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Wednesday, January 15

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FULL TEXT

State lawmakers serve food to the homeless

WSFA

January 15, 2014

Tametria Conner

MONTGOMERY, AL (WSFA) -

A bi-partisan group of state lawmakers are addressing the hunger problem in Alabama with hands-on service.

It's not every day you see lawmakers serving food to the homeless and poor at the Friendship Mission in Montgomery.

Democratic state Rep. Charles Newton says hunger and homelessness is a serious issue in the state that lawmakers will address.

"We pass budgets that's what we are working on this week in the legislature. We have to allocate funds and we know there are programs to help citizens and we are hoping by doing this program today we can send a message that there are people in our state that want to help others in need," Newton said.

The state leaders said it was important for them to step outside the statehouse and into the lives of the people they service.

Lawmakers heard stories from people like Anzlla Davis who said she was in a woman's shelter and on crack cocaine for 20years.

Now she's drug free and saved. Through testimonies like hers lawmakers say they know the outreach goes beyond a meal and shelter.

"This is where I found Jesus at as my Lord and Savior," Davis said.

Lawmakers plan for this to be a recurring event. House Speaker Hubbard didn't mention any specific legislation geared toward hunger and homelessness, but he did say the big push for more jobs will assist with help people get back on their feet.

About 15 members of the Alabama House of Representatives were in attendance.

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Summary of action in Alabama Legislature

The Associated Press

January 15, 2014

MONTGOMERY, Ala. (AP) — Summary of action in Alabama Legislature on Wednesday, the second meeting day of the legislative session:

HOUSE:

—Met briefly for procedural business.

—Held a moment of silence to remember the late Rep. Demetrius Newton, D-Birmingham.

SENATE:

—Approved William Wynne to keep serving on the state parole board.

COMMITTEES:

—House Health Committee approved a bill that would let health care workers object in writing to abortions, embryonic stem cell research, cloning research and sterilization procedures. Goes to House.

—Senate Constitution and Elections Committee approved a bill to limit lobbying by former legislators. Goes to Senate.

—Senate Constitution and Elections Committee approved a bill to make election law changes designed to make sure absentee ballots are counted from military and other Alabamians living overseas. Goes to Senate.

—Senate Finance and Taxation-Education Committee approved the sale of bonds to help school systems switch from paper textbooks to digital textbooks. Goes to Senate.

panel that writes tax policy approved a \$1,000 tax credit for certain adoptions and a plan to make it for some small businesses to bypass estimated sales tax payments, instead allowing them to wait and make payments based on actual revenues.

—House Ways and Means Committee approved a \$1,000 tax credit for certain adoptions and a plan to make it easier for some small businesses to bypass estimated sales tax payments, instead allowing them to wait and make payments based on actual revenues. Goes to House.

AGENDA:

—House meets at 9 a.m. Thursday and Senate at 10 a.m.

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Gov. Robert Bentley's State of the State address: What they're saying

Al.com

January 14, 2014

Mike Cason

MONTGOMERY, Alabama --- Reactions from Republicans and Democrats to Gov. Robert Bentley's State of the State address:

Sen. Vivian Figures, D-Mobile:

“I thought it was a fantastic campaign speech. I thought it was a sound-good, feel-good speech. If he was really concerned about people in poverty, he would understand that Medicaid expansion would help pull them out of poverty with the money that the state would get from Medicaid expansion. Not only would it get health care to additional people, but billions of dollars would come into this state.”

House Speaker Mike Hubbard, R-Auburn:

“I agree with the governor that we need to concentrate on incentivizing businesses to expand private sector jobs instead of getting more people on government assistance. I agree with him 100 percent. And that’s what we’ve done over the last three years.”

Rep. Greg Wren, R-Montgomery:

“He’s focusing on what we are all committed to, which is empowering people out of poverty through opportunities and jobs. And that’s education and training. They do their part, we have to do our part by recruiting business.”

Sen. Billy Beasley, D-Clayton:

“I’m really disappointed that he talked about poverty in one section of his speech, then he would deny access to 300,000 Alabamians, many of them working Alabamians, to have health care.”

Rep. Allen Farley, R-McCalla:

“I’m in awe that he is so honest. Standing up there behind the podium, a lot of politicians will say what they think certain groups want them to say. That guy speaks from the heart. That's just

exactly the reason he is governor. He's a man that cares about the people, and I think people heard that tonight."

Rep. Craig Ford, D-Gadsden:

"I thought it was a political speech. He's basically running against the president of the United States instead of running for governor of Alabama. There's a lot of Alabamians hurting in this state that he needs to focus on. It's very disgusting to the fact that there's 300,000 Alabamians that could participate in the health care system, whether you agree or disagree with Obamacare. He's a physician, he should know better."

Rep. Joe Hubbard, D-Montgomery:

"I couldn't tell if the governor was running for re-election or running for president. We heard a lot about the problems in Washington, D.C., with the ballooning debt, the balancing of budgets by borrowing money. It's the same thing we've done here for the last three years. We're seeing a lot of good political sound bites, and no solutions being put forward on how to address these problems.

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Economists predict 2014 will be a good year for Alabama

WSFA

January 15, 2014

Hannah Lane

MONTGOMERY, AL (WSFA) -

Economic experts say things are starting to look up in Alabama. Economists say Alabama is bouncing back from the recession and 2014 will be a good year. The information was announced at Wednesday's economic conference in Montgomery.

"2014 is going to be better. It's going to be better economically. if you don't have a job, you will likely find one or if you have a job, you will likely find a better job," said Dr. Sam Addy, Associate Dean for Research and Outreach at the University of Alabama.

According to the Center for Business and Economic research at the University of Alabama looking at future numbers for 2014, in Alabama it's believed the number of jobs will grow by 1.3 percent, which equates to about 25,000 jobs and the gross domestic product, which is the value of all goods and services we produce, is projected to increase about 2.5 percent.

"Those are good numbers, especially when you compare to recent past," Addy said.

In fact, it's good numbers for the nation as a whole. Financial experts predict this will be the best year yet since the end of the recession with the economy improving roughly 3 percent and possibly even better than that.

"The things that required adjustments we have really gone a long way in the process. Reducing levels of debt, resolving overhang and housing markets, housing prices have now basically recovered from the dire decline from the recession itself. Many of the elements that we needed to put the recovery together have passed," said Dave Altig, Executive Vice President and Director of Research for the Federal Reserve Bank of Atlanta.

"It paints a good picture," Addy said. "It means finally we will start feeling the recovery in our pocket books rather than just for investors."

Although things are looking good for Alabama. One area that experts say needs particular improvement to help the economy even more is education. They say more people graduating from high school along with receiving a higher education typically results in more income and a more striving economy.

Alabama economists say two areas that are helping the state are the aerospace and automobile industries with automotive manufacturing and supply nearly replacing the revenues that have been lost in the textile industry.

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Gov. Robert Bentley's proposed General Fund avoids deep cuts

The Associated Press

January 15, 2014

MONTGOMERY, Ala. (AP) — Gov. Robert Bentley proposed budgets Wednesday that would increase funding for public education and Medicaid while requiring most state agencies to get by next year with about the same amount they are receiving this year.

Bentley's state finance director, Bill Newton, outlined the governor's proposals of the second day of the Legislature's election-year session.

"The governor considers them to be conservative. The governor considers them to be adequate," Newton said at a news conference.

Bentley's state General Fund budget for the next fiscal year would spend \$1.8 billion on non-education agencies, up from \$1.78 billion this year. It includes a \$70 million increase for Medicaid — \$15 million short of the amount state Health Officer Don Williamson says he will need to maintain services. Newton said cost savings will be necessary in the medical program for the poor and elderly.

Legislative leaders had been expecting to cut General Fund spending because of an anticipated decline in tax revenue. But state Sen. Arthur Orr, a Republican and chairman of the Senate's General Fund budget committee, said Bentley dipped into various funds with surpluses to make up the difference.

"The governor has found accessible funds to help the General Fund considerably," he said.

Orr said he's concerned about the stagnant prison system budget. State Corrections Commissioner Kim Thomas had been seeking extra money to hire 100 more security guards, increase their salaries to reduce turnover and improve security at Alabama's prisons, which operate at nearly twice their designed capacity.

Bentley's budget plan includes a cost-of-living raise of up to 4 percent for employees of state agencies, but it is conditioned on the state taking in more revenue than expected. Bentley would make the call on whether to spend any extra money on raises. Republican legislative leaders said extra revenue is doubtful.

