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FULL TEXT

**Week ahead: Alabama House committee to consider fetal heartbeat bill, three others on abortion**

*Al.com*

February 24, 2014

Mike Cason

MONTGOMERY, Alabama --- A bill that would ban many abortions that are now legal in Alabama will be considered by the Health Committee in the state House of Representatives on Tuesday.

House Bill 490 by Rep. Mary Sue McClurkin, R-Indian Springs, would require physicians to check for a fetal heartbeat before doing an abortion and would make it a crime to abort a fetus after the heartbeat is detected.

Fetal heartbeats can be detected as early as six weeks or seven weeks into a pregnancy, according to the National Institutes of Health website. Alabama law allows abortions up to 20 weeks of pregnancy.

The committee will consider three other abortion bills Tuesday at its 11 a.m. meeting in the eighth floor conference room in the Alabama State House.

--- HB 489 would increase from 24 hours to 48 hours the time that a woman must wait before having an abortion after receiving state-mandated information on adoption agencies, fetal development, father's obligations and other issues.

--- HB 493 would require doctors to provide women information about perinatal hospice services before aborting fetuses that have been found to have a lethal anomaly, or a defect that is reasonably certain to cause death within three months after birth. Women would have to sign a form showing they opted for abortion instead of hospice.

--- HB494 would tighten requirements on parental consent for a minor seeking an abortion.

Bills to be considered by committees on Wednesday:

--- SB 184, the state education budget for fiscal year 2015.

--- SB 109 would increase the penalty for promoting gambling from a misdemeanor to a felony.

--- SB 36, which was originally written to prohibit former legislators from lobbying either house of the Legislature within two years after their term ends, but was amended by the Senate to make many other changes to ethics laws.

--- SB 287 would phase out the state sales tax on food and gradually increase the tax on non-food items.

--- HB 478 would prohibit school systems from using seniority as the top factor in deciding what teachers are laid off when there are funding cuts or decreases in enrollment.

The House convenes at 1 p.m. on Tuesday; the Senate at 2.

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## **Abortion opponents rally outside Ala. Statehouse**

*The Associated Press*

February 25, 2014

MONTGOMERY, Ala. (AP) — Abortion opponents will rally outside the Alabama Statehouse as lawmakers consider a series of bills putting new restrictions on abortion.

One of the bills would ban abortion after a fetal heartbeat is detected, a measure both sides say would be destined for a court battle if it became law.

The Alabama Citizens for Life Pro-Life Legislative Rally will begin Tuesday at noon. The House Health Committee will vote on the fetal heartbeat bill on Tuesday. The committee will also vote on three other bills. One would increase the waiting period before an abortion. A second would require parents to present proof of parenthood when giving parental consent for an abortion. A third would require parents seeking an abortion because of fetal defects to be advised about perinatal hospice.

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## **Pro-lifers gear up for two big weeks in the Alabama House**

*Yellowhammer News*

February 24, 2014

Cliff Sims

Alabama's pro-life movement is gearing up for a couple of big weeks in the Alabama House of Representatives as four abortion-related bills navigate the legislative process.

The bills on the calendar for tomorrow's Health Committee meeting include The Fetal Heartbeat Act (HB490), The Woman's Right to Know (HB489), The Perinatal Hospice Information Act (HB493) and HB494, which will toughen parental consent requirements for minors seeking an abortion.

"It is unfortunate that liberal activist judges on the U.S. Supreme Court have made abortion legal in the United States," said Alabama House Speaker Mike Hubbard. "But Alabamians are fortunate to have a Republican legislature that continues to protect and prioritize life in our state."

In spite of Alabama's electorate being one of the most socially conservative in the nation, pro-life bills were virtually non-existent prior to Republicans taken control of the legislature in 2010. As a result, the state has lagged behind other states when it comes to protecting the right to life. Americans United for Life recently ranked Alabama in the middle of the pack compared to other states.

The package of pro-life bills set for a committee vote tomorrow would be a big step in the right direction. If the bills are voted out of committee as expected, they would likely hit the floor of the full House early next week.

Here are some quick details on the four bills:

Fetal Heartbeat Act sponsored by Rep. Mary Sue McClurkin, R-Indian Springs.

