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FULL TEXT

Alabama House leaders pass \$1.83 billion General Fund budget

Montgomery Advertiser
February 27, 2014
Kala Kachmar

The Alabama House of Representatives passed a \$1.83 billion General Fund budget on Wednesday, after long discussions about chronically underfunded state departments and the grim outlook of future budgets.

The 2014-15 budget is about \$1.7 million higher than Gov. Robert Bentley's proposed \$1.82 billion budget, and included level funding for most state agencies, including the Department of Corrections (ADOC), Mental Health and the Unified Judicial System.

House Ways and Means General Fund Committee chair Rep. Steve Clouse, R-Ozark, said he expects the federal government will put mandates on ADOC, and has met twice with Prison Commissioner Kim Thomas about what some of those funding needs might be.

"We're talking with the governor's office to get some transfers (extra appropriations for ADOC)," Clouse said.

Last month, the U.S. Department of Justice sent Bentley a letter and a report on the Julia Tutwiler Prison for Women in Wetumpka, saying the facility violates inmates' Eighth Amendment protection against cruel and unusual punishment. The department is expanding its investigation of the prison.

Rep. Greg Burdine, D-Florence, said he knows money is tight, but he's concerned most about the ADOC budget.

"We're at 200 percent capacity," he said, adding that staffing levels are far below what they should to be.

In his request, Thomas asked for an additional \$42 million for new correctional officers, security improvements, merit raises and an additional raise specifically for security staff working in the prisons.

The corrections budget, which is about \$396 million, is about 22 percent of the total General Fund budget in the current year.

"At some point, we need to come up with a comprehensive approach to deal with our prison system and our court system funding," said Rep. Chris England, D-Tuscaloosa. "We're just doing the basics to keep the doors open, and we're not doing a very good job at that."

Several legislators, including Clouse and Rep. Joe Hubbard, D-Montgomery, mentioned that the circuit clerks' offices are closed on Wednesdays because of last year's court budget cuts.

Conditional funds

The House also passed an amendment to the budget Wednesday that would add \$3.6 million in conditional appropriations — which are funded if there's money leftover — to hire 100 court specialists.

Clouse said the \$1.5 million increase in the General Fund budget for Forensic Sciences will also help speed up cases and prevent court delays, which are costly.

Although few expect much money to be left over the House has passed a \$130 million list of conditional appropriations. Other conditional appropriations include \$22 million for a 4 percent state employee pay raise, \$20 million for ADOC and \$75 million for Medicaid for a total of about \$130 million.

Medicaid, the largest single component in the budget, would get about \$685 million in the budget proposal, an increase of about \$70 million over its current state funding level.

Pay raises

Employee pay raises are also a concern among lawmakers. Rep. John Knight would have made employee pay raises a first-priority conditional appropriation, but the motion failed on the floor. A similar amendment he proposed failed at the Ways and Means General Fund Committee last week.

More than \$250 million in the 2014-15 budget will be funded by one-time appropriations from a variety of funding sources, including \$145 million the state borrowed from the Alabama Trust Fund, which is a repository of revenues from oil and gas leases.

The \$145 million for 2014-15 is the last of the funding left of the \$437 million borrowed in the 2012-13 fiscal year for use over three budget cycles.

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Alabama legislators pushing bill to give teacher evaluations increased role during workforce reductions

The Associated Press

February 26, 2014

MONTGOMERY | In the latest skirmish between the state teachers association and GOP legislators, lawmakers are pushing a bill to limit the role of seniority in deciding which teachers get laid off during workforce reductions.

Proponents of the bill said the other factors, such as classroom performance, should be the predominant consideration. Opponents of the bill said they feared backers were trying to make test scores the overriding concern.

"They need to look at which educator is the most effective teacher for the child," said bill sponsor Rep. Ed Henry, R-Hartselle.

The House Education Policy Committee held a public hearing Wednesday on the proposal

Henry's bill would dictate seniority could not be the primary consideration in workforce reduction policies by the 2015-16 school year. The bill would require that by the 2016-17 school year, upcoming teacher evaluations would have to be a factor. Henry said those evaluations, which are in development, would include student performance.

"It's not just testing. Student data should be a factor, but not the only factor," Henry said.

A lawyer for the Alabama Education Association argued during the public hearing that no systems use seniority as the only, or even the most significant, criterion.

"It's like outlawing speeding when no one is speeding. No one I know is doing this," Fred Fohrell said.

AEA Executive Secretary Henry Mabry criticized the bill by saying that groups were pushing for teachers to be judged solely on test scores.

"They want test scores to be used for evaluations, and that is just not the way to go," Mabry said.

Teachers spoke both for and against the bill during the public hearing.

Tammie McLaughlin said she feared that teachers like her, who teach in low-income schools, will be unfairly compared with teachers who work in the wealthy suburban school districts.

Former Alabama schools Superintendent Joe Morton, who now chairs a business-aligned education reform group, praised the bill. Morton said some past layoff decisions have come down to random factors when teachers tied in experience and number of degrees. He said that once included who had the lower Social Security number.

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Ethics bill is discussed in committee

Montgomery Advertiser

February 27, 2014

Kala Kachmar

A sweeping piece of ethics legislation passed by the Alabama Senate earlier this month has been reduced to what some call a "clean" piece of legislation that only restricts lawmakers who want to become lobbyists.