Bentley's proposed education budget is nearly \$6 billion. That's up from \$5.8 billion in appropriations this year. K-12 schools would get a 4 percent increase, two-year schools 3 percent more and universities 1 percent more.

Bentley's budget plan is based on giving K-12 and community college employees a 2 percent cost-of-living raise. Republican Trip Pittman of Daphne, chairman of the Sent education budget committee, said he's still evaluating whether that \$73 million expenditure can be made.

The governor's budget also includes a \$10 million expansion of the state's voluntary pre-kindergarten program for 4-year-olds. That could add about 1,900 students.

House Speaker Mike Hubbard, R-Auburn, said expanding the pre-kindergarten program has broad legislative support.

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Panel approves 'conscience' protection bill

AP

January 15, 2014

Bill Barrow

MONTGOMERY, Ala. (AP) — Alabama lawmakers and social conservatives want to allow most health care workers to opt out of participating in abortions and other procedures to which they have a personal objection.

Rep. Becky Nordgren, R-Gadsden, said the latest version of her "conscience-protection" measure would let health care workers object in writing to abortions, embryonic stem cell research, cloning research and sterilization procedures. The employees could assert that certain practices violate their religious, moral or ethical standards. Employers then could not punish the employees.

House Bill 31 cleared the Health Committee on Wednesday, with two dissenting votes from Democrats John Knight, of Montgomery, and Laura Hall, of Huntsville.

Similar versions have passed the full House in recent years but died in the Senate, more because of general gridlock than actual opposition to the proposal.

Nordgren told her colleagues that her latest effort comes after working with physicians and the Alabama Hospital Association to address their concerns.

The bill does not apply to workers at licensed abortion clinics. It also requires an employee in a life-threatening case to stay on the job until a replacement is available. Nordgren said those provisions are enough to protect women's health care rights. She also noted that 47 other states have some kind of specific conscience protections.

Eric Johnston of the Alabama Pro-Life Coalition told lawmakers that the bill will prevent discrimination. "We all have our conscience and moral beliefs, whatever they're based on," Johnston said. "The worst kind of discrimination is being forced to do something that violates that conscience."

But opponents have said the proposal still threaten a woman's access to sound care. "If someone's political agenda is disguised as religious zeal then the patient has no trust" in their quality of care, said JoAnn Cummings of Decatur. "If any employee objects to your decision or your medical need, they can simply refuse to do their job."

Cummings said she worries that the law could also be used for pharmacists or their aides to deny prescriptions to emergency contraception, even if it is not explicitly covered by the law.

Michael Hanson of Equality Alabama, a gay rights organization, said the bill could be the first step in allowing medical professionals to deny services to anyone whose lifestyle the health care employee finds objectionable.

In separate action, the committee passed a bill that would make certain volunteer caregivers immune from civil lawsuits related to the care they provide. Rep. April Weaver, R-Alabaster, said House Bill 16 is meant to protect people who, in good faith, help a primary caregiver of a person who has a disability or chronic illness.

Both bills now move to the full House, where they are expected to pass and advance to the Senate.

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Committee approves health care rights act

Times Daily

January 15, 2014

Mary Sell

MONTGOMERY — The House Health Committee on Wednesday voted favorably for a bill that would allow medical care providers to opt out of procedures, including abortion, that violate their conscience.

The bill, called the Health Care Rights of Conscience Act, is one of the GOP's priority bills this session. It now goes on to the full House for approval. Similar legislation has passed the House in previous years, but died in the Senate.

Those in favor of the bill say it protects medical field employees; opponents say it will limit access to care.

“All this does is give health providers the right to refuse to do something that goes against their moral beliefs,” said bill sponsor Rep. Becky Nordgren, R-Gadsden.

But JoAnn Cummings, a Decatur resident who spoke against the bill during a public hearing, thinks it could do more than that.

Cummings called it the “right to refuse medical services bill.”

“If they object to your decision or your medical need, they can refuse you,” Cummings said. The bill does not apply to abortion clinics, but Cummings said she's worried private pharmacies could refuse to stock Plan B emergency contraception, sometimes known as the morning after pill.

“This gives a pharmacist who incorrectly thinks Plan B is an abortifacient —it gives them the right not to carry it. If you are in a small town, you are stuck.”

The bill states the act would “protect religious or ethical rights of all health care providers to decline to counsel, advise, provide, perform, assist or participate in providing or performing certain health care services that violate their consciences ...”

The bill specifically lists abortion, human cloning, human embryonic stem cell research and sterilization.

No provider would be liable for declining to participate in services that violate their conscience, unless the failure to do so would immediately endanger the patient's life.

Any health care worker, whether a nurse, doctor, researcher, counselor or social worker, has to give 24-hour notice in writing that they object to a certain services. Once the notice is given, it stays on the books, Nordgren said.

A template for the legislation came from the anti-abortion group Americans United for Life.

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Alabama ranks No. 10 for fiscal condition

Birmingham Business Journal

January 15, 2014

Brent Godwin

A study from George Mason University ranks Alabama tenth in the nation for fiscal condition. The study "examines states' abilities to meet their financial obligations in the face of state budget challenges that have far outlasted the Great Recession," the report says.

Four factors are weighed to find each state's fiscal condition: cash solvency, budget solvency, long-run solvency, and service-level solvency.

Here's how Alabama stacked up for each category:

Cash solvency- No. 10
Budget solvency- No. 32
Long-run solvency- No. 5
Service-level solvency- No. 7

The author of the study used each state's 2012 Comprehensive Annual Financial Report to gather the data.

Altogether, Alabama came in at No. 10 on the fiscal condition index. You can read the full study [here](#).

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GOP promises fast start on tax bills

The Associated Press

January 15, 2014

Bill Barrow

MONTGOMERY, Ala. (AP) — Alabama Republicans are off to a fast start on their package of proposed changes to the state tax code.

The House panel that writes tax policy approved a \$1,000 tax credit for certain adoptions and a plan to make it for some small businesses to bypass estimated sales tax payments, instead allowing them to wait and make payments based on actual revenues.

Democrats on the Ways and Means Committee raised concerns that the measures will cause a drop in state revenues, though the business tax change would be just a one-time hit to the state's tax flow. Republicans countered that the changes will help taxpayers who provide a benefit to the state.

Rep. Paul Lee, R-Dothan, said his adoption tax credit would help with the considerable costs of adopting a child. As written, House Bill 48 would allow a \$1,000 personal income tax credit for any tax filers who adopt a child from Alabama. The credit would apply for any adoption of a child in Alabama's foster care system or in any private adoption where the agency, the adopting parents and the child all are from Alabama.

Adoptions after Jan. 1, 2014 would be eligible.

Federal tax law allows a federal tax credit of more than \$12,000 per adoption.

The state credit would be refundable, meaning a qualified taxpayer would get the full amount, even if their tax liability before the credit was less than \$1,000. Legislative fiscal analysts estimate the subsidy would cost about \$2.5 million in personal income tax revenues the first fiscal year. Income tax receipts go to the state's education budget.

Lee and several lawmakers argued that the state saves money on adoptions once children are removed from the foster care system. But he also conceded that the credit wouldn't necessarily encourage more adoptions, meaning a credit might not actually yield cost savings.

The better justification, he said, is simply to help parents who decide to adopt. "This process is stepping out on a limb financially for a young couple," he said.

The small-business tax bill comes from the National Federation of Independent Business. Most businesses pay ahead on sales taxes collected from customers based on their estimated receipts. Current law requires the estimated payments from any business that has an average \$1,000 in monthly sales tax receipts over the previous year.

House Bill 151 from Rep. Barry Moore, R-Enterprise, would raise the threshold to \$2,500. That would allow about 4,000 businesses to bypass the estimated payments, instead waiting to pay based on actual receipts.

The one-time interruption of the monthly payments would cost \$4.5 million to the education budget, according to legislative fiscal analysts. But Rosemary Elebash, NFIB's lobbyist, noted that the change would not cost the state anything long-term, and she argued it's more important to give small business operations more certainty. As it is, she said, they're required to float the state money and get no interest payments back when they overpay.

"This is a cash flow issue," she said.

Rep. Patricia Todd, D-Birmingham, said she understood the appeal of both tax bills. But she also noted the immediate \$7 million hit the state education budget would take. "We have a fiduciary responsibility to look at both sides of the ledger," she said.

