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FULL TEXT

Legislation could legalize new funding source for small businesses in Alabama

The Associated Press

January 5, 2014

Phillip Rawls

Alabamians trying to start small businesses in a tough credit market may soon have a new method that will allow them to raise small amounts of capital from many Alabama investors.

Known as “crowd funding,” the process has been used for years to generate money for political campaigns, artistic projects and charities. It will become a legal way to raise capital for small businesses in Alabama if the Legislature approves a bill in the next session, starting Jan. 14.

The bill’s sponsor, Republican Sen. Arthur Orr, R-Decatur, said the Alabama Securities Commission asked him to introduce the bill because small business people need a different way to raise money. “It’s difficult for startups to get bank loans and other traditional financing,” he said.

Under the legislation, someone trying to start a small business in Alabama could use the Internet, social media or other methods to seek Alabama investors. Small investors would be limited to putting in \$5,000 each, and the most any new business venture could raise is \$1 million. The money would have to put in a bank authorized to do business in Alabama until the small business raises enough to proceed with its business plan.

The legislation is limited to Alabama businesses and investors because that’s where the Alabama Securities Commission has regulatory authority, Director Joe Borg said. Companies still will file information about the company and its leaders with the Alabama Securities Commission, but there will be less paperwork, regulation and expense than normally associated with seeking investors, Borg added.

The securities chief said there has never been any investment idea that someone hasn’t tried to take advantage of, and that’s why the legislation makes clear that all Alabama fraud laws apply to crowd funding.

Kansas and Georgia already allow crowd funding, but only a few companies have used it, according to regulators. Several states have bills prepared for their 2014 legislative sessions.

Borg figures crowd funding will become more popular as people looking to start small businesses learn more about it. “It is an experiment whose time has come,” he said.

Congress felt that way in 2012 when it passed the Jobs Act, which allowed the federal Securities and Exchange Commission to set up rules for crowd funding across state lines. The commission is still working on those rules, which is why states are coming up with legislation affecting small businesses and investors within their borders, Borg said.

Like the Alabama legislation, the proposed federal rules limit crowd funding projects to \$1 million, but the federal rules have different investment limits than the Alabama legislation.

Borg said people looking at investing through crowd funding need to remember that they could lose their money if the business fails, and business people thinking of using it need to realize that communicating regularly with dozens or hundreds of small investors will be time-consuming. But he and Orr said crowd funding creates a quick way for people with good ideas to get together with potential investors through the Internet.

“A guy in Brewton could log on and purchase shares in your restaurant company,” Orr said.

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Senate leader Del Marsh hopes for noncontroversial session with election season looming

Al.com

January 5, 2013

Kim Chandler

MONTGOMERY, Alabama – The 2013 legislative session at times had legislators screaming at each other on the Alabama Senate floor.

But as lawmakers prepare to return to Montgomery, Senate President Pro Tem Del Marsh, R-Anniston, said he's hoping for calmer political waters.

“The budgets will be the primary issue of the session. Going into an election year as you know, if I had my druthers, I want as little controversial legislation as possible,” Marsh said

Lawmakers return to Montgomery on Jan. 14 to begin the 2014 legislative session. As usual, the General Fund will be one of the toughest challenges facing them.

“It looks worse than last year, so it’s bad,” Marsh said

The Education Trust Fund, which funds public schools, will be in better fiscal shape, but could be the source of as much controversy.

Some Democrats and the Alabama Education Association are pushing for a 6 percent pay raise for teachers, noting the years that education employees have gone without a raise.

Republicans said a raise of that size is not likely.

“I just don’t see that the dollars will be there to do that,” Marsh said.

Gov. Robert Bentley has said he will seek a raise for public education employees, but he has not yet said how much.

Marsh said the priority will be making sure that teacher benefits are maintained.

The loudest shouting last session occurred over the Alabama Accountability Act, a bill that Republicans radically altered in conference committee to give tax credits that families at “failing” schools can use to pay private school tuition. Republicans pushed the legislation through in a quick series of votes over the shouts of Democrats.

With hard feelings lingering, Democrats said they remain suspicious despite Marsh’s request for little controversy.