This bill would require physicians to check for a detectable heartbeat before performing an abortion. If a physician fails to check for a heartbeat or performs an abortion after a heartbeat is detected, they would face Class C Felony charges and would have his or her medical license revoked.

“In almost every medical situation the litmus test to determine the need for continued medical treatment is the existence of a pulse,” McClurkin said. “We owe the same respect and reverence to the life of an unborn child that we would pay to any person facing a medical emergency.”

Women’s Right to Know Act sponsored by Representative Ed Henry, R-Hartselle.

This bill increases the required wait time prior to performing an abortion from 24 to 48 hours. During this period, required information about abortion, including an ultrasound, is provided to the woman seeking the procedure.

“When someone is making a decision so monumental that it could result in the loss of a life, every single hour counts,” Henry said. “I’m confident that the difference of an additional 24 hours of consideration could help more people choose life.”

The Perinatal Hospice Information Act sponsored by Rep. Kurt Wallace, R-Maplesville

This bill provides that in cases where an unborn child has a lethal fetal anomaly, no abortion can be performed until a physician has informed the woman in person that perinatal hospice services are available and that they are an alternative to abortion.

A lethal fetal anomaly is defined as a condition diagnosed before birth that will likely result in the death of the child within three months after birth.

“The more information potential parents are provided with under these difficult circumstances about positive alternatives to abortion the more likely they will be to make an informed decision and a positive choice,” Wallace said.

HB494 sponsored by Rep. Mike Jones, R-Andalusia

This bill will toughen parental consent requirements for minors seeking an abortion. The bill requires more stringent identification and documentation requirements on behalf of the minor and their parents or legal guardians, including that a parental consent form must be signed in the presence of a physician.

“This bill makes crystal clear a process that has been enforced inconsistently at best in the state of Alabama,” Jones said. “In instances where a minor is seeking an abortion, it is imperative that they fully understand the ramifications of their decision and prove that they are wholly aware of its impact.”

All four pro-life bills were discussed in public hearings in the House Health Committee last week.

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### **Ala. House to address spay/neuter clinics**

*The Associated Press*

February 25, 2014

MONTGOMERY, Ala. (AP) — Some Alabama lawmakers and animal lovers want to make sure that nonprofit spay and neuter clinics can continue to operate in the state.

The House of Representatives is expected to debate a bill Tuesday clarifying that veterinarians can work for the nonprofits that provide low-cost spay and neuter operations.

A state board has previously proposed rules that would shut the clinics down by prohibiting non-veterinarians from hiring veterinarians.

Supporters say the clinics are needed to address Alabama's pet overpopulation problem.

Speaker of the House Mike Hubbard said last week that the bill limits the services the clinics can provide so they will not be unfair competition to full-service veterinarians.

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### **2015 Education Trust Fund budget may give teachers one-time bonus, not pay raise**

*Montgomery Advertiser*

February 25, 2014

Brian Lyman

The chairmen of the House and Senate committees that oversee the 2015 Education Trust Fund budget said Monday that several issues are still being hammered out, including the size and scope of pay raises for educators and support personnel, and possibly replacing some or all of the increases with a one-time bonus.

The budget is scheduled to appear in a Senate committee Wednesday, and both budget chairmen say they have concerns about raises.

Both House Ways and Means Education committee chair Bill Poole, R-Tuscaloosa, and Senate Finance and Taxation Education committee chair Trip Pittman, R-Montrose, said their main

concern was the sustainability of a percentage-based raise through future budgets. Pittman also said he was concerned about long-term forecasts for the economy, and keeping the ETF out of proration.

“A bonus doesn’t recur,” Pittman said. “We gave them a 2 percent pay raise in the ’14 budget. We’re hoping to continue that in the ’15 budget, (but) we don’t know where we’ll be in the economy.”

Gov. Robert Bentley called for a 2 percent raise for teachers and educators in his State of the State address Jan. 14. Last year, Pittman’s Education Trust Fund budget replaced a 2 percent pay raise for teachers and educators with a 1 percent pay raise and a conditional 1 percent bonus. The 2 percent raise eventually was restored after negotiations.

“As part of balancing the budget, we want to recognize and reward teachers for their hard work and determination,” Poole said. “We’re trying to determine how much we can do on that area, and what we can do in a sustainable budget going forward.”