The House Judiciary Committee is expected Wednesday afternoon to pass a measure that would create an independent body to oversee taxpayer disputes. Current law allows the state Department of Revenue to appoint administrative judges to settle disagreements. Republicans argue that allows the agency too much power over its own disputes with taxpayers.

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Tracking the 2014 session: Gov. Robert Bentley finds more dollars for General Fund

Al.com

January 16, 2014
Mike Cason

MONTGOMERY, Alabama --- Gov. Robert Bentley presented his proposed budgets Wednesday, including a slight increase for the General Fund, which was better news for state agencies than some expected after Monday's bleak budget hearings forecast.

The governor's proposed budget gives an increase to Medicaid, but largely level funds most state agencies.

Bentley's proposed budget does not have the cuts that lawmakers feared after Bentley said he could dip into various state funds with surpluses to cobble together a budget that would grow a little bit, instead of shrink.

Bentley's education budget includes a 4 percent increase for K-12 schools. Two-year colleges would get a 3 percent increase and universities would get 1 percent.

The governor proposed a 2 percent cost of living raise for K-12 and two-year college employees.

The Legislature will take his proposed spending plans as a starting point as it crafts the education and General Fund spending plans for 2015.

What they did:

Senate committees approved bills that would:

-- Block former legislators from lobbying either chamber of the Legislature for two years after leaving office. Under current law, the prohibition applies only to the chamber where the legislator served. The bill goes to the Senate.

-- Authorize \$100 million in bond sales to help local school systems convert to digital textbooks. The bonds would be sold incrementally according to need, the sponsor said. The bill goes to the Senate.

-- Remove a requirement that a student has to graduate from an accredited high school to be admitted to a state two-year college. The bill would also clarify state law on regulation of private schools. The bill goes to the Senate.

-- Lower the threshold that triggers a requirement that businesses send the state estimated sales taxes in advance every month, rather than sending the actual revenues that come in. The bill goes to the Senate. A House committee approved an identical bill.

-- Allow state agencies to purchase items from sellers not on a state-approved vendor list. The sponsor said the approved vendor prices are sometimes inflated. The bill goes to the Senate. The Senate confirmed the governor's appointment of William W. Wynne Jr. to the state Board of Pardons and Paroles.

The House Health Committee approved a bill to say that health care providers would not have to perform procedures that violated their conscience, with exceptions.

Coming up:

Some of those bills that cleared committees will be up for votes today, the first day the House and Senate can pass bills.

The Senate convenes at 10 a.m. and is expected to consider the bill to tighten the restriction on former lawmakers lobbying the Legislature.

Bentley will introduce today a bill to tighten some gaps in the state Open Meetings law.

Quote of the day:

"This is another bill that should be entitled, 'the haves and the have-nots.'"

Sen. Vivian Davis Figures, D-Mobile, referring to a bill that would allow school systems to use proceeds from a bond issue to convert to digital textbooks. She was concerned that poor systems would be left out, partly because they would not have the needed infrastructure. The sponsor, Sen. Gerald Dial, R-Lineville, disagreed, and noted that the bill includes a provision to help poorer systems get the infrastructure.

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Committee approves bill aimed at shutting legislative revolving door

Al.com

January 15, 2014

Kim Chandler

MONTGOMERY, Alabama - A Senate committee quickly approved a bill aimed at putting speed bumps in the legislator turned lobbyist career path.

Senate President Pro Tem Del Marsh, R-Anniston, is seeking to close a loophole in state ethics law that allows legislators to resign and immediately take a job lobbying the opposite chamber from which they served.

The Constitution and Elections Committee approved the bill Wednesday on a 7-0 vote. Marsh says he hopes to have the Senate vote Thursday

State ethics law puts a two-year waiting period before legislators can become lobbyists. However, the House and Senate are considered separate entities under current law. A representative, for example, can resign and become a Senate lobbyist the next day.

Three high ranking Republican House members, including both budget chairmen, resigned last year. One has become a lobbyist.

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Rep. Bridges named Legislator of the Year

Opelika-Auburn News

January 15, 2014

Rep. Duwayne Bridges (R-Valley) has been named the 2013 Legislator of the Year by the Alabama Department of Veterans Affairs.

Alabama Department of Veterans Affairs Commissioner Clyde Marsh presented the honor to Rep. Bridges on Friday at a meeting of the State Board of Veterans Affairs. Marsh recognized Bridges for his support of several veterans' bills that were passed during 2013 legislative session.

The "Heroes for Hire Act," was among the bills Bridges sponsored that provides for tax incentives to both employers and veterans. The law gives employers that hire recently deployed veterans who are discharged from service and who are unemployed a \$1,000 tax credit. It also provides a \$2,000 income tax credit to recently deployed and discharged veterans who start their own business.

The ADVA Legislator of the Year award is given annually to members of the State Legislature who support and advance legislation that benefits Alabama Veterans and their families.

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Legislation would impose same drunk driving penalties on boaters

Montgomery Advertiser

January 15, 2014

Kala Kachmar

House Judiciary Standing Committee members Wednesday unanimously passed a bill that would give drunk boaters who cause death or injury the same penalties as drunk drivers.

Homicide by vessel is an unclassified felony, meaning misdemeanor or felony punishment can be levied. The maximum penalty for the charge is five years in prison.

The legislation would make the penalty a Class C felony that carries a punishment range of up to 10 years.

The bill would also allow police to charge a boater driving under the influence of drugs or alcohol with first-degree assault, a Class B felony, if his or her actions cause physical injury.

Rep. Paul Beckman, R-Prattville, who is sponsoring the bill, said the purpose of the bill is to hold anyone – whether they're driving a car or a boat – accountable for the actions.

Beckman said a group of Prattville residents were struck by a drunk boater driving on Lake Martin a few years ago, which is one of the accidents that prompted the legislation.

Patrick Cumbie, who was 22 when the drunk boating accident happened in 2009, was indicted on four counts of assault and homicide by vessel charged as killing 62-year-old Donnie Tatum and injuring four others.

“The judge’s hands were tied,” Beckman said. “He couldn’t give him a sentence similar to (that of) vehicular homicide.”

In 2011, 28-year-old Brian Little, a Montgomery resident, was sentenced to one year in Elmore County jail and three years of probation for killing Ashley Williams, 24, on Lake Martin in 2010. Williams fell off the bow of a pontoon boat and was struck by the propeller.

Investigators said Little jumped from the boat, swam to shore and hid for law enforcement for two days.

In 2006, John Faulk was charged with boating under the influence and homicide by vessel after killing 41-year-old Michael Haslam. He was sentenced to three years in prison, but only served about 10 months before being released on supervised probation.

Alabama Marine Police officials said in 2012, there were a total of 75 boating accidents in the state, including 13 involving alcohol, 45 injuries and 17 deaths. Two of those deaths involved drunken boat operators.

In 2011, there were 71 boating accidents that caused 54 injuries and 14 deaths. Four of those deaths were alcohol related.

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Changes to school tablet bill sparks debate on all education spending

Montgomery Advertiser

January 16, 2014

Brian Lyman

Legislation to revise a law aimed at encouraging school districts to implement tablets and e-devices eventually was approved by a committee Wednesday, but not before turning into a broader debate about state priorities regarding education money.

The bill, sponsored by Sen. Gerald Dial, R-Lineville, amends the Alabama Ahead Act, passed by the Legislature and signed by Gov. Robert Bentley in 2012. The legislation was initially aimed at encouraging high schools to phase in tablets and e-readers in place of textbooks through a \$100 million bond.

Dial's bill expands availability to all grades, but also requires participating school districts to match 25 percent of the cost of implementation. However, the state Department of Education could waive that requirement for poor school districts.

School districts could use the funding to install infrastructure for the project; purchase technology or service related debt. Dial said the \$100 million pool was not aimed at spreading the technology throughout the state.

"The \$100 million will not be adequate to totally replace textbooks in schools," Dial said in the Senate Finance and Taxation Education committee, which took up the bill Wednesday. "It's a carrot to get the process started to drastically change education in the state."

However, some committee members questioned the approach. Sen. Bryan Taylor, R-Prattville, said he supported the use of tablets in schools but said schools needed infrastructure to support it. Taylor also questioned whether schools should be purchasing that technology.

"We take out a loan to help schools buy devices that, when we pay off the loan, are already obsolete," he said.

Dial said schools already buy materials that wear out in seven or eight years, including textbooks and school buses. He also said many school districts enter into lease programs for the technology, rather than purchasing them outright.

