that if it passed everyone would start anew in 2014 and if a legislator served two years of a term such would count as a full term of four years.

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Bedford, I am told, disagrees with Pittman's bill as does Pittman with Bedford's measure. Both ideas have some merit so perhaps the two should work together and pass both.