Senate President Pro Tem Del Marsh, R-Anniston, said last week that the ETF could come to a vote in the full Senate on Thursday. However, the document is likely to change once it reaches the House.

“Certainly there are no final numbers at this point,” Poole said. “We’ll see the budget evolve over the coming weeks as members contribute thoughts and opinions.”

Bentley’s ETF also called for an increase of \$10 million for funding for pre-kindergarten programs — which Pittman said was “still there” on Monday. But a proposal to spend \$92 million above the \$5.89 billion Rolling Reserve cap through a gross sales tax fund transfer drew a negative response from Pittman.

“We do not want to do that,” he said. “We want to try and stay under the cap.”

Bentley said in January that without the \$92 million, a number of items in his budget, including the 2 percent pay raise for teachers, “would be difficult to pay for.”

Lawmakers are also wrestling with payments to the ETF’s Rainy Day Account, a \$437 million credit line used to bail out the budget during times of proration. The account was emptied in 2009 to offset the effects of proration that year.

The state paid just under \$275 million at the end of the 2013 fiscal year in September, and still needs to pay back an additional \$163 million. Pittman said he wanted that line paid back so the state could begin paying money into a budget stabilization account, also created under the Rolling Reserve Act.

Fully funding that account will likely take years: The stabilization account is capped at 20 percent of the ETF, which would be about \$1.18 billion if the money was there today.

“We want to restore (the Rainy Day Account) and not touch it again,” Pittman said.

The Department of Education also has requested funding to increase the number of middle-school teachers; more money for transportation and funds to pay day-to-day operations of schools, and funding for programs such as the Alabama Math, Science and Technology Initiative (AMSTI).

“We’ve been very clear our priorities are those that affect our local school systems the most,” State Superintendent Tommy Bice said in an interview Friday. The Department also broadly supports a teacher pay raise, though Bice said the department “would not weigh in on a particular percentage,” citing the limited funds the state has to work with.

Attempts to reach the Alabama Education Association for comment Monday were unsuccessful.

Marsh said last week he did not know what the situation with pay raises in the ETF would be, though he said bonuses were a possibility. He said he thought they might be an option for state employees as well.

“I would love to find a way to say ‘thank you for working with us’ and understanding we’re all in this together,” he said.

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### **Officials: Repealing Common Core could be costly**

*Dothan Eagle*

February 24, 2014

Jim Cook

If efforts in the Alabama Legislature to repeal the Alabama College and Career Ready Standards, the Alabama version of the Common Core standards, are successful, it could be expensive for the state department of education and local school systems.

A bill to repeal Common Core until Jan. 2017 has been introduced by State Sen. Scott Beason. According to the Associated Press, the bill is currently in committee. Alabama is one of 45 states that have adopted Common Core standards. Opponents of the standards say they are a de facto federal takeover of education and also criticize the methodology of the standards.

Repealing the standards would leave the state scrambling to draft and implement new standards. Malissa Valdes, a spokesperson for the Alabama Department of Education, said the standards prior to the Alabama College and Career Ready standards were adopted in 2007 and are 90 percent similar to the new standards. The standards previous to those were adopted in the late 90s and early 2000s. Valdes said the state would have to go back to those if the Legislature wanted to remove Common Core from state standards.

Valdes said using decade-old standards is a non-starter, and the state department of education would have to draft and implement new standards.

The state spent about \$200,000 in creating the Alabama College and Career Ready Standards and providing training related to them. The state has also spent millions on new standardized tests aligned with the standards.

In addition to these costs, local school systems would also be left having to replace textbooks and digital learning materials aligned with Common Core standards.

The Dothan City Schools has spent \$1.3 million on math and reading textbooks aligned with Common Core. Allyson Morgan, director of secondary education curriculum, said the system would likely have to replace these books if the state dumps Common Core. Morgan said finding texts not aligned with Common Core would prove difficult for the system, as many publishers have hitched their wagon to the standards.

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### **Legislature looks into mandatory class for married couples with kids intending to divorce**

*Montgomery Advertiser*

February 25, 2014

Kala Kachmar

There are driving classes, math classes, cooking classes, but divorce classes?