Democrats on the committee suggested that wealthier schools districts would spend the allocated money before poorer ones were in a position to take advantage of it.

Senate Minority Leader Vivian Davis Figures, D-Mobile, called the legislation the "Haves and Have-Nots" bill, saying the money might be better spent providing textbooks to schools.

Sen. Hank Sanders, D-Selma, said the state should commit tax revenue to give schools around the state the ability to use the devices.

"We should find a way to truly fund it, rather than just borrowing money that will run out shortly," he said.

Finance and Taxation Education committee chair Trip Pittman, R-Daphne, said that the state should be supporting districts that already have the infrastructure in place, and Dial called Figures characterization of his bill "totally incorrect."

"It gives the have-nots an opportunity to move forward," he said, noting the provisions that do not require a match.

The committee approved the bill Wednesday morning, with Figures and Sanders voting no and Taylor abstaining. The legislation now moves to the full Senate.

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Constitutional amendment would protect school boards from unfunded mandates

Montgomery Advertiser

January 15, 2014

Kala Kachmar

A state constitutional amendment that would eliminate public school boards from being subject to unfunded mandates, or legislation that requires funding but doesn't appropriate it, has been approved by the House Education Policy Standing Committee.

School boards are the only government entity not exempt from a 1998 amendment that protects county commissions and municipalities from unfunded mandates, said Rep. Mary Sue McClurkin, R-Indian Springs, who is both chairman of the committee and sponsoring the bill.

McClurkin said the amendment should include local school boards, especially because they're a government entity that cannot raise their own revenue. She said school boards could be subject to outrageous bills.

"You never know when the legislature is going to do an unfunded mandate," she said.

The amendment was approved without any discussion or debate.

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Lawmakers start election year session

Al.com

January 14, 2014

Kim Chandler

MONTGOMERY, Alabama -- Alabama lawmakers opened the 2014 session today with an eye on the primary elections just five months away.

As the gavels came down at noon, separate groups outside the State House alternately rallied for the repeal of the Common Core Curriculum standards and for legislators to force a Medicaid expansion under the Affordable Care Act. The Alabama Legislature is likely to do neither.

The Republican majority is against a Medicaid expansion and the head of the Senate has said he won't bring up the contentious Common Core debate.

Lawmakers face the primary elections on June. 3. Election season tends to color the session as lawmakers push pet issues.

"We'll pass a bunch of apple pie and motherhood bills," Rep. John Rogers, D-Birmingham, said.

Senate President Pro Tem Del Marsh, R-Anniston, has said he hopes to keep the Senate clear of major controversies.

“The word is it’s supposed to be an easy session. I’ve never seen an easy one yet,” Rep. Jim Carns, R-Mountain Brook, said.

The General Fund, targeted to shrink by over \$80 million next fiscal year is expected to be the biggest challenge for lawmakers.

"There is no easy answer on the General Fund. That’s going to be the toughest one,” Speaker of the House Mike Hubbard, R-Auburn, said.

Marsh said the Education Trust Fund will be tough as lawmakers weigh competing demands for a small amount of growth.

One of the first bills to hit the Senate floor could be Marsh's legislation to close a loophole in the Revolving Door legislation that allows lawmakers to resign and take a job lobbying the opposite chamber from which they served. Three House members resigned last year and at least one is now a lobbyist.

Marsh said legislators should not be able to become lobbyists the day after leaving public service.

Hubbard said the priority for House Republicans will be to pass their “Commonsense Conservative Agenda.”

“It’s to provide some tax relief, and regulation relief, cutting through red tape for small business and families,” Hubbard said.

“Our plan is to take up our agenda items first and then move from there,” Hubbard said.

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Gov. Robert Bentley to propose bill to tighten gaps in Open Meetings law

Al.com

January 15, 2014

Mike Cason

MONTGOMERY, Alabama --- Alabama Gov. Robert Bentley will propose changes to the Alabama Open Meetings law that will strengthen the law, according to a news release from the governor’s office.

Bentley has scheduled a news conference at the State Capitol on Thursday morning with the two legislators who will sponsor the bill, Rep. Mike Hill, R-Columbiana and Sen. Cam Ward, R-Alabaster.

Representatives of the Alabama Press Association will also be on hand.

Felecia Mason, executive director of the Alabama Press Association, said the association was involved in the bill and supported the changes.

Mason said court rulings have caused three concerns about the Open Meetings law, which the Legislature passed in 2005. The bill Bentley is proposing will address those concerns.

One ruling came in an AEA-backed lawsuit that claimed Republicans on a conference committee violated the Open Meetings Act when they made changes to the bill that became the Alabama Accountability Act. In that case, the state Supreme Court ruled last year that the Legislature's authority to establish its own rules, granted by the state Constitution, trumps any claim of an Open Meetings violation.

Mason said the Open Meetings law was always intended to cover the Legislature.

"They never intended for themselves not to be included," Mason said. She noted that the Constitution says "the doors of the Legislature shall be open."

Another court ruling concerned the Open Meetings law's prohibition against serial meetings, Mason said. Those occur when members of a government body hold a series of meetings in groups smaller than a quorum to reach a decision that requires approval of the full body. The law is intended to prohibit serial meetings, but the specific wording in the law needs to be fixed because of the court ruling.

"You can't meet in small groups and make decisions. That was the intent all along," Mason said.

The third issue concerns who has standing to file a complaint claiming a violation of the Open Meetings Act. Mason said the intent of the law is that any Alabamian can do so.

"None of this is a change," Mason said. "It's more of a strengthening and shoring up what the law was intended to be all along."

Mason said the governor's office called the association in the fall and asked it to help work on the bill.

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Senate committee approves bill to authorize bond issue for digital textbooks

Al.com

January 15, 2014

Mike Cason

MONTGOMERY, Alabama --- A bill to allow the state to sell bonds to help local school systems convert to digital textbooks cleared a Senate committee today despite concerns of some that poor school systems could be left behind.

“This is another bill that should be entitled, ‘the haves and the have-nots,’ “ Sen. Vivian Davis Figures, D-Mobile, said.

Sen. Gerald Dial, R-Lineville, disagreed strongly, saying the plan includes a provision to help poor systems. Under the bill, local school systems are required to provide a 25 percent match to receive a grant from the bond money. The match can be waived for poor systems, Dial said.

The Senate Finance and Taxation Education Committee approved the bill, with Figures voting no. It now moves to the Senate floor.

Dial said the use of tablets or digital textbooks will improve academic performance and reduce discipline problems because students will be more involved. His bill would allow the state to sell up to \$100 million in bonds, but said those would be sold incrementally based on need.

Overall, Dial said the making the bond money available is a way to encourage local school systems to move toward digital textbooks, which he said can drastically improve education. Dial said digital textbooks generally cost about one-fourth as much as printed books.

Sen. Bryan Taylor, R-Prattville, questioned whether it was wise to use borrowed money to buy digital equipment that could be obsolete within two years. Dial said the state has used bond money to buy school buses, which he said wear out in 8-10 years.

Dial also said local systems would not be able to receive grant money to buy devices if those systems don't have the infrastructure in place to use the devices. The bond money can be used to help pay for that infrastructure, he said.

Figures said she was opposed to starting the program until all school systems have infrastructure in place to take advantage of it.

Sen. Trip Pittman, R-Montrose, chairman of the committee, said the transition to digital textbooks is a complex issue. He said the potential benefits are considerable based on experiences of some school systems that are already using them, including Mobile County and Baldwin County.

“There are examples out there of good and bad, mostly good, that are working extremely well with great benefits,” Pittman said.

A similar bill failed to pass the Legislature last year. A bill is also pending in the House.

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Bill to remove requirement for two-year college admission clears Senate committee

Al.com

January 15, 2014

Mike Cason

MONTGOMERY, Alabama --- A bill to remove a requirement that students must graduate from an accredited high school to be admitted to Alabama's public two-year colleges cleared a Senate committee today.

Sen. Dick Brewbaker, R-Pike Road, the sponsor, said under current law, if a student did not graduate from a high school accredited by a state-recognized accrediting agency, the student had to pass the GED before admission to a state two-year college.

Brewbaker said the requirement makes no sense because whether a student's school was accredited is not a good gauge of whether a student is prepared for college. For example, he said Ivy League colleges accept home-school students.

Brewbaker said two-year colleges can use ACT scores as an admission standard.