“That’s what they said last session,” House Minority Leader Craig Ford, D-Gadsden, said.

Ford said Democrats at times will try to slow the legislative process as both protest and to make sure they have time to read bills.

“They are dangerous. They are out of control. They are reckless,” Ford said of the Republican majority.

Other issues that could be fast-tracked during the session include an attempt to shorten the appellate process for death penalty appeals. Marsh will also push a bill to close a large loophole in Alabama's revolving door law that allows lawmakers to resign and immediately begin lobbying the opposite chamber from which they served.

Marsh said he also expects Bentley to push a package of economic development bills.

“We’d love to see a piece of job growth legislation. We think that is key to the state to continue to bring those unemployment numbers down,” Marsh said.

Legislative leaders said they hope to finish the session up by early April as lawmakers hit the June primary campaign season.

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ObamaCare could keep Alabama teachers from getting a raise

Yellowhammer News

January 6, 2014

Cliff Sims

In 2013, the Alabama legislature passed a budget that included a 2 percent pay raise for public school teachers, the first raise they’d seen since 2007 due to the downturn in the economy.

Gov. Robert Bentley says he will push the legislature to pass another teacher pay raise during the upcoming session. Unfortunately for teachers, ObamaCare could prevent that from happening.

The legislature appropriated roughly \$5.75 billion for education-related expenses in the current Fiscal Year. After considering economic projections and taking into account the Rolling Reserve Act — which caps spending to force the state government to live within its means — budget chairmen expect to be able to appropriate an additional \$135 million next Fiscal Year.

However, PEEHIP, which provides health insurance benefits for Alabama’s active and retired education employees, is publicly saying they are facing a \$220 million shortfall in the coming year. Privately, they’re asking legislative leaders to increase their line in the budget by at least \$85-90 million.

Regardless of what the final number ends up being, PEEHIP is going to have to find additional dollars to account for cost increases attributable to ObamaCare, and teachers’ health insurance

premiums could increase to pay for those added costs even if the Legislature can provide additional funding. (Editor's note: premiums are set by PEEHIP, not the legislature)

And why, exactly, is PEEHIP in such trouble?

ObamaCare.

Even the typically left-leaning Anniston Star noted that PEEHIP is desperately in need of additional money "largely due to increases in costs under the Affordable Care Act."

State Representative Bill Poole Yellow Hammer Politics

Rep. Bill Poole, R-Tuscaloosa

House Budget Chairman Bill Poole, R-Tuscaloosa, told Yellowhammer on Monday that the already-strained state budgets will soon feel the additional weight of the president's healthcare law.

"ObamaCare is driving up the cost of healthcare for citizens and employers in Alabama, and the State of Alabama employs a lot of people, including teachers," Poole said. "It is going to put a lot of strain and stress on the state's budgets to try to pay for these added costs."

Poole noted that the legislature also has a constitutionally mandated obligation to repay the state's Rainy Day Fund, which could be owed as much as \$128 million, depending on how much money the state ultimately brings in this year.

"Given the constitutional obligation we have to pay back the Rainy Day account, we're trying to determine how much revenue will be left to appropriate not just for PEEHIP, but also for teacher salaries, classrooms, textbooks, transportation and other essential education functions," Poole said.

Democrats are already lining up to propose tax increases, but both Gov. Bentley and legislative leaders have indicated that tax hikes are off the table.

Rep. Craig Ford, D-Gadsden, has also trotted out the state lottery again, saying the state could siphon off lottery revenue to give teachers a raise.

Republicans say the lottery is a non-starter.

The legislature is about a week away from the start of the 2014 session, meaning Alabama lawmakers will soon find themselves in the unenviable position of implementing cuts necessitated by a law they had nothing to do with passing.

Families all over the state are feeling the pinch of ObamaCare, now it looks like teachers may be the next to get hit.

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Proposal: Drug tests on jobless to receive benefits

Times Daily
January 5, 2014
Mary Sell

MONTGOMERY — A Republican lawmaker wants some Alabamians to undergo drug tests before they receive unemployment benefits.