That could become a reality for divorcing couples with children if a bill in the Legislature becomes law.

The House of Representatives is considering legislation that would require couples with children to complete a marriage dissolution class before getting a divorce.

The bill, sponsored by Rep. Bill Pool, R-Northport, would require couples with children younger than 16 to take a four-hour class to increase parents' sensitivity to their children's needs during a divorce or separation proceeding. The House Judiciary Committee has unanimously approved it.

"The purpose of the bill is to simply provide a moment for parents to pause and get a little bit of assistance and direction to focus on the children," Poole said. "Children get stuck in the middle and become pawns in the divorce process sometimes."

Poole said Tuscaloosa County and some others in the state already have the requirement in place. He said Alabama has one of the highest divorce rates in the country.

"It's easy, it's not time consuming and we make sure children — who have rights in a divorce setting — are taken into account," Poole said.

Each parent would be required to pay for the class, which can't exceed \$75. The class can be an online class approved by the local jurisdiction or a class supervised by a family professional or licensed mental health professional.



The main focus of the class would have to focus on increasing cooperation, how divorce affects children of different ages and information to help parents assess whether they're involved in domestic violence.

Judges would be able to exempt people from the class if the parent can't speak or read the languages the class is offered in, if they don't have access to the Internet and a course isn't available in their region, if the spouses' behavior would make it dangerous to co-parent or if there is some other type of emergency.

Robert Griffith, a dermatologist from Tuscaloosa County who is involved with marriage counseling at his church, asked Poole to sponsor the bill a few years ago. He said he's seen a lot of benefits to these programs.

"It will help give (parents) tools to go through the divorce and hopefully take their children out so they'll be less damaged as a result," he said. "Statistically, across the country, these couples are much less likely to re-litigate."

According to the U.S. Department of Health and Human Services, some of the programs it offers — which are programs offered in Tuscaloosa County — have shown a 30 to 53 percent reduction in parental conflict and a 57 percent reduction in litigation, which includes child access, change of custody and child support disputes.

Poole said some people are concerned about the bill creating a barrier to getting a divorce. But he said the intent of the bill isn't to do that.

"We're not trying to create barriers, financial or otherwise, but we want to make sure we can do everything we can to support the children," Poole said. "This bill is simply about helping parents who are getting divorced to recognize the needs of their children, who are in the middle."

Poole said he's introduced this bill for a few years now, but because of timing and scheduling, it hasn't been passed.

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### **Jefferson County residents could soon be buying car tags at city halls**

*Al.com*

February 24, 2014

Mike Cason

MONTGOMERY, Alabama --- Some Jefferson County residents should soon be able to buy their car tags at city offices instead of standing in lines at county courthouses.

Rep. Paul DeMarco, R-Homewood, said Gov. Robert Bentley has signed into law HB 112, which authorizes Jefferson County cities to issue car tags.

Vestavia Hills is expected to be the first city to do so beginning April 1, DeMarco said.

The new law allows cities to charge up to \$5 more to cover their costs. DeMarco said many residents might prefer that over standing in line at the courthouse. Waits of up to four hours have been a problem at the courthouse, although the county expects quicker moving lines because of a new software system and more personnel.

"It's just a common sense approach to solving a long-term problem," said DeMarco, who is running for the Republican nomination for Congress in Alabama's 6th District. DeMarco said Birmingham, Mountain Brook, Trussville, Leeds, Clay, Irondale and Sylvan Springs have all expressed interest in selling tags.

The law does not specify where cities would issue the car tags.

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**Alabama Senate committee to hold hearing on bill to allow distilleries to sell souvenir bottles on site**

*Al.com*

February 24, 2014

Mike Cason

MONTGOMERY, Alabama --- An Alabama Senate committee is scheduled to hold a public hearing Tuesday on a bill to allow distilleries to sell souvenir bottles of their products to distillery visitors.

Alabama has just one licensed distillery, High Ridge Spirits in Bullock County, according to Mac Gipson, administrator of the Alcoholic Beverage Control Board. High Ridge Spirits opened last summer.

Gipson said the ABC board had not yet fully evaluated the bill or taken a position on it.

Alabama's wineries are allowed to have tastings and sell souvenir bottles to visitors.