The substitute bill introduced in the House Campaign Finance and Ethics Committee on Wednesday would prohibit lawmakers from lobbying either chamber of the state Legislature for two years after their term is up. The two-year clock would start after the term is up, regardless of whether they leave early.

The new version of the bill, sponsored by Senate President Pro Tem Del Marsh, R-Anniston, is similar to the original bill.

The version that passed in the Senate, which expanded the scope, included provisions to ban the governor from lobbying for four years after leaving office, tighten restrictions on lawmakers' receiving tickets to sporting events and expand lobbying and "double-dipping" restrictions to family members of public officials.

Rep. Mike Ball, R-Madison, chairman of the committee, said the bill "turned into a circus" when it got "caught up" in the Senate earlier this month.

Ball said the ethics law that exists isn't perfect. He said a lot of other things came to light during the Senate discussion, but those amendments and changes need to be made with the help of the Ethics Commission.

He said the intent of this bill is meant to address the problem, which is that legislators are leaving before their terms are up to go into the lobbying business.

The issue became a concern last summer after three lawmakers left the Legislature for jobs that involved lobbying.

"We make a commitment to serve our terms and we should do it," Ball said. "There should be a penalty for leaving early — that's the real problem we need to address."

Marsh said Wednesday night he had not seen the changes, but "was obviously hoping it was cleaned up in the House."

The senator said he did not anticipate difficulties getting it through the Senate. "I'm going to get it through, clean," he said.

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Alabama Senate passes bill to drug-test some welfare recipients

Al.com

February 26, 2014

Mike Cason

MONTGOMERY, Alabama --- The Alabama Senate has passed a bill to require some welfare applicants and recipients to be drug tested.

Senate Bill 63 by Sen. Trip Pittman, R-Montrose, would require tests for applicants for Temporary Assistance for Needy Families who have had a drug conviction in the last five years. TANF recipients would be tested if they had a conviction during the five years before their first TANF payment.

The bill passed by a vote of 24-4.

The bill is the first of five welfare-related bills on the Senate's agenda today. Democrats filibustered for a while but stopped the delay tactics on SB 63.

The Senate added an amendment by Sen. Bobby Singleton, D-Greensboro, that would end the program after three years but give the Legislature the option to renew it. Senate Democrats resumed filibusters on the other welfare bills, but the Republican majority prevailed in votes to cut off the debates.

The Senate has also passed:

-- SB 87 by Sen. Bryan Taylor, R-Prattville to prohibit the state from seeking waivers of work requirements for able-bodied adults under the Supplemental Nutritional Assistance Program, also called food stamps.

-- SB 114 by Sen. Arthur Orr, R-Decatur, to prohibit fraud to receive benefits under any state or federal public assistance program.

-- SB 115 by Orr, to require people to apply for three jobs to be eligible to apply for TANF.

-- SB 116 by Orr, to prohibit spending TANF money on alcohol, tobacco, lottery tickets and psychic hotlines or at strip clubs and tattoo parlors. Orr said a federal law passed in 2012 required states within two years to apply most of those restrictions to the spending of TANF money.

All five of the welfare-related bills move to the House.

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Teachers could get bonus, but no raise

Montgomery Advertiser

February 27, 2014

Brian Lyman

Teachers and education employees would receive a 1 percent bonus instead of the 2 percent raise Gov. Robert Bentley's budget recommended if a budget approved by a Senate committee Wednesday is passed by the Legislature.

The Senate Finance and Taxation Education committee approved a 2015 education budget that includes the 1 percent bonus for teachers and education employees; funding to hire 250 new middle school teachers and additional funding for transportation and operational needs of public school districts around the state.

The budget, which still needs approval from the full Senate, represents a step back from the 2 percent raise Bentley sought, and the 450 additional teachers that the Alabama Department of Education wanted for seventh and eighth graders.

Committee chairman Trip Pittman, R-Daphne, said he was concerned about “economic headwinds” that might reduce the revenue available for the state’s Education Trust Fund.

“The budget before us has been a tremendous challenge, the biggest challenge I’ve faced as ETF chairman,” Pittman said. “The reason for that is the economy has remained stagnant and has not rebounded.”

Democrats critical

Pittman’s move had broad support from Republicans on the committee, who cited the need to have sustainable pay raises for teachers. Democrats, however, were sharply critical of the move.

“These teachers are treated like nothing when it comes to paying them,” said Senate Minority Leader Vivian Davis Figures, D-Mobile. “For us to give these tax exemptions to these corporations making millions and billions and not paying us (revenues) ... I think we need to get our priorities in order.”

The cost of the 2 percent pay raise for teachers would have been \$74 million, Pittman said. The one-time bonus would cost about \$34 million.

The budget would increase funding for transportation by \$1.5 million. Other Current Expenses, which includes funding for support personnel, would be increased by \$6 million, while spending on textbooks would be increased by \$2.8 million.

State Superintendent Tommy Bice, who pushed for increases in all those areas and for middle school teachers, said after the meeting he planned to review the proposal Wednesday afternoon. In a public hearing prior to the adoption of the budgets, Bice said the requests were essential.

“What we requested is based on need, not on wish,” he said.