"That makes a lot more sense as a qualifier than whether your high school is accredited," Brewbaker said.

The Department of Postsecondary Education supports the bill, Brewbaker said.

The bill would also clarify some requirements for private schools to report information to the state, such as the students who are attending and students who might have a disability. Brewbaker said the law on that now is ambiguous and not evenly enforced.

The bill cleared the Senate Education Committee with no opposition and now moves to the Senate floor.

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Bentley's budgets: More money for education; mostly level-funding for state agencies

Montgomery Advertiser

January 15, 2014

Brian Lyman and Kala Kachmar

Gov. Robert Bentley's office Wednesday unveiled 2014 budget proposals that would provide pay raises for teachers, increases to pre-kindergarten and the Alabama Math, Science and Technology Initiative, and level funding for most state agencies.

Acting Finance Director Bill Newton, outlining the proposals at a press conference Wednesday morning, said the governor's office believes the proposals to be fair.

"The state's economy is growing," Newton said. "We're through the recession, the great recession where the numbers were not impressive. We're now showing signs of positive economic growth in the state of Alabama."

The proposal, almost certain to be rewritten by the state Legislature, provides about \$73 million to fund a two-percent pay raise for the teachers in the state; a \$70 million increase for the

Alabama Medicaid Agency and a \$10 million increase for Pre-K. However, the governor's budget proposal also level funds most state agencies, nearly all of which sought increased funding for staffing and pay raises.

"The Governor and Finance Department consider funding for each department and agency to be adequate," Newton said.

Overall, the governor is proposing a \$5.98 billion Education Trust Fund and a \$1.8 billion General Fund. The governor's General Fund budget came in about \$119 million higher than what the Legislative Fiscal Office projected, due to the use of a number of one-time funding sources, including business privilege taxes and unclaimed property. The governor's office has control of those funds, and the Legislative Fiscal Office does not factor them into its outlays.

Senate Finance and Taxation General Fund chair Arthur Orr, R-Decatur, said he found the governor's estimates reasonable.

"I think it's very realistic," he said. "These are funds we have on hand . . . all that is in the mix."

Medicaid

The Alabama Medicaid Agency -- which provides insurance to a fifth of the people in the state and consumes 35 percent of the General Fund -- had requested \$700 million from the General Fund for the 2015 fiscal year. Bentley's office has proposed \$685 million, a number that Dr. Don Williamson, overseeing efforts to overhaul the program, said they could work with.

"\$685 million is the best funding Medicaid has ever had," Williamson said Monday. "This is the closest Medicaid has ever come to fully funding its operating budget without something extraordinary happening."

Williamson said he expected to make up the difference with changes to the way Medicaid acquires prescription drugs. He also said he expects costs to the program to be lower due to fewer people enrolling in Medicaid via the federal health insurance exchange.

The agency plans to use the money to maintain reimbursement to primary care doctors who take Medicaid patients, and to restore cuts made in recent years to specialty doctors, dentists and optometrists.

Prisons

Prison Commissioner Kim Thomas asked for an additional \$42 million to improve security, hire 100 new officers, improve community corrections programs and give security staff pay raises. But Newton said the governor believes a level corrections budget is "adequate" to perform its functions.

The governor's proposed ADOC budget is about \$6.8 million less than the current budget because of leftover funding from 2012-13 that was subtracted from the general fund allocation, Newton said.

Thomas said about half of that leftover money is from open correctional officer positions.

“The other is basically from our own efficiencies and looking out for the future and trying to nickel and dime our way out to prepare ourselves for FY15,” Thomas said.

Thomas said he plans to work closely with the legislators to help them understand the department’s needs as they go through the budget process. He said recruitment, retention and reducing overcrowding are priorities.

“Our people are the most resilient and dedicated employees I’ve ever been around,” Thomas said. “We’re fighters. If that is the appropriation at the end of the day, we’ll make it work for us.”

Orr expressed concern about the funding level citing the ongoing issues with overcrowding in the system and the need for correctional officers.

“That is one area of concern I had in talking with Mr. Newton, and that’s certainly something we’ll be looking at,” he said.

Teachers, state employees

The good news for teachers is that Bentley wants to give them a two percent raise. The bad news is that increases to insurance premiums are still a possibility. And barring a windfall in the troubled General Fund, there is almost no good news for state employees.

Bentley proposes spending approximately \$73 million to fund a two percent pay raise for teachers in his proposal. Lawmakers have expressed broad support for the idea of a teacher pay raise, but differ on prioritizing it: GOP leaders have stressed repayments to the state’s Rainy Day Account. Senate President Pro Tem Del Marsh, R-Anniston, expressed skepticism about the size of the raise Wednesday afternoon.

“Based on the preliminary numbers I’ve heard, I don’t see how it’s realistic,” he said.

Democrats have called for a six percent pay raise and the repeal of the Rolling Reserve Act, which caps growth in the Education Trust Fund. Those proposals are unlikely to pass in the Republican-controlled Legislature.

“We appreciate Gov. Bentley including a two percent pay adjustment in the budget, but we think it should be more than that,” said Henry Mabry, the executive secretary of the Alabama Education Association. “There will be plenty of money available with the improving economy.”

The governor’s Education Trust Fund budget would also increase the state’s share of education employee insurance from \$714 per employee per month to \$795, a request made by the Public Education Employees’ Health Insurance Board (PEEHIB). That will help address an estimated \$120 million deficit, though Don Yancey, deputy director of the Retirement Systems of Alabama, said a premium increase or increase in co-pays for teachers “is still on the table.” The board will come to a final decision in May. Yancey said they hoped to find ways to address the

shortfall without passing additional costs to teachers, who have seen retirement costs increased in recent years.

The governor also put a \$22 million conditional appropriation in the General Fund for pay raises for state employees. That money can be released if the money is available, something lawmakers have expressed skepticism about. Insurance funding for state employees will stay at \$825 per state employee per month.

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National pro-life group ranks Alabama 20th ‘most pro-life’ state

Yellowhammer News

January 15, 2014

Cliff Sims

Americans United for Life, a national pro-life organization, yesterday released a report ranking the most pro-life and pro-abortion states in the country when it comes to passing pro-life legislation.

For the fifth year in a row, Louisiana tops the list of most pro-life states, followed by Oklahoma, Arkansas, Arizona and Pennsylvania.

The least pro-life states are unsurprisingly located in the northeast and on the west coast. Washington, California, Vermont, New York and Connecticut were ranked the least protective of the unborn.

Near the middle of the pack was Alabama, coming in at number 20.

“AUL has tracked states’ progress toward achieving a nation in which everyone is welcomed in life and protected in law,” said AUL President and CEO Dr. Charmaine Yoest. “Real pro-life momentum is reshaping the country as legislators craft protections for both mother and child, the victims of an avaricious abortion industry. Common-sense pro-life legislation saves lives and has broad public support in light of what we’re learning about the health risks of abortion for women.”

But even though Alabama hasn’t yet risen to the top tier of pro-life states, AUL recognized Alabama as one of their “All Star” states because of the strides that have been made since Republicans took over the legislature in 2010.

“Each of AUL’s All Stars enacted life-saving legislation to protect mother and child from an abortion industry more committed to its financial bottom line than protecting women from a dangerous procedure that is too often performed in substandard facilities,” said Dr. Yoest.

Alabama House Republicans included two bills in their 2014 legislative agenda that they classify as “pro-life” bills.

The Healthcare Rights of Conscience Act sponsored by Rep. Becky Nordgren, R-Gadsden, states that Alabama health care workers cannot be forced to provide a service that violates his or her conscience, specifically services relating to abortion, human cloning, human embryonic stem cell research, and sterilization.

The Adoption Tax Credit bill sponsored by Rep. Paul Lee, R-Dothan, gives Alabama residents who adopt an Alabama child either through private adoption or through the state foster care system a one-time \$1,000 income tax credit, which would apply in the tax year in which the adoption was finalized.

Here is AUL's full 2014 "life list" —

Louisiana
Oklahoma
Arkansas
Arizona
Pennsylvania
Texas
Kansas
Indiana
Nebraska
Missouri
South Dakota
North Dakota
Georgia
Virginia
Mississippi
Michigan
Ohio
Kentucky
South Carolina
Alabama
North Carolina
Idaho
Tennessee
Minnesota
Florida
Colorado
Illinois
Wisconsin
Utah
Rhode Island
Maine
Delaware
West Virginia
New Hampshire

Wyoming
Alaska
Montana
New Mexico
Iowa
Massachusetts
Nevada
Maryland
Hawaii
Oregon
New Jersey
Connecticut
New York
Vermont
California
Washington

NARAL Pro-Choice America also released their state rankings, but rather than ordering the states, they simply graded each state on an A-F scale.