Distilleries can have tastings but not sell the products on site.

The Senate Governmental Affairs Committee is scheduled to meet at 1 p.m. Tuesday at the Alabama State House.

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**Open meetings bill headed for Senate**

*Anniston Star*

February 24, 2014

Tim Lockette

MONTGOMERY — A bill designed to shore up Alabama's open meetings law may be heard in the Alabama Senate as early as Tuesday, as time ticks toward the end of the legislative session.

"I've been working all weekend to get everyone lined up on this," said Sen. Cam Ward, R-Alabaster.

Ward is the sponsor of a bill that, supporters claim, would fill holes in the state's open meetings law that were created by Alabama Supreme Court rulings.

In recent years, the court has ruled that residents of the state have no standing to sue in most open records cases, and to allow "serial meetings" in which members of an elected body meet in twos or threes to discuss business before holding a full meeting.

In a dispute over a much-debated education bill last year, the justices also ruled that the Alabama Legislature doesn't have to hold its meetings in public.

That ruling was too much for some open-meetings advocates, who noted that the drafters of the constitution mandated that the doors of the Legislature be open during the session in 1901.

Gov. Robert Bentley and the Alabama Press Association supported Ward's bill, which reiterates the open-doors wording in the constitution and allows people to sue, and exact punitive damages, when elected officials improperly meet in private.

Still, the bill isn't exactly what it was when Ward unveiled it a month ago. Various groups of state officials, including the Association of County Commissions of Alabama, opposed some aspects of Ward's proposed ban on serial meetings, citing concerns that it would public officials could be sued even for chance encounters that someone interpreted as a secret meeting.

When the bill passed out of a Senate committee earlier this month, it was a compromise version that would allow elected officials to hold serial meetings "to discuss background and education information."

That new version would also allow serial meetings when an elected or appointed body is searching for someone to fill an executive position. Those meetings wouldn't have to be done in public until a search is narrowed down to three candidates.

Even then, the Association of County Commissions maintained its opposition to the bill. The group opposed a "loser pays" provision that would have public bodies picking up the plaintiff's legal fees if a suit is successful.

Ward said there's no "loser pays" a new version of the bill, which he hopes to introduce as a substitute bill in the Senate this week. He said he's been negotiating with six or seven groups over the past few days to line up support.

As long as "loser pays" is gone, the Association of County Commissions won't fight the bill, said director Sonny Brasfield.

"We're not opposed to the legislation," he said. "It's not our job to pass it, either."

Alabama Press Association director Felicia Mason said the bill isn't ideal, but it's better than what exists now.

"Usually when everybody's a little unhappy, it's a good bill," she said.

For proponents of the bill, the clock is ticking. The 30-day legislative session hit its halfway point last week and the Legislature has yet to pass either a General Fund or Education Trust Fund budget. Both houses are expected to delve into budget debates by Thursday and other bills are likely to take a back seat until they're finished.

The Senate convenes Tuesday at 2 p.m.

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### **Bill would up gifted-student funds**

*Decatur Daily*

February 25, 2014

Deangelo Mcdaniel

A bill the state Senate may vote on next week is designed to put in place a mechanism for school districts to access more money for gifted education.

Even if the bill becomes law this year, however, it's unlikely money will be available until fiscal 2016, Sen. Arthur Orr, R-Decatur, said.

The legislation, which Orr is sponsoring, is patterned after a Delaware law that provides seed money for school districts to develop programs for gifted students.

"This is money that goes beyond what the state budget already includes for gifted education," Orr said Monday evening while speaking to two gifted education advocacy groups in the auditorium at Decatur Utilities.

Gifted specialist Nancy Johnson with the state Department of Education said the current budget provides a little more than \$1 million for gifted education.

"This goes to all the school districts in the state," she said.

Orr said the state is due to pay back more than \$100 million it borrowed from the Rainy Day Fund.

"Until this is done, it will be hard for any increases in the budget," Orr said.

He said, however, that he wanted to get the law on the books so that when funds become available, school districts can start applying for the money.

Decatur City Schools Special Services Supervisor Stefanie Underwood supports the legislation "because every student needs to be challenged wherever they are academically."