Other speakers called for more overall funding for teachers. Henry Mabry, executive secretary of the Alabama Education Association, said teachers were spending an average of \$1,000 a year.

“At the Hyundai plant, you don’t have workers bringing nuts and bolts to build cars,” he said. “You shouldn’t expect teachers to spend \$1,000 a year to bring supplies to their classrooms.”

The budget also includes a \$10.8 million cut to Alabama State University’s funding. It also includes a \$10 million first conditional priority, allowing Bentley to release those funds to ASU at his discretion. Bentley has clashed with the university’s Board of Trustees over investigations into allegations of fraud and waste at the school.

Bentley: 2 percent raise feasible

On the overall budget, the governor said Wednesday afternoon he needed to review the Senate’s proposal.

“I personally believe we could have a 2 percent pay raise,” he said. “I thought we sent over a very good budget. It was balanced, and it not only had a 2 percent pay raise, it also fully funded PEEHIP to the amount that was asked for by the board.”

The Alabama Department of Education has sought increases for funding for transportation and daily expenses of local schools, along with additional funding for middle school teachers. In his State of the State address on Jan. 14, Gov. Robert Bentley called for a 2 percent across-the-board salary increase for teachers and support personnel, along with a \$10 million increase for pre-kindergarten programs.

The \$10 million increase for pre-kindergarten remains in the budget; the Alabama School Readiness Alliance estimates the increase could extend the state’s nationally-recognized program to 1,800 4 year olds in the state.

Teachers and support personnel received a 2 percent raise in this year’s ETF. An attempt by committee Democrats to put a 6 percent raise in the budget was tabled along party lines.

Bentley’s budget also included \$92 million in spending outside the Rolling Reserve cap, which limits annual ETF growth based on a 15-year growth average. The committee’s budget includes \$16.3 million in spending above the cap, which Pittman said would be directed toward a \$23.5 million repayment to the PACT program.

The budget also includes a \$62 million payment to the Rainy Day Account, a credit line to the Alabama Trust Fund used to prevent proration. The account was emptied in 2009 to offset the costs of proration that year; the money must be paid back by 2015. Bentley had put \$27 million in for repayment, due to projections that suggested the ETF would have enough money to make payments of up to \$135 million into the account, which is still owed about \$163 million.

Pittman said he “hoped” that funding would be there, but expressed concerns that the economy would not allow such a payment.

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Ala. House Speaker hammers VP Biden for photo voter ID comments

Yellowhammer News

February 26, 2014

Cliff Sims

At a reception in honor of Black History Month on Tuesday, Vice President Joe Biden said he hopes Congress will “modernize” the Voting Rights Act of 1965 to counter the “hatred” behind voter ID laws in Alabama, North Carolina and Texas.

“These guys never go away,” Biden said of supporters of voter ID. “Hatred never, never goes away. The zealotry of those who wish to limit the franchise cannot be smothered by reason.”

Alabama House Speaker Mike Hubbard responded to Biden's comments today, suggesting the vice president and the rest of the Obama Administration concentrate on fixing the ObamaCare "disaster" and leave Alabama's elections to the state. Hubbard also made it clear that "hatred" had nothing to do with the passage of Alabama's photo voter ID law.

"The only things we hate in Alabama are voter fraud and liberal politicians in Washington, D.C. trying to tell us how to run our state," Hubbard told Yellowhammer. "There is nothing more sacred than the right to vote and we're doing everything we can to protect that right for citizens of all colors. Seems to me like Joe Biden and the rest of the Obama Administration need to be focused on fixing the disaster that is ObamaCare and reining in Washington's out-of-control spending. If Obama and Biden can't even get a website to work, why would we take advice from them on how to run our elections?"

Alabama's photo voter ID law kicks in this year, but voters without photo identification have two options to get a free ID to meet the requirement. They can either go to the Dept. of Public Safety office in their county and acquire a free non-drivers ID card or go to their local Board of Registrars office to get a free photo ID there.

The United States Justice Department is currently suing North Carolina and Texas in an attempt to block their voter ID laws, arguing they discriminate against minorities.

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Alabama ethics bill appears headed for slim down

The Associated Press

February 26, 2014

MONTGOMERY, Ala. (AP) - A legislative committee appears poised to strip down a broad ethics bill that grew in the Alabama Senate beyond what the sponsor originally intended.

The House Ethics and Campaign Finance Committee on Wednesday discussed, but did not vote on, a bill originally aimed at preventing lawmakers from resigning to become lobbyists.

Chairman Rep. Mike Ball called what happened in the Senate a circus and says he wants to focus on the original intent.

Senators piled on a sweeping amendment that made many changes to state law. It included a ban on campaign contributions from businesses with state contracts and ending the practice of lawmakers getting tickets to top college sporting events.

Democrats said it offered real reform. Sen. Del Marsh called the amendment an effort to kill the bill.

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Alabama Senate committee approves budget with 1 percent bonus for school employees

Al.com

February 26, 2014

Mike Cason

MONTGOMERY, Alabama --- Public school and two-year college employees would get a 1 percent bonus, not the 2 percent raise proposed by the governor, under a state education budget approved today by a Senate Committee.

Senate budget chairman Trip Pittman said the one-time bonus would cost about \$34 million. The pay raise would have cost about \$74 million annually, he said.