Alabama received an “F” from the pro-choice group, who said that Alabama’s governor, house and senate are all “anti-choice.”

They also released a map of their own, illustrating which states they believe are “pro-choice” and “anti-choice.”

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House Speaker Mike Hubbard Previews 2014 Legislative Session (VIDEO)

WAKA

January 14, 2014

House Speaker Mike Hubbard appeared Live on Alabama News Network at 6:00 to preview what he expects will happen in the 2014 legislative session.

Hubbard also took time to look back at the last three sessions since Republicans took control. When asked to give the Legislature a letter grade, he said an "A" for all the action that's been accomplished.

Hubbard says if he's re-elected to his seat representing Lee County, he again wants to be chosen as house speaker.

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State of the State: Bentley says job creation top priority

Montgomery Advertiser

January 15, 2014

Brian Lyman and Kala Kachmar

Tying job creation proposals to efforts to end Alabama's high poverty level, Gov. Robert Bentley on Tuesday called for new job-training and-creation initiatives, an expansion of education programs and a 2 percent pay raise for the state's teachers.

The governor mixed calls to create opportunity with attacks on federal government programs, particularly the Affordable Care Act, saying they did nothing to alleviate poverty and created a culture of dependence.

"We will never see an end to the plague of poverty by offering a deeper dependence on a flawed government system," Bentley said. "We will never help our poorest citizens or our future generations by casting over them the net of federal government giveaway programs."

The governor also called for a 4 percent conditional pay raise for state employees. That raise would come only if the money was available, and the Legislative Fiscal Office has projected a decline in receipts to the General Fund in the coming year.

The half-hour speech offered much to the conservative voters Bentley will count on for his re-election bid this year, and reaction predictably split along party lines, with Republicans mostly approving of the speech and Democrats largely critical of it.

However, GOP lawmakers seemed lukewarm to Bentley's proposal to increase teacher salaries, with many saying they wanted to prioritize repayments of debt to the Rainy Day Account. Lawmakers face a deadline to pay off the fund.

House Speaker Mike Hubbard, R-Auburn, said he'd love to give state employees Bentley's proposed 4 percent raise, but it's unlikely. He said he'd also love to give teachers another raise, but that legislators shouldn't do anything to put the state "in a bind."

"The General Fund is anemic and Medicaid is sucking up every dollar, and it's not enough," Hubbard said.

Bentley did praise lawmakers for the progress they made in replenishing the Rainy Day Account, which was emptied to prevent proration in 2009 and must be repaid this year.

"We must keep our word to the people of this state, and we must repay our debts," he said.

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Governor Bentley offers unapologetic defense of decision to reject Medicaid expansion

Al.com

January 14, 2014

Brendan Kirby

Alabama Gov. Robert Bentley used part of his State of the State Address on Tuesday to offer a full-throated defense of his decision to reject Medicaid expansion, one of the key components of President Barack Obama's health care law.

Under the Affordable Care Act, the federal government will pay 100 percent of the cost of expansion for the first three years and then 90 percent after that.

"But how can we believe the federal government will keep its word?" said Bentley, one of a number of governors who took advantage of a U.S. Supreme Court ruling to turn down the deal. "The anything but Affordable Care Act has done nothing to gain our trust."

Speaking to a joint session of the Legislature in Montgomery, Bentley drew one of his loudest applause lines by recounting some of the famous promises of Obamacare. Supporters claimed people would be able to keep their doctors and health policies, and that premiums would not go up.

"Now they are telling us we'll get 'free money' to expand Medicaid," he said. "Ladies and gentlemen, nothing is free. The money the federal government is spending with wild abandon is not 'federal' dollars. Those are your dollars, your hard-earned tax dollars."

Bentley has come under fierce criticism from state pension fund chief David Bronner and others who contend that his refusal to accept increased federal funding for Medicaid will cost the state jobs.

Alabama Senate Minority Leader Craig Ford, D-Gadsden, argued in his official response that the state has one of the most efficient Medicaid systems in the country.

"But it is struggling to get by after significant cuts over the past three years," he said.

Ford suggested raising the cigarette tax by \$1 per pack, which he said would bring in \$230 million a year and close a hole in the Medicaid budget.

On Tuesday, Bentley reiterated his contention that it would be wrong to bring hundreds of thousands of additional residents into a system that is "broken and buckling."

He noted that Medicaid spending has increased nationally by more than 1,500 percent since 1980 and that the program consumes up to 35 percent of Alabama's General Fund.

"And under Obamacare, Medicaid would grow even larger – bringing millions more people to a state of dependency on government, and saddling our state and our nation – the taxpayers – with the enormous expense," said the governor, who added that an expansion would siphon millions of dollars from the education budget by 2016.

Bentley recited familiar criticisms of Obamacare, from the 18 taxes included in the law to the well-publicized cancellation of some 87,000 insurance policies in Alabama deemed substandard by the statute.

The governor claimed the Affordable Care Act threatens “one of the most trusted relationships – that of a doctor and their patient.” He drew on his personal experience as dermatologist prior to entering politics.

“As a practicing physician, I would never want anything to come between me and my patient – especially the federal government,” he said.

He said he has maintained his physician’s license even into the governor’s mansion. “But I am licensed by the state of Alabama, not the federal government.”

Bentley explained reforms already under way in the existing Medicaid program. It involves setting up regional care organizations that aim to use “community-based, managed care to improve the health” of recipients and save taxpayers money.

Earlier in the day, Senate Finance and Taxation Education chairman Trip Pittman, R-Daphne, said there was a “need to protect the integrity” of the Education Trust Fund. Sen. Bryan Taylor, R-Prattville, echoed that sentiment after the State of the State, saying he was “open” to the proposal, but that he would prioritize debt repayment in the fund.

“The worst thing that could happen for our teachers and school systems is another round of proration,” Taylor said. “I think Sen. Pittman makes a strong case there.”

Democrats, meanwhile, said the proposal to increase teacher and state employee salaries didn’t go far enough, citing inflation and increased benefit costs.

“It is an insult that the governor would reward them for their hard work and effort to balance the budget with a conditional appropriation,” said Rep. Joe Hubbard, D-Montgomery. “To say ‘I will give you a 4 percent pay raise if the money’s there,’ when he knows good and well the money won’t be there because he has no plans to put the money there.”

The governor opened his speech with a lengthy discussion of poverty in Alabama, citing Wilcox County in particular. Bentley called for the creation of a Small Business Advisory Council “to address the needs of Alabama’s small businesses; expansion of career coaches and expansion of programs that allow high school students to enroll in two-year programs.

“The people of Alabama deserve the opportunity to find a job that pays well, more than enough than to just make ends meet,” Bentley said. “Our hard-working neighbors deserve opportunity to acquire the skills needed to get a great job that pays well.”

Bentley combined that vision with attacks on the Affordable Care Act in general and the ACA’s expansion of Medicaid in particular, saying government programs would add to poverty rates in Alabama.

“Nearly 1 million people in Alabama are on Medicaid,” Bentley said. “It is not my goal to put more people on Medicaid but to have less. It is not my intent to put able-bodied individuals on a government dependency program.”

The governor has repeatedly said over the last year and a half that he would not expand Medicaid while it was “broken,” and touted lawmakers efforts to overhaul the state’s system. Democrats, who plan to make ACA’s Medicaid expansion a campaign issue in 2014, criticized the governor’s stand.

“If he was really concerned about people in poverty, he would understand Medicaid expansion would pull them from poverty, with the money the state would get from Medicaid expansion,” said Senate Minority Leader Vivian Davis Figures, D-Mobile.

The governor’s 2014 budget proposal is scheduled to be submitted to the Legislature today.

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5 takeaways from Gov. Robert Bentley's State of the State address

Al.com

January 14, 2014

Kim Chandler

1. Unapologetic on Medicaid expansion: People hoping to see Gov. Robert Bentley sing a different tune on Medicaid expansion should have changed the channel. The governor was unapologetic about his decision not to expand Medicaid. Bentley said it would be irresponsible to add 300,000 people into a “system that is broken and buckling.” Proponents of the expansion cite that federal money would pay for most of the cost. The governor countered those are “your dollars” too.