DCS has one of the oldest gifted-education programs in the state. The district uses what it calls "child-find activities" to identify gifted students.

"We test every kindergarten student," Underwood said. "We want to identify kids who are gifted as early as we can instead of waiting on a teacher or parents to tell us."

Decatur uses the results of the tests to populate its magnet schools.

DCS also uses an enrichment model, which affords advanced academic opportunities for students the "find-activities" test may miss.

Morgan County uses the state's matrix to determine which students are eligible for gifted education. The eligibility form assigns points in the areas of aptitude, gifted behavior characteristics and performance.

Sherri Mann supervises Morgan County's six talented and gifted teachers, who rotate between schools. The level of activities students receive depends on grade level.

Grades 3-5 in both Decatur and Morgan County are pulled out of class three hours per week for academic programs that "help them develop higher order thinking skills," Underwood said.

Mann said middle school students are allowed to participate in activities such as robotics and the math teams.

"It's a little more than what they would get in the normal classroom setting," she said.

Although gifted education is almost two decades old, Johnson said the state has provided line-item funding only in three years.

In 2006, the state appropriated about \$3 million. The last two budgets have included a little more than \$1 million each.

Orr, chairman of a committee on the state's dropout rate, said he is aware of cases where gifted students quit because they were bored.

"Gifted kids in this state get very little to challenge them in and out of class," Orr said. "Every child is valuable regardless of where they are on the education spectrum."

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## **Senators to consider limited powers for Alabama counties**

*Anniston Star*

February 24, 2014

Tim Lockette

MONTGOMERY – A state constitutional amendment that would allow Alabama’s counties limited control over their own affairs will get a hearing before a committee in the state Senate Tuesday.

The amendment, sponsored by Sen. Del Marsh, R-Anniston, would give the state’s 67 counties power to establish their own personnel systems, animal control programs and traffic safety initiatives, among other agencies. Under the Alabama Constitution of 1901, most counties need permission from the Legislature to set up those agencies – or to perform most government functions other than road maintenance.

Marsh’s amendment comes at the end of a two-year review of the state constitution, which many county-level officials hoped would lead to more home rule for counties. Still, it doesn’t give counties power over taxation or zoning, something home rule advocates had hoped for, and something many rural property owners had feared, when the constitutional review process began.

“It deals with no-brainer powers, things a majority of citizens would be shocked to know we don’t have already,” said Sonny Brasfield, director of the Association of County Commissions of Alabama.

The amendment would need the approval of both the Senate and the House, and approval of the voters on a statewide ballot, to become part of the constitution.

Brasfield said the bill gives counties power mostly over their own administrative affairs. His association has long complained that county officials have to go to Montgomery for approval of the simplest issues, such as awarding a badge to a retiring sheriff or deputy. Marsh’s amendment explicitly grants counties the power to give those badges, and to take other specific actions such as setting up a one-stop office for selling car tags or establishing employee appreciation programs.

Even a simple luncheon, to recognize workers for their safety, is something that would need approval from Montgomery under the current system, Brasfield said.

Historically, the biggest opponent of home rule legislation has been the Alabama Farmers Federation, or ALFA. Some of the state’s farmers and other rural landowners have expressed concern that full home rule would lead to higher property taxes or runaway regulation of rural land.

Brasfield and Marsh both said the current version of the amendment is the result of negotiation with ALFA, but ALFA isn’t endorsing the final product.

“We’re neutral on the bill,” ALFA spokeswoman Mary Johnson said. “Our concerns were taxation and restrictions on property, but those issues appear to have been resolved.”

Marsh, the bill’s sponsor, said last week that he expects the amendment to see more changes as it progresses through both houses, due to the touchy nature of home rule.

“I’m hesitant to even call it a limited home rule bill, because that makes some people nervous,” he said.

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**AEA blasts bill by Sen. Del Marsh limiting role of seniority in determining teacher layoffs**  
*Al.com*

February 24, 2014

Mike Cason

MONTGOMERY, Alabama --- The Alabama Education Association has blasted proposed legislation that would limit how much local school systems can consider seniority when deciding which teachers to lay off when they are forced to make cutbacks.

In its Alabama School Journal released today, the AEA has two articles about Senate Bill 353 by Senate President Pro Tem Del Marsh of Anniston.