Pittman said uncertainty about the economy and future revenues raised concerns about whether the 2 percent raise would have been sustainable.

Democrats on the committee strongly disagreed. Sen. Hank Sanders, D-Selma, called the 1 percent bonus "punitive" and proposed a 6 percent raise. The committee killed his proposal.

The budget calls for spending \$5.9 billion in fiscal year 2015, which starts Oct. 1. That's about \$113 million less than this year's budget.

The budget is far from finished. It moves to the Senate and will also have to pass the House.

Pittman said the budget includes about \$10 million to hire about 250 more middle school teachers. State School Superintendent Tommy Bice had requested funding for 450 more middle school teachers.

"It looks like we'll get half," Bice said. "That's not a bad thing. That's a start."

Alabama has fewer teachers per student than it did before the recession, and middle school grades are considered critical in reducing dropout rates.

The budget calls for spending:

--- \$3.79 billion on the state's K-12 Foundation program, about \$61 million more than this year.

--- \$332 million in the two-year college system, about \$8 million more than this year.

--- \$1.01 billion on state four-year universities, about \$11 million less than this year.

This story was corrected at 8:16 p.m. to say that budget would spend \$113 million less than this year's not more.

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Rep. Ball proposes rewrite to ethics bill passed out of state Senate 'circus'

Al.com

February 26, 2014

Kyle Whitmire

MONTGOMERY, Alabama -- A bill passed out of the Alabama Senate that would enact sweeping ethics reforms was the result of a "circus" and the Alabama House should retool the bill to focus exclusively on preventing lawmakers from leaving office early to become lobbyists, one Alabama lawmaker said today.

The bill, initially referred to as the "revolving door ban", passed out of the Alabama Senate earlier this month, but the Senate amended it to include major ethics reforms some lawmakers said were too broad to be practical.

As originally proposed by Sen. Del Marsh, R-Anniston, the bill would ban lawmakers from lobbying the Alabama Legislature for two years after leaving office.

However, the amended version of the bill went much further. Among its new reforms, it would prohibit public officials from buying hard-to-get college football tickets for face value, and it would prohibit the family members of elected officials from working for companies that do business with the state.

Republicans voted for the amended bill in the Senate, but afterward, many, including Marsh, said that the amendment was meant to sink the bill.

"We are going to give folks time to cuss and discuss this," Rep. Ball said.

"Forget about that thing that came out of the Senate," Rep. Mike Ball, R-Madison, said today in the Alabama House Ethics and Campaign Finance Committee. "That was something that turned into a circus."

In that committee, Ball introduced a substitute bill which would essentially restore the revolving door ban to its original intent and strip out the Democrats' amendment.

Like the original, the substitute bill would prohibit lawmakers from lobbying either house of the Legislature for two years after leaving office. For lawmakers who leave office early, the clock would start only after their terms would have otherwise expired.

Under the current law, lawmakers are prohibited from lobbying the house in which they served for two years after leaving office.

The committee will take up the bill for a vote in a later meeting, Ball said.

"We are going to give folks time to cuss and discuss this," he said.

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Common core repeal unlikely to pass Senate in current form, says Republican committee chairman

Al.com

February 27, 2014

Evan Belanger

MONTGOMERY, Alabama -- The chairman of the Senate Committee on Education has confirmed a controversial bill to repeal Alabama's common core education standards will be allowed to come up for discussion in committee.

Sen. Dick Brewbaker, R-Pike Road, said this week he did not bring the much discussed proposal up last week because for fear it would distract from the important Education Trust Fund budget.

Now that the Senate Finance and Taxation Education Committee approved that budget on Wednesday, Brewbaker said he hopes to have a public hearing on the common core repeal next week, probably on Wednesday.

"We'll kind of let everybody have their say and see where the committee is," he said.

Sponsored by Sen. Scott Beason, R-Gardendale, who is running for U.S. Congress this year, the bill would completely repeal the nationalized English and math standards adopted by the Alabama State Board of Education in 2010.

[Related: State superintendent fears 'far-reaching and negative potential impact' of common core repeal]

But Brewbaker, who championed repealing the common core last year, expressed doubt this that Beason's bill could pass the Senate as is this year.

"If it's going to pass, it's going to be more complicated," he said of Beason's four-page bill.

"I don't think this is going to pass in the version Scott introduced it. But I think, if he's willing to look at a different approach, he might get enough votes to get it out of the Senate."

[Related: Who supports the common core? Business, education leaders ask Alabama Legislature to ignore repeal bill]

That assessment comes after Senate President Pro Tempore said before the start of the 2014 session that any bill attempting to repeal the common core would be unlikely to reach the Senate floor for a vote.

Created at the behest of state leaders through the Common Core State Standards Initiative, the standards are a response to a report from the American Diploma Project that said 28 percent of high school graduates nationwide were not prepared for college math or English.

[Related: Alabama Association of School Boards blasts Sen. Scott Beason's common core repeal bill]

Meant to instill more rigorous math and English standards in public schools -- academic standards say what students should learn in each grade -- the standards were adopted quickly by 45 states, the District of Columbia and four U.S. territories.

But they have come under fire from Tea Party and other conservative groups in recent years as a conspiracy by the federal government to seize control of state education and liberally indoctrinate children.