Sen. Jerry Fielding, R-Sylacauga, pre-filed legislation this week requiring the state Department of Labor “to administer a drug screening program for any person applying for unemployment benefits if he or she works in an occupation designated by the United States Department of Labor as an occupation for which drug screenings are regularly conducted.”

The department would pay for the screenings.

Fielding wasn't available for comment Friday afternoon.

In November, 29,001 Alabamians received unemployment benefits totaling about \$20 million. Those benefits are largely paid by employers, though some public money is involved.

“For the most part, as far as getting your check if you are laid off, that's employers paying,” said Will Whatley, a Department of Labor spokesman.

The department didn't have a comment about the proposed legislation.

Texas lawmakers last year passed a law similar to the one Fielding is pitching.

Fielding made headlines last month when he said he'd file a resolution to show support for “Duck Dynasty” star Phil Robertson. Fielding said he stands with many Alabamians who support Robertson, the Associated Press reported. The reality show patriarch made comments last month to GQ magazine that some said were homophobic and racist.

Fielding was elected as a Democrat in 2010, but switched to the Republican Party in 2012.

GOP Sen. Trip Pittman, of Daphne, has a bill for the 2014 session, which starts Jan. 14, that would allow for drug testing of recipients of the federal public assistance benefit known as TANF if they have had a drug conviction in the past five years. A federal judge in Florida this week struck down a law there that allowed for the testing of all TANF recipients.

Sen. Arthur Orr, R-Decatur, has a bill that requires TANF applicants to prove they are seeking employment before they receive money.

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Lawmakers back with modified midwife bill

Times Daily
January 4, 2013

Mary Sell

Two north Alabama lawmakers are trying again this year to legalize midwifery in the state.

Under current Alabama law, women can give birth at home, but they can't do it with assistance from midwives.

Alabama is among nine states that can prosecute midwives who assist in home births.

For several years, a few lawmakers have worked with midwife groups to change the law and regulate the practice, but have not been successful.

This year, Rep. Mike Ball, R-Madison, and Sen. Paul Bussman, R-Cullman, have a scaled-down piece of legislation that essentially says being a certified practicing midwife isn't a crime.

"This bill just takes away the criminalization if it," Ball said. "We're taking a different approach." Opponents of making midwives legal have said they don't handle as many births as doctors and aren't experienced enough to recognize an emergency. They also said a professional midwife's training is inadequate. Medical associations have said that in emergencies, hospitals don't want the liability of taking over a difficult delivery.

Proponents said if it's legal to have a baby at home, it should be legal to have assistance. Ball said if midwifery is made legal, registered midwives can coordinate better care.

"It's an informed choice that a mother makes about how to have her baby and, the fact is, a lot of people are doing it anyway," he said. "This would improve care."

Legalizing midwifery has been supported by groups in the Shoals. Proponents said women are driving to Tennessee to have their babies because midwives are legal there.

"It's time we accommodate these mothers," Ball said.

Private schools

For decades, the state Department of Revenue has treated Alabama's private schools as exempt from sales and use taxes. That has recently come into question and now two lawmakers want to clarify that nonpublic schools don't have to pay the taxes.

Sens. Tom Whatley and Dick Brewbaker have legislation that, if passed by lawmakers, would clarify that private schools are exempt from any state, county and municipal sales and use taxes on the purchase of tangible personal property.

Exempting private schools isn't new.

"It has been our policy over the years, and we have a regulation that is 30 years old that says we will exempt private schools," said Mike Mason, assistant state revenue commissioner.

But The (Mobile) Press-Register reported earlier this year that Columbia Southern University was trying to get back from Baldwin County about \$95,000 in use tax that it said it shouldn't have had to pay. An administrative judge ruled in the county's favor, saying there was no state law exempting private schools. The university is appealing the judge's decision.

The bill defines private schools as any within the state that offer conventional and traditional courses of study. It does not include nurseries, day cares or home schools.

State code defines tangible personal property as property that may be "seen, weighted, measured, felt or touched."

Mason said it is nearly impossible to tell how much money isn't collected each year from private schools.

"We don't know what we don't know," he said.