The bill says that by the 2015-2016 school year, school systems may not consider seniority as the most significant factor in reduction in force plans. RIF plans are used when school systems have to eliminate positions because of decreased enrollment or funding shortages.

The AEA, which represents teachers and education employees, describes the bill as a solution in search of a problem. It says that none of the state’s 135 school systems has a RIF plan that includes seniority as the most significant factor.

Marsh said he was open to that argument.

“Maybe it will come out that this is not a problem,” Marsh said. “But I’m under the impression that it is a problem.”

Marsh said the needs of school systems should be the most important factor in layoff plans.

Similar legislation was proposed last year but failed. There is a companion bill in the House this year, HB 478 by Rep. Ed Henry, R-Hartselle.

The House Education Policy Committee is scheduled to hold a hearing on Henry's bill Wednesday at 2 p.m.

The bill says RIF plans should include demonstrated experience in providing quality instruction as a significant factor. It says the state Department of Education is developing performance evaluations for teachers and administrators that is expected to be in effect in 2015-2016.

The bill says teachers' advanced degrees can also be a factor in RIF plans if the degrees are in subjects that they teach, or in early childhood education for elementary teachers.

Sally Howell, executive director of the Alabama Association of School Boards, said the association was taking a neutral stance on the bill. Howell said AASB has worked with proponents of the bill over the last two years to address some concerns.

Howell said she did not think the bill would have a huge impact if it became law. She said school systems often handle reductions in personnel through attrition and non-renewals of contracts instead of through RIF plans.

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### **Tomko named president of Honda in Alabama**

*The Associated Press*

February 24, 2014

LINCOLN, Ala. (AP) — A new executive will lead Honda's operations in Alabama.

Honda Manufacturing of Alabama says Jeff Tomko will take over as company president on April 1.

The Daily Home of Talladega (<http://bit.ly/1polbII>) reports that Tomko is now senior vice president. He is in charge of vehicle and engine production at the company's \$2 billion plant in Lincoln.

Tomko will now be in charge of all operations in the new job.

Tom is replacing Tom Shoupe, who becoming executive vice president and chief operations officer of Honda of America Manufacturing Inc.

Honda has made more than 3 million vehicles at its Talladega County plant since 2001. The factory makes the Odyssey minivan, the Pilot sport utility vehicle, the Ridgeline pickup truck, the Acura MDX and V-6 engines for each vehicle.

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### **Alabama's Rep. Alvin Holmes stands by 'Uncle Tom' comment about Clarence Thomas on 'Hannity'**

*Al.com*

February 24, 2014

Mike Cason



MONTGOMERY, Alabama --- State Rep. Alvin Holmes of Montgomery was interviewed on the Fox News program “Hannity” tonight and repeated his comment that U.S. Supreme Court Justice Clarence Thomas is an “Uncle Tom.”

Fox interviewed Holmes at the Alabama State House on Thursday and asked the veteran lawmaker if he stood by the comments he made on the House floor earlier this month.

“Yes I do,” Holmes told interviewer David Webb. “I think Justice Clarence Thomas on the United States Supreme Court is an Uncle Tom, a black man allowing himself to be used to carry the message of a white man, which is against the interest of black people in America. In my opinion, that’s an Uncle Tom.”

Webb also asked Holmes about comments made in January by the president of the North Carolina NAACP about U.S. Sen. Tim Scott of South Carolina, a conservative black Republican. The Rev. William Barber compared Scott to a ventriloquist’s dummy.

“If you going to get to be a United States senator, and you black, and every position you take is a position that the white folks tell you to take, what incentive that going to be for young blacks?” Holmes said.

Webb asked Holmes how he knew that Scott was doing what “white folks” had told him to do.

“Because every report I have read, he goes by what the white people tell him,” Holmes said. “If a white holding a position votes against the interests of black people, well, we call them racists. If a black is in a position and votes against the interests of black people, we call them Uncle Tom.”

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**U.S. Rep. John Lewis of Georgia kicks off campaign to legalize same-sex marriage in South**  
*Al.com*  
February 24, 2014  
Mike Cason

MONTGOMERY, Alabama --- U.S. Rep. John Lewis of Atlanta, an Alabama native known for his role in the civil rights movement, today kicked off a campaign advocating legalization of same-sex marriage in the South.