That distrust has been fueled by the Obama administration's announcement in 2009 that states seeking certain Race to the Top Grants for education funding would be scored in part on whether they adopt the common core.

[Related: See what common core detractors have to say about Alabama's new policy governing the use of student data]

Alabama applied for one of those grants but was not selected as a recipient.

More recently, critics have noted problems with the common core standardized assessments, though Alabama opted against those tests, instead adopting an ACT product aligned with the new standards.

The latest bill comes after multiple Republican attempt failed to overrule the Alabama State Board of Education's 2010 adoption of the common core.

Alabama implemented the standards for math in 2012 and for English this school year. The first assessments under the new standards won't be out until this fall, according to education officials.

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Payday lender bill gives borrowers more time

Times Daily

February 26, 2014

Mary Sell

MONTGOMERY – Sen. Arthur Orr, R-Decatur, has introduced a bill to put more restrictions on payday lenders in the state.

Senate Bill 410 would extend loan terms from their current bi-weekly model to a six-month term. It wouldn't change lending rates, but would allow borrowers more time to repay their loans.

According the a news release from Orr's office, for every \$1 of interest paid to a payday lender, local economies lose \$1.94 in reduced household spending.

Recently, at least 18 Alabama cities have passed moratoriums on payday lenders, including Athens, Decatur and Muscle Shoals.

In December, the Decatur City Council passed a resolution asking the Legislature, the U.S. Congress and the Consumer Financial Protection Bureau to enact laws, policies and procedures

that “will allow the continuation of a lending product serving the constituents’ needs but in a more transparent and consumer-friendly manner ...”

Decatur had a moratorium on new payday and title loan businesses and might renew it.

“But at some point, without help from the Legislature, I’m not sure what we can do,” Mayor Don Kyle said this month. “Our hands are really tied at the local level.”

Muscle Shoals Mayor David Bradford said the city is studying where the lenders are locating and possible zoning changes.

“They all seem to be grouped into one area,” Bradford said previously. “We’re trying to look at some ways we can regulate them in terms of density and where they are. We were hoping the state could look at some regulations as well.”

A bill by Rep. Patricia Todd, D-Birmingham, that stalled in committee earlier this month would have required that payday lenders be licensed by the state banking department, limited the interest rates paid on loans to 36 percent and limited loans to no more than six in a 12-month period. Todd’s bill also would have required lenders to offer installment plans for repayment and forbid lenders from going to people’s homes to collect money.

For more on this story, see Thursday’s editions.

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Senate bill would phase out sales tax on groceries

Montgomery Advertiser

February 26, 2014

Brian Lyman

The Senate Finance and Taxation Education committee Wednesday approved legislation that would phase out the state’s sales tax on groceries over the next three years, replacing the lost revenue with a 1 percent increase in the state’s general rate.

The bill, sponsored by Sen. Gerald Dial, R-Lineville, now goes to the full Senate for consideration. However, Senate President Pro Tem Del Marsh, R-Anniston, said Wednesday night that he doubted the bill would come to the floor for a vote.

“It’s a tax shift, if you will, and people are uncomfortable with that shift,” Marsh said.

Alabama is one of the last states to fully tax groceries in the state, and repeal of the tax has long been a goal of anti-poverty advocates. However, Alabama Arise and other organizations have expressed skepticism about Dial’s approach, which would gradually raise the state’s general sales tax rate from 4 percent to 5 percent.

Under the proposal, the sales tax on food in Montgomery would drop from 10 percent to 6 percent by 2017; sales tax on other items would rise to 11 percent. Critics of the proposal who spoke at a public hearing last week said those who benefited from repealing the sales tax would find other essentials, such as clothing, more expensive if it went into effect.

Sen. Hank Sanders, D-Selma, said Wednesday the increase in general sales tax — which would not affect big ticket items, such as automobiles — would end up hurting those the bill is intended to help.

“People who receive food stamps do not pay sales tax,” he said. “Those at the very bottom end up paying sales tax on these increased items.”

Democrats have tended to favor an approach long championed by Rep. John Knight, D-Montgomery, that would get rid of the sales tax on groceries and make up the lost revenue by repealing the state’s federal income tax deduction. However, Dial and other Republicans have said the proposal has no chance of passage.

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Bill to provide limited county powers stalls

Anniston Star

February 27, 2014

Tim Lockette

MONTGOMERY — A statewide amendment that would provide Alabama's counties limited control over their own affairs stalled in the state Senate Wednesday, after critics told a committee it would take the state down a slippery slope.

"I really don't see any need for this bill other than to open up a can of worms," Macon County resident Frank Dillman told senators.

Sen. Del Marsh, R-Anniston, sponsored the bill, which would have given Alabama's counties powers over some of their own administrative functions, including the ability to set up their own animal control and traffic safety programs or the power to award badges to deputies when they retire. Under the Alabama Constitution of 1901, most counties have few powers beyond the ability to pave roads. Other county functions require approval from the state Legislature, either as law or as a Constitutional amendment.

Critics of the Constitution have long called for the counties to have more local control, known as "home rule." Rural landowners have often blocked those efforts, concerned that counties would acquire the power to raise taxes or regulate land use.

Marsh's bill specifically bans counties from doing either of those things, but would give counties control over some smaller administrative actions that now have to be passed as laws in Montgomery. Supporters of Marsh's bill say those county bills are clogging up the Legislature.