2. Affordable Care Act: Calling it the “everything but Affordable” Care Act, Bentley lashed out at the federal government health care law for a significant portion of his address. He said “the Affordable Care Act - or Obamacare and Medicaid expansion is taking our nation deeper into the abyss of debt, and threatens to dismantle what I believe is one of the most trusted relationships, that of doctors and their patient.”

3. Teacher Pay Raise: Bentley proposed a 2 percent pay raise for K-12 teachers and support workers. That amount is below the 6 percent being sought by the influential teachers’ association and Democrats. Republican lawmakers have been skeptical on how much the state can afford given other budget demands. Legislators say the Bentley administration might be trying for a higher calculation of a spending cap set by a state law that limits the budget growth that legislators can project.

4. Poverty: Bentley, who ran in 2010 on a platform of job creation, highlighted the state’s ongoing struggle with poverty, with one in four children living below the federal poverty line. But lawmakers split on if he was actually doing anything to address it. Bentley said the federal government’s War on Poverty had failed. Bentley said education and job opportunities were the

answer. His proposals included more money for prekindergarten (he didn't give a number), more career coaches, a program aimed at small businesses and helping high school students simultaneously enroll in state technical schools.

5. What he didn't say: Bentley did not say much about his plans to address a poor General Fund outlook that is expected to be the toughest issue facing legislators this session. He proposed a conditional pay raise for state employees, but that could be difficult since the General Fund is expected to shrink next year. Bentley will present his proposed budgets Wednesday.

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Tracking the 2014 session: Budgets, Common Core and Obamacare hot topics on first day *Al.com*

January 14, 2014

Mike Cason

MONTGOMERY, Alabama – A woeful General Fund. An Education Trust Fund that's growing too slowly. Common Core opponents who won't stand down.

And a governor who says the worst thing for Alabama's poor would be to increase their reliance on government.

And so began the 2014 legislative session.

What they did:

Opponents of the state's use of Common Core curriculum standards in public schools rallied outside the State House just before the gavels came down to start the session. Some met later with Senate President Pro Tem Del Marsh. They don't like his plan to keep the Common Core repeal issue off the Senate floor.

The Senate met for a few hours and introduced 177 bills. The process went slowly because Sen. Rodger Smitherman, D-Birmingham, called for each bill title to be read. Smitherman's motive? He's riled up about a bill that would expand the Birmingham Water Works Board and make other changes to the board.

The House of Representatives met for less than 30 minutes. House members introduced 227 bills on the first day.

Lawmakers from both chambers later gathered at the State Capitol for Gov. Robert Bentley's State of the State address. Bentley said education and private sector job creation are the keys to breaking poverty's grip on some parts of the state. Democrats said it sounded like Bentley was running against President Obama because he spent part of the speech bashing the Affordable Care Act. And here's a look at some topics the governor didn't address.

Coming up Wednesday:

Acting Finance Director Bill Newton will present a briefing on the governor's education and General Fund budget proposals.

The Senate Constitution, Campaign Finance and Ethics and Elections Committee will consider a bill to tighten the restrictions on former lawmakers lobbying the Legislature.

The Senate Finance and Taxation Education Committee will consider a bill to authorize a bond issue to help school systems convert to digital textbooks.

The House Health Committee will consider a bill to say health care providers can decline to perform procedures that violate their consciences, with exceptions.

The House Ways and Means Education Committee will consider a bill to raise the threshold that triggers a requirement for businesses to make estimated sales tax payments to the state every month.

The House convenes at 9 a.m., and the Senate convenes at 4 p.m.

Quotes of the day:

"Having one family stand up and having the entire chamber recognize that family because they were able to get a job? What about the hundreds and thousands of other families in the state of Alabama who are out there looking for work, and families who have given up looking for work because there just aren't any jobs or there are no benefits to be had?"

--- Rep. Joe Hubbard, D-Montgomery, referring to the governor's recognition of an employee at a new plant in impoverished Wilcox County during his State of the State address.

"He's focusing on what we are all committed to, which is empowering people out of poverty through opportunities and jobs."

--- Rep. Greg Wren, R-Montgomery, in agreement with the points the governor made in his speech.

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Bentley channels Reagan, shuns government dependency in State of the State address

Yellowhammer News

January 15, 2014

Cliff Sims

Thinking back over the last couple of years, I'd guess I've seen Alabama Gov. Robert Bentley deliver somewhere in the neighborhood of 25 speeches to large crowds — from Chambers of Commerce to College Republicans, Rotary Clubs to ALGOP banquets. I've also been in the Old House Chambers to witness three of his State of the State addresses firsthand.

Last night's State of the State — his fourth — may have been his most impressive effort yet.

The only new initiative mentioned in the speech was the creation of a “Small Business Advisory Council” to provide resources and support to small business owners trying to expand their operations.

Bentley touted Alabama's unemployment rate, 6.2%, which is the lowest in the southeast. But some economists are quick to point out that Alabama's shrinking workforce is contributing to that number. The governor also ran down an extensive list of companies that have either come to Alabama or significantly expanded their footprint in the state since he took office in 2011.

But that's the kind of stuff that politicians talk about everywhere they go, and it's certainly not what made last night's speech particularly compelling.

What set last night's speech apart was that after three years in office, Gov. Bentley finally gave us peek into the core belief system that informs every decision he makes as the state's chief executive. This was him laying out his philosophy of governance, rather than discussing the politics of governing.

Want to know why he's got a borderline obsession with pre-k programs? Trying to figure out why he keeps hammering on the need to better train Alabama workers? Confused about his staunch opposition to expanding Medicaid? Last night's speech puts it all in perspective.

Not to skip to the last page of the book, but everything comes back to Bentley's belief that access to education and job opportunities will break the crippling cycle of poverty in this state far more effectively than any government program ever could.

With that in mind, here are three key moments from Gov. Bentley's fourth State of the State Address:

1. Resolve to Reverse

The poorest county in the United States of America is located just 73 miles from where we sit tonight. If we were to drive a little over an hour from this historic hall we would find ourselves in Wilcox County where the median household income is below that of any other county in this nation. 11-thousand of our fellow Alabamians live in Wilcox County where the unemployment rate is chronically in double digits and consistently ranks above the national average.

That was the first paragraph of Gov. Bentley's State of the State. And with that, the tone was set.

The governor immediately laid out some stunning statistics, including the fact that one in four Alabama children live in poverty and nearly 1-million Alabamians depend on food stamps.

Then Bentley delivered the sentence that set up the entire rest of the speech.

We recognize the challenges that we face and we resolve to reverse the trends that have troubled our state for decades.

2. Channeling Reagan

After Bentley directly addressed the issue of poverty in Alabama and committed to taking it head-on, the 53rd Governor of Alabama delivered seven sentences that could have come directly out of the mouth of America's 40th president.

We will never see an end to the plague of poverty by offering a deeper dependence on a flawed government system. We will never help our poorest citizens, or our future generations by casting over them the net of federal government giveaway programs.

We can break the cycle of poverty, but not with programs that drag our communities and our people into the downward spiral of dependence.

That is why we will not expand on a flawed and broken system that encourages greater reliance, not on self, but on government, pulling even more of our vulnerable citizens into what President Ronald Reagan called the "spider's web of dependency."

We will help no one if we continually make decisions that ultimately offer little hope for our citizens while driving this great nation deeper into debt.

There is never freedom for the breadwinner who is dependent on the government.

Freedom is only found in the land that offers opportunity. That comes from hard work and sacrifice.

This was a Bentley that I don't think we've seen before. This wasn't the hometown, grandfatherly doctor telling the sick state to "take two and call me in the morning." This was a governor with a fire in his belly delivering a full-throated indictment of government dependency.

3. The Final Word on Medicaid Expansion

This is where the rubber met the road last night. The soaring rhetoric was used to illustrate the thought process behind the governor's position on expanding Medicaid under ObamaCare.

Bentley has endured intense criticism from various special interest groups, editorial writers and policy makers for his refusal to expand the costly program. It's also been the rumor du jour among insiders that the governor would bide his time, get re-elected, then expand Medicaid to placate some of his advisers and Montgomery lobbyists.

He's kept mostly quiet as his critics piled on, but last night he unloaded.

The Affordable Care Act – or Obamacare and Medicaid expansion is taking our nation deeper into the abyss of debt, and threatens to dismantle what I believe is one of the most trusted relationships, that of doctors and their patient.