Lewis recorded a web ad today launching the Southerners for the Freedom to Marry campaign.

“I fought too hard and too long against discrimination based on race and color not to stand up and speak up against discrimination against our gay lesbian brothers and sisters,” Lewis says in the video. “I see the right to marry as a civil rights issue.”

Lewis, a Pike County native, was one of the voting rights marchers beaten on Bloody Sunday in Selma in 1965. He was a student leader in organizing the march. In 1963, Lewis was a featured

speaker before Martin Luther King Jr.'s "I Have a Dream" speech in Washington, D.C., according to the Encyclopedia of Alabama.

The Southerners for the Freedom to Marry campaign includes 13 honorary co-chairs, including state Rep. Patricia Todd of Birmingham.

The Southern Poverty Law Center announced a lawsuit earlier this month filed by a Montgomery man challenging the state's law against recognizing same-sex marriages entered in other states.

After the lawsuit was announced, Alabama Gov. Robert Bentley and House Speaker Mike Hubbard issued statements supporting Alabama's law. More than 80 percent of state voters approved the same-sex marriage ban in 2006.

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### **Defense secretary proposes shrinking Army, closing bases**

*The Associated Press*

February 24, 2014

WASHINGTON (AP) — Defense Secretary Chuck Hagel today proposed shrinking the Army to its smallest size in 74 years, closing military bases and making other military-wide savings as part of a broad reshaping after more than a decade of war.

Hagel outlined his vision in a speech at the Pentagon, a week before President Barack Obama is to submit his 2015 budget plan to Congress.

Hagel said that U.S. forces must adjust to the reality of smaller budgets, even as he asserted that the United States faces a more volatile, more unpredictable world that requires a more nimble military.

"We are repositioning to focus on the strategic challenges and opportunities that will define our future: new technologies, new centers of power and a world that is growing more volatile, more unpredictable and in some instances more threatening to the United States," he said.

Under the Hagel plan, which Congress could change, the active-duty Army would shrink from its current 522,000 soldiers to between 440,000 and 450,000. That would make it the smallest since just before the U.S. entered World War II.

Hagel said Obama's budget proposal will include a government-wide "Opportunity, Growth and Security Initiative" that would provide the Pentagon with \$26 billion on top of the \$496 billion it is due to receive in 2015 under terms of the budget deal passed by the Congress two months ago.

Among the bolder moves in Hagel's proposal is the elimination of the Air Force's fleet of A-10 aircraft as well as its venerable U-2 spy planes, as well as reductions in the size of the Army National Guard. Those moves are expected to draw some opposition in Congress.

Hagel said the administration will propose a new round of domestic military base closings in 2017, while noting that Congress has rejected such requests in recent years.

Army leaders have been saying for months that they expect their service to shrink as the nation prepares to end its combat role in Afghanistan this year.

Gen. Ray Odierno, the Army chief of staff, said recently that whatever the future size of the Army, it must adapt to conditions that are different from what many soldiers have become accustomed to during more than a decade of war. He said many have the misperception that the Army is no longer busy.

"People tend to think that the Army is out of Iraq and Afghanistan, and there is not much going on," he said Jan. 23 at an Army forum. "The Army is not standing still. The Army is doing many, many, many things in order for us to shape the future environment and prevent conflict around the world."

The last time the active-duty Army was below 500,000 was in 2005, when it stood at 492,000. Its post-World War II low was 480,000 in 2001, according to historical tables provided by the Army on Monday. In 1940 the Army had 267,000 active-duty members, and it surged to 1.46 million the following year as the U.S. approached entry into World War II.

Navy Rear Adm. John Kirby, the Pentagon press secretary, said Monday that Hagel consulted closely with the military service chiefs on how to balance defense and budget-saving requirements.

"He has worked hard with the services to ensure that we continue to stand for the defense of our national interests — that whatever budget priorities we establish, we do so in keeping with our defense strategy and with a strong commitment to the men and women in uniform and to their families, Kirby said.

"But he has also said that we have to face the realities of our time. We must be pragmatic. We can't escape tough choices. He and the chiefs are willing to make those choices," Kirby said.