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Incumbents enjoy major money lead in key state races

Anniston Star

January 6, 2014

Tim Lockette

MONTGOMERY -- Sen. Del Marsh, R-Anniston, has everything he needs to run a hard-fought campaign in 2014.

Everything, that is, except an opponent.

Marsh, the speaker pro tempore of the Alabama Senate, pulled in \$93,500 in campaign donations in December, bringing his total campaign funds to \$197,623. He's running ads on Anniston-area radio stations and sending out flyers. But no one has announced a run against him yet, and with the qualifying deadline expected to be moved up to Feb. 7, it's possible no one will.

"If people are thinking about running for office, they know it," he said. "But I haven't heard anything yet."

If Marsh seems to be sitting pretty for the 2014 election year, he's not alone. The latest round of campaign finance reports, filed at the end of last week, show incumbents in some of Alabama's most powerful offices building a substantial money lead over their opponents. In some cases, they're building war chests without any announced opposition at all.

Gov. Robert Bentley began 2014 with \$2.7 million in campaign funds. Republican primary opponent Stacy Lee George had just \$9.59 in the bank, and announced Democratic candidate Kevin Bass has yet to file a finance report, which isn't required until a candidate raises \$1,000. Attorney General Luther Strange had nearly \$1.2 million and no opponent with enough money to

file a finance report. Like Marsh, House Speaker Mike Hubbard, R-Auburn, has no opponent, or at least none with enough money to require the filing of a campaign finance report. Hubbard had \$283,000 in campaign funds at the end of December.

And incumbents seem to be raising money with increasing speed. Hubbard brought in \$114,500 in December, his best month since fundraising began. Bentley brought in \$576,000 in December, and Marsh nearly doubled the size of his war chest in the same month.

It's not unusual for donors to gravitate to candidates who already seem to be in the lead, said Jess Brown, a political science professor at Athens State University.

"So far, the governor is enjoying a political cakewalk," Brown said. "Eventually, all the groups and lobbyists say, 'Well, he's going to get re-elected so let's give him money.'"

No lobbying group, Brown said, wants to be among those who didn't show support for the winner.

Among the groups throwing their support behind Bentley in December were the architectural firm Goodwyn, Mills and Cawood; the insurance company ALFA; and United PAC, a group funded by Tennessee developer Franklin Haney. Each group gave \$25,000 to Bentley in December.

Marsh, meanwhile, picked up \$10,000 each from the physicians' group Alabama Medical PAC and the Alabama Realtors PAC. He also got \$5,000 each from the title loan company TitleMax, Alabama Dental PAC and the Petroleum & Convenience Marketers of Alabama PAC, among other contributors.

Incumbents got a non-monetary boost last week when Secretary of State Jim Bennett announced that qualifying for 2014 races would end Feb. 7. The original qualifying deadline was in April, but the U.S. Justice Department had questioned that deadline on the grounds that it didn't give enough time to process overseas absentee ballots.

The deadline, which still has to be approved by the Legislature, is likely to play to the advantage of incumbents, Brown said. The sooner incumbents know who's running against them, he said, the better it is for them.

In past election cycles, Brown said, it was typical for key figures such as the House speaker to run unopposed, collect lots of campaign funds and then distribute that money to other candidates.

Marsh said that's no longer possible under the state's current campaign finance laws. He said that if he reaches Election Day with leftover money, he would likely donate it to educational institutions, something that is permitted under the law.

Bentley's campaign spokeswoman Rebekah Mason, echoed that sentiment.

“Alabama law prohibits the Bentley campaign from contributing money to any PACs or other campaigns,” she wrote in an email. “Contributions made to the Bentley for Governor Campaign will be used for the governor’s re-election campaign.”

Hubbard, the House speaker, is using his campaign cash to go on the offensive against his critics. Campaign records show he paid \$71,000 to two law firms -- Birmingham-based White, Arnold and Dowd and Pell City-based Trussell, Funderburg, Rea and Bell, for "legal services."

"We're investigating the false and malicious things that have been said about the speaker," said lawyer Lance Bell, of Trussell, Funderburg, Rea and Bell.