Essential to Obamacare is Medicaid expansion – a federal government dependency program for the uninsured, which is administered by states. Since 1980, Medicaid spending has increased nationally by over 1,500-percent.

Here in Alabama, Medicaid takes up 35% of our General Fund.

Under Obamacare, Medicaid would grow even larger... Here in Alabama alone, an estimated 300,000 more people would be added to the Medicaid role, to a system that by our own admission is absolutely broken and flawed.

The federal government has said they will give us money to expand. But how can we believe the federal government will keep its word? The anything but Affordable Care Act has done nothing to gain our trust.

First, they told us we could keep our doctor – that turned out not to be true. Next, they told us we could keep our policy – that's not true. Then they told us our premiums would not go up – nothing could be further from the truth. Now they are telling us we'll get free money to expand Medicaid.

Ladies and Gentlemen, nothing is free. The money the federal government is spending with wild abandon is not federal dollars – those are your dollars, your hard-earned tax dollars. There is no difference between federal money and your money.

Our great nation is 17.2 trillion dollars in debt and it increases by 2-billion dollars every single day.

That is why I cannot expand Medicaid in Alabama. We will not bring hundreds of thousands into a system that is broken and buckling.

And as if that wasn't enough, Gov. Bentley came back later in the speech to hammer the point home one more time.

Nearly 1 million people in Alabama are on Medicaid. It is not my goal to put more people on Medicaid but to have less. It is not my intent to put able-bodied individuals on a government dependency program.

Yellowhammer created a word cloud that highlights the words Gov. Bentley used the most during his State of the State address. It can be seen below. To read the entire text of the speech, visit the Governor's website.

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Alabama schools have record graduation rate

Montgomery Advertiser

January 14, 2014

Brian Lyman

State Superintendent of Education Tommy Bice had good and bad news for the Legislature: more Alabama students are graduating than ever before and more money is needed if that progress is to continue.

In a presentation before lawmakers Tuesday morning, Bice announced that Alabama's graduation rate had hit 80 percent, the highest in the state's history.

But if state education is to continue to improve, funding must also improve.

The Alabama State Department of Education is seeking a \$245.1 million increase, with a focus on hiring hundreds of teachers for middle schools, expanding online learning and providing more funding for transportation in the state.

Bice said the \$4.16 billion budget request for K-12 schools would give teachers the resources they need to adequately instruct students. Still, he said "Regardless of whether we receive a fair share of funding or not, our K-12 educators will get the job done."

To continue boosting that graduation rate to a goal of 90 percent by 2020, the Alabama State Department of Education is requesting \$32 million to hire 450 teachers for sixth-, seventh- and eighth-graders. Bice said having adequate staffing at the middle school level was critical.

"Our statistics are very clear," Bice said. "The drop-out issue begins in sixth, seventh and eighth grade."

According to the U.S. Department of Education, Alabama had a 75 percent graduation rate in the 2011-12 school year.

The Department also is seeking \$30 million for transportation; \$5 million to expand the Alabama Math, Science and Technology Initiative and \$5 million for the expansion of distance learning. Without distance learning, Bice said, many students in poorer districts would be unable to get instruction in advanced science courses, foreign languages and other projects.

Bice also noted that the state only covered 85 percent of daily operations for individual school districts, including maintenance and school lunches, a critical issue in the state.

"Our biggest challenge to student achievement is poverty," Bice said. "The reduction of SNAP or food stamps ... has a negative effect on children who have no control over the situation they're in."

The superintendent, who structured his presentation as a day in the life of a public school, became emotional as he discussed the work of teachers in the public school system and received a standing ovation from those in attendance.

How much money lawmakers will give to schools is still up in the air. The Legislative Fiscal Office said Monday that the Education Trust Fund, which pays for K-12 schools and colleges, will have an extra \$134 million over its current budget.

Lawmakers have said they want to expand some of the programs Bice discussed Tuesday and that there is broad support for a pay raise for teachers, an issue the superintendent did not raise during his presentation. Bice said the department supports a pay raise for teachers, but did not put a specific figure in its request.

“It will be interesting to see what the governor, what the Legislature comes up with,” he said.

However, community colleges and universities also are seeking funding, and lawmakers also will have to pay off a proration prevention account that was emptied in 2009.

Senate Finance and Taxation Education committee chairman Trip Pittman, R-Daphne, alluded to the repayments when he discussed the need “to protect the integrity of the ETF.” However, he praised Bice’s presentation and discussion of education issues.

“We hear you loud and clear,” he said. After the meeting, however, Pittman noted that there would be many priorities for the ETF this year, and said hiring 450 teachers this year would be “difficult.”

“I don’t think we can do all of it this year,” he said. “(But) it’s something we need to do.”

Gov. Robert Bentley, who gave his State of the State address Tuesday evening, is expected to formally submit his budget request to the Legislature today.

Bice said he was aware his request exceeded available funding.

“I think I would be remiss if I didn’t come with a budget that was based on basic needs, and that’s basic need,” he said. “I know realistically we’re not going to get it, but I sure wouldn’t get it if I didn’t ask for it.”

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Common Core foes face off with Del Marsh: Marsh says it's a school board issue

Al.com

January 14, 2014

Kim Chandler

MONTGOMERY, Alabama -- Senate President Pro Tem Del Marsh faced off with Common Core opponents this afternoon, attempting to explain why he thinks it's an issue for the state school board.

They didn't exactly see eye to eye.

Marsh agreed to meet with a Tea Party group passionate about yanking the standards from schools, about why he will not bring up a repeal bill in the current session.

"The people elected to the school board are elected to do their jobs. I think the school board of this state should be making policy decisions. As voters, if we don't like that, we vote them out," Marsh said.

Marsh said he will continue to talk to them about it, but it will be difficult for him to change his position.

Tea Party groups had rallied outside the State House earlier in the day and Common Core repeal was a major thrust.

"Why is it that you think we should not have a vote on this issue whenever there are so many passionate people in this state for repealing Common Core," said Janet Ogelsby of Grand Bay.

"We don't want government in our business. We don't want government controlling our children," Ogelsby said.

Marsh said he had much in common with the group, but they disagreed on this one issue. He encouraged them to keep talking to school board members.

"If you are not getting anything there, what you've got to do is recruit candidates that see it your way and elect them," Marsh said.

"That includes senators. ... That includes you," came the shout back from two people in the audience.

Common Core has split Republicans. Some favor the standards as a way to boost standards. But Common Core has also ignited fiery opposition from some who see it as federal government intrusion.

Marsh has taken outward political heat from Common Core foes for his stance. But he said other legislators are privately thankful that he's not pushing the issue in the Senate.

"Behind the scenes there are a lot of legislators that love me," Marsh said.
Story will be updated

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Alabama's Williams named to leadership board of national conservative group GOPAC

Yellowhammer News

January 14, 2014

Cliff Sims

Washington, DC (January 14, 2014) – GOPAC, a D.C.-based organization that prides itself on training up the conservative “farm team” around the country, today announced that Alabama State Rep. Jack Williams, R-Vestavia Hills, has joined its Legislative Leaders Advisory Board.

“Each member of our 2014 Legislative Leaders Advisory Board has a distinguished record of success at promoting conservative ideas and assisting Republican candidates with getting elected,” said GOPAC Chairman Frank Donatelli. “Their involvement will strengthen our efforts as the Republican Party’s premier center for educating and electing a new generation of Republican leaders.”

The members of the Legislative Leaders Advisory Board will keep GOPAC updated on key legislative and political developments within their state. Advisory Board Members serve a one-year term.

Williams stands out on GOPAC’s list as one of the few members of the board who does not serve in an official leadership capacity like Speaker of the House, President Pro Tem of the Senate or Majority or Minority Leader. Williams is the Chairman of the Alabama House Commerce Committee.

Founded in 1978, GOPAC says they “champion the ideas that unite voters around a vision of creating jobs, getting government spending under control, making government more effective, and keeping America safe. This is why Republicans turn to GOPAC for coaching and best practices on effective ways to communicate conservative ideas and solutions.”

GOPAC’s efforts have played a significant role in the Republican Party’s success at the state level in recent years.

“We have a deep bench of talented conservative leaders who are state-tested and ready to lead in Washington,” GOPAC added in a statement. “In 2014, GOPAC will independently promote proven leaders who have participated in GOPAC’s programs in the past as they seek federal office.”