"In 2009, nearly half of them, 158 of them, didn't get passed," said Craig Baab, senior fellow for policy development at Alabama Appleseed. "That means county administrators can't do their jobs."

Baab told senators that the Alabama has passed 88 Constitutional amendments relating to local officials' pay.

Sonny Brasfield, of the Association of County Commissions of Alabama, said that in last legislative session, lawmakers passed six bills to move local polling places, as well as bills to authorize the burying of dead animals or to allow a county to charge a city for housing prisoners.

"These local bills are all very expensive," he said. "I'll remind you that they have to be advertised for four weeks in a newspaper of general circulation."

Opponents of the bill, said they believed it would open the door to more county powers.

"How many county commissioners have the ability to know what they have the authority to do, and where that authority stops?" said Rose Shannon, a Republican activist from Talladega County.

Shannon claimed counties already have the power to adopt home rule if they wish, under a law passed in 2005. That bill allows counties to perform weed abatement, litter control, junkyard regulation and a handful of other powers if they get those powers approved in a referendum.

A "yes" vote in committee would have moved the bill to the full Senate for a vote, but Marsh asked committee members to carry the bill over to a future meeting, so he could make amendments to address opponents' concerns.

"Any time you mention home rule, you have a problem," he said

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Two-year college chancellor shares challenges, opportunities

Opelika-Auburn News

February 26, 2014

Patrick Johnston

Dr. Mark Heinrich, chancellor of the Alabama Community College System, discussed "heartburn issues" Wednesday to Opelika Chamber of Commerce members.

Heinrich, who spoke during a business breakfast at Saugahatchee Country Club, said several issues concern him – from the lack of younger workers filling the roles of retiring "baby boomers" to the state's stagnant percentage of adults with college degrees (approximately 22 percent).

Heinrich also discussed great opportunities, such as dual enrollment and the high paying jobs available to two-year college graduates. He said many Alabamians are surprised to learn there are roughly 250,000 students attending Alabama community colleges.

“Our system is large, and I think it does a good job of serving our students,” he said.

The three goals of the community college system are academic preparation, workforce development and adult education. Heinrich said the system educates many “underprepared” college students. Thirty-seven percent of state college students require remedial classes.

Heinrich said the state’s growing emphasis on dual enrollment programs – where high school students can begin college classes and even earn a two-year degree by the time they complete high school – is a potential “game changer.” He said the Alabama Legislature is considering bills that could boost dual enrollment. Earlier this year, House Speaker Mike Hubbard (R-Auburn) discussed the importance of dual enrollment in an interview with the Opelika-Auburn News.

Heinrich also discussed the importance of veterans programs, stating they’re “some of the best workers out there.”

Heinrich briefly touched on workforce development achievements and opportunities. Approximately 65 percent of statewide nurses studied at an Alabama community college. There is a significant need for welders and industrial maintenance workers. Starting salaries can top \$40,000 to \$60,000 annually.

“There’s a misnomer these technical areas do not pay very well. That’s simply not true,” Heinrich said.

Heinrich said the state’s relatively low percentage of high school graduates who attend college – 59 percent – is “disturbing.” The national average is 68 percent. And nearly 480,000 Alabama adults do not have a high school diploma or GED.

Another “heartburn issue” is the Alabama companies struggling to fill \$10-\$12 per hour jobs. Heinrich said one person recently told him, “I’m getting paid (government assistance) to stay at home and watch T.V. and do whatever I want.”

“We are competing with our own government,” Heinrich said.

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Proposal to divide Birmingham Water Works and Jefferson County sewer bills gains steam, heads to full House

Al.com

February 27, 2014

Joseph D. Bryant

MONTGOMERY, Alabama -- Legislation allowing an end to joint billing -- and collection -- for Birmingham Water Works and Jefferson County sewer customers heads to the Alabama House for a full vote following an endorsement by the county delegation.

The proposal from Rep. Mary Moore, D-Birmingham, would allow the Water Works Board to end its agreement with the county to handle billing and payment enforcement of county sewer bills.

"My constituents have that burden," Moore said. "People are talking about how huge the sewer part of their bill is and they want it separated."

The delegation Wednesday narrowly approved the bill on an 8-7 vote.

Moore for years has called for separating the bills, saying the change is needed to bring relief to customers saddled with unreasonably high sewer bills that also threaten their water service.

In addition, Moore said it is unfair for the Water Works Board to be forced to disconnect water service for customers who are unable to pay exorbitant sewer bills.

Rep. John Rogers, D-Birmingham, agreed, adding that customers needed more details on why their bills are so high.

"We're going to have to find a way to let them know, it's not your water, it's your sewer," he said. "The sewer is the culprit."

Under Moore's proposal, the county could still contract with the Water Works to provide information to assist in sewer billing.

The county currently pays the Water Works about \$4.5 million to handle data collection, billing and enforcement. If the joint billing contract were canceled, the Water Works would lose about \$2 million in annual revenue and force the county to find other options.

mary moore.jpg

Rep. Mary Moore, D-Birmingham

The bill was approved in committee over the objection of Jefferson County, who was represented by County Manager Tony Petelos. Petelos warned that losing an enforcement mechanism for sewer payments would jeopardize the county's bankruptcy exit plan. The Water Works shutoff is the current method of bill enforcement.

Moore countered, saying the county should evaluate another system of collection. Shutting off water service because of high sewer bills creates another crisis for many of her constituents, she said.

"My constituents have that burden," Moore said. "People are talking about how huge the sewer part of their bill is and they want it separated."

"It creates an unhealthy situation," Moore said. "Have you seriously considered another way to collect your money? Lots of her people can't afford this."

Petelos warned that if people are allowed to avoid paying sewer bills, then the county could default on its bill payments and end up in bankruptcy again.

Moore said that's likely to happen anyway if more people are unable to afford to pay for sewer service.

While Moore said her bill would offer some help to customers, the larger issue of sewer rates would continue to plague residents, particularly those least likely to afford it in Jefferson County Districts 1 and 2.

"This issue is, at some point in time we've got to work together to solve the problems of a few people in the county," she said.

Several legislators said passing Moore's bill out of committee would provide enough pressure on both the county and Water Works officials to communicate and find a solution palatable to both agencies.

Water Works officials are criticized for joint bills and shutoffs, while county officials say they need the Water Works' enforcement for non-payments.

Water Work General Manger Mac Underwood said the board has not taken an official position on the issue, but would not be severely affected by the loss of \$2 million. Underwood said the utility is working to find other ways to generate revenue.

His response was met with skepticism from Rep. Paul DeMarco, R-Homewood, who said the lost revenue to the Water Works "will be made up on the backs of the ratepayers."

DeMarco is a longtime critic of the Water Works and among several with bills to change the board and its operation.

"We've been looking for alternative ways to generate revenue," Underwood said in response. "I can't say here today there will be any rate increase on our behalf."

While there is currently no official position, the Water Works Board in 2008 agreed to send a letter to Jefferson County commissioners telling them they no longer want to handle billing for the Jefferson County sewer system.

Several board members then and now have noted that the Water Works Board is constantly criticized for problems and high sewer rates, but the utility is only the billing agent for the sewer system.

Current Water Works Board Chairman, Jackie Robinson, said in a recent board meeting that Moore's bill might be best for the utility.

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Some in law enforcement oppose bill to allow loaded, unlocked pistols in vehicles without permit

The Associated Press

February 26, 2014

MONTGOMERY, Alabama — People would be able to carry loaded pistols in their cars without a concealed-carry permit under a bill proposed in the Alabama Senate.

"It's my opinion that you should not have to pay for your 2nd Amendment rights," Sen. Scott Beason, R-Gardendale.

The proposal was supported in a public hearing Wednesday by gun rights enthusiasts but opposed by some in law enforcement. The Senate Judiciary Committee is expected to vote next week.

Current law says people can carry a pistol in a vehicle without a permit, but the weapon has to be unloaded, locked away and out of reach.

Beason said an unloaded weapon is of no use to the driver.

Bobby Timmons, executive director of the Alabama Sheriffs' Association, argued that a loaded pistol in the moving car is different than keeping a loaded pistol at home.

"I don't think anybody should be carrying a weapon down the road without going through a background check," Timmons said.

Timmons said the loss of permit fees was also a concern for counties.

Beason pushed the idea when Alabama lawmakers considered sweeping gun legislation last year. However, it was left out of a compromise bill that won final passage.

Lt. Michael Salomonsky of the Madison County Sheriff's Department said he feared the proposal would allow criminals to more easily transport guns. Salomonsky predicted a convicted felon would try to claim the gun, or guns, in the car belonged to someone in the vehicle with a clean record.

Beason disputed the idea that it could lead to more violence.

"There is nothing we can do about criminals. My goal, hopefully, is if a bad situation occurs, the law-abiding citizen will be able to defend themselves," Beason said.

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Alabama puts food on the table: Campaign kicks off to promote state's products

Montgomery Advertiser

February 26, 2014

Kym Klass

Gov. Robert Bentley sent Alabama first lady Dianne Bentley a text message on Wednesday, asking her to tell those involved in the Buy Alabama's Best Campaign that he grew up eating Fayette-produced Golden Eagle Syrup on his biscuits every morning.

"His mother had the best biscuits, and how she got up every morning and made them, I don't know," Dianne Bentley told a group at the 2014 campaign kickoff at the Capital City Club.

"Alabama has some of the best products in the world, so it is my privilege to join with you in promoting it. It's an industry that drives our economy and it keeps food on our tables."

The Alabama Grocers Association, the Alabama Department of Agriculture and Industries and the Alabama Food Manufacturers and Producers Association met Wednesday to kick off the campaign, which is designed to inform and educate consumers on what products are made, produced, manufactured and/or headquartered in the state.

A portion of the sale of participating Alabama products during the months of March and September will go to Children's of Alabama to help find a cure for childhood cancer. To date, efforts have raised over half a million dollars.

Beginning in March, retailers all over the state will be supporting this campaign in their stores with Alabama product displays, ads, signage, special promotions and will sell Children's of Alabama icons to support the fight to find a cure for pediatric cancer. When consumers shop in their local grocery store, they should look for the Buy Alabama's Best logo.

"The care and support that we've gotten from Alabama's Best and the Alabama's Grocer Association allows for us to take care of these kids in a nurturing and loving way, and not just with medicine itself," said Emily Hornak, with Children's Miracle Network. "Another really amazing part of what you all do in this partnership allows for these families to have access to Alabama's Best products. It really does mean so much to them."

Agriculture is a \$70.4 billion-a-year industry in the state, with \$2 billion of that as a result of Alabama food product sales. That money has an impact on the state's economy, tax base, and along with the grocery and food service industries, employ one out of every four Alabamians.

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Space Center tops Alabama's paid attractions

The Associated Press

February 27, 2014

MONTGOMERY, Ala. (AP) — The Alabama Tourism Department says the U.S. Space & Rocket Center in Huntsville was Alabama's most visited paid attraction in 2013.

The center recorded more than 580,000 visitors. The Birmingham Zoo was second with more than 574,000 visitors and the Robert Trent Jones Golf Trail was third with nearly 531,000 visitors. The USS Alabama Battleship Park finished fourth with more than 371,000 visitors and the McWane Science Center in Birmingham was fifth with nearly 317,000 visitors.

The Tourism Department says Alabama's Gulf Coast beaches were the top natural destination in 2013 with 5.5 million visitors. The Birmingham Botanical Garden topped the free attractions with 350,000 in attendance. Mobile's Mardi Gras was the most attended event with almost 800,000 people.

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Alabama Senate approves six trustees for UA system, including two new trustees

The Associated Press
February 26, 2014

MONTGOMERY, Alabama — The Alabama Senate has approved six trustees for the University of Alabama System.

The Senate voted unanimously Wednesday for two new trustees, Harris V. Morrissette of Mobile and John D. Johns of Birmingham.

The Senate also voted unanimously to approve new terms for existing trustees Joe Espy of Montgomery, Marietta Urquhart of Mobile, Andria Scott Hurst of Birmingham, and Finis St. John IV of Cullman.

Alabama's board of trustees selects its own members subject to approval by the state Senate. The trustees oversee campuses in Tuscaloosa, Birmingham and Huntsville.

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Arizona governor vetoes bill on denying services to gays

Washington Post
February 26, 2014
Aaron Blake

Arizona Gov. Jan Brewer (R) vetoed a controversial bill Wednesday that would have allowed businesses in the state to deny service to gays and lesbians if they felt that serving them would violate their religious rights.

Gay rights advocates had denounced the legislation, labeling it a form of legalized discrimination, and Arizona's two GOP senators and leading Republican candidates for governor had urged Brewer to veto the bill. Several GOP state legislators who had voted for the measure last week have said since then that it was not the right thing to do.

In an evening appearance before reporters in Phoenix, Brewer said the bill "does not address a specific or pressing concern" and is not part of her agenda.

"I have not heard of one example in Arizona where business owners' religious liberty has been violated," Brewer said. "The bill is broadly worded and could result in unintended and negative consequences."

Brewer told the bill's supporters that she understands their desire to protect religious liberty but that the bill had the potential to cause more problems than it would solve.

The legislation was passed last week in response to a ruling by the New Mexico state Supreme Court against a wedding photographer who declined to work for a couple's same-sex wedding.

Supporters of the bill say it was narrowly tailored and would have helped clear up an ambiguity in the state's law.

"This measure should have been a political no-brainer and only went down because people either chose to ignore the plain language of the bill or refused to read it altogether," said Tony Perkins, head of the conservative Family Research Council. "This bill . . . bars government discrimination against religious exercise, so by vetoing this bill, Gov. Brewer is saying she supports government discrimination against people's religious freedoms."

But Chad Griffin, head of the gay rights group Human Rights Campaign, said that Brewer's veto "spared her state from institutional discrimination and economic catastrophe."

Among the strongest opponents of the bill were Arizona businesses; they worried that it could cost them customers. Some big-name companies, including Apple and American Airlines, publicly opposed the bill.

The state lost the ability to host the Super Bowl in the early 1990s after it declined to celebrate Martin Luther King Jr. Day. It is set to host the 2015 Super Bowl, and the game's host committee spoke out against the law on Monday.

The bill passed through the GOP-controlled state legislature quickly last week, with the state Senate voting for it 17 to 13 and the state House approving it 33 to 27. All but three Republicans, on the House side, voted in favor.

The measure was the latest in a long line of controversial pieces of legislation in Arizona, which favored Republican Mitt Romney by nine points in 2012 and has long been a national incubator for conservative policies.

In recent years, the state was the first to pass a restrictive immigration law, which other states have since emulated and part of which was struck down by the U.S. Supreme Court. It also passed legislation requiring presidential candidates to show proof of citizenship in order to appear on the state's ballot, a measure Brewer vetoed.

Earlier this year, the state's Republican Party voted to censure Sen. John McCain (R-Ariz.) for what it labeled his "liberal" voting record. McCain was among those praising Brewer for her veto Wednesday.

"I appreciate the decision made by Governor Brewer to veto this legislation," he said in a statement. "I hope that we can now move on from this controversy and assure the American people that everyone is welcome to live, work and enjoy our beautiful State of Arizona."

Brewer told supporters of the legislation that she understood that "long-held norms about marriage and family are being challenged as never before."

“Our society is undergoing many dramatic changes,” Brewer said. But she added that the bill “has the potential to create more problems than it purports to solve. It could divide Arizona in ways we cannot even imagine, and no one would ever want.”