Bell said Hubbard's lawyers sent "cease and desist" letters to some people spreading what he described as false information about Hubbard. He wouldn't say who received the letters or what allegations they made. Bell said his firm had not been hired to defend Hubbard against any sort of legal charge.

Even in some contested races, incumbents seemed to do well in December. In the race for lieutenant governor, former Cullman lawmaker James Fields raised more than \$10,000 in December, and spent nearly all of it, making him the first Democrat to spend significantly in a race for a statewide constitutional office. Stan Cooke, who is challenging Lt. Gov. Kay Ivey for the Republican nomination, ended December with \$12,034 in campaign money. But Ivey towered over both of them with \$409,843, more than \$85,000 of which was raised in December.

In Senate District 13, Sen. Gerald Dial, R-Lineville, pulled ahead of his two opponents in December. Officials in both parties say they expect District 13, which covers parts of rural east Alabama from Cherokee County to Chambers County, to be a hard-fought battleground in 2014.

Dial brought in \$39,000 in contributions in December, ending the month with \$127,800. Major donations included \$7,000 from BIPAC, a group funded largely by the coal company Drummond Co. and Great Southern Wood Preserving; \$5,000 from the Alabama Power Employees PAC; and \$5,000 from the Alabama Realtors PAC.

Tim Sprayberry, Dial's opponent in the Republican primary, reported no contributions in December, and ended the month with \$4,881. Democratic candidate Darrell Turner reported \$3,760 and ended the month with \$55,262.

Turner works for a pipefitters' union, and \$2,000 of his December money was from a pipefitters' organization; the rest was from individual donors.

"We knew December would be slow because of the holidays," said Grant Hallmark, spokesman for Turner's campaign. "People are not in their offices for half the month."

Hallmark said Turner's campaign was ready for the "blackout" -- the temporary ban on campaign donations that begins when the Legislature convenes next week. Dial said he tried to do a lot of fundraising in December because of the ban.

"We were trying to raise \$200,000 before the session," he said. "We got pretty close."

Marsh, the Anniston senator, said he still thinks an opponent will emerge in his district before the Feb. 7. filing deadline. Brown, the political science professor, said that the more money incumbents have, the more they're likely to frighten off potential competitors, who may despair of catching up in the money race.

"If you can raise that much money early, you can run billboards early," he said. "You can be visible and visibly well-funded, which will be noticed by anyone who's considering running against you."

But some candidates are unfazed by the money gap. Kevin Bass, who announced last month as a Democratic candidate for governor, said he hasn't even started fundraising yet, and he said he's not worried.

"It's a marathon, not a race," he said.

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Offices open, Alabama's newest representative turns eye toward issues

Al.com

January 6, 2013

Alex Pappas

WASHINGTON -- Despite having only three weeks to prepare, Bradley Byrne says he is ready to be sworn in as south Alabama's new U.S. congressman on Wednesday.

"The holidays have been the biggest challenge because people take time off for Christmas and New Years," Byrne said in an interview about the transition, "but we've been getting the job done."

Byrne -- a former Republican state senator and two-year college chancellor from Montrose -- won the Dec. 17 special election to replace former U.S. Rep. Jo Bonner to represent Alabama's first congressional district in Congress.

Bonner, a Republican who lived in Mobile while in the House of Representatives, vacated the seat over the summer to take a job in Tuscaloosa with the University of Alabama System.

Since his election, Byrne says he has been busy hiring staff, opening up the district's congressional offices and getting ready for votes. But because he won a special election, Byrne had much less time for a transition than most incoming congressmen.

"We're had to do a transition in three weeks when you normally have two months," Byrne said.

Getting offices running again

Byrne hopped a plane to Washington the day after he defeated Democrat Burton LeFlore to officially re-open the first congressional district's offices on Capitol Hill and in Mobile.

Under the rules of the House, Bonner's staff was allowed to continue doing casework for constituents after he left office, but had to close all offices the day before the special election.

"So literally, at five o'clock p.m. on Dec. 16 they closed down all the offices," Byrne explained. "And then I had to -- as the Congressman-elect -- go through the process of officially re-opening each one."

Byrne said this process was completed Thursday with the re-opening of the Baldwin County office in Foley.

While the offices remained open before the special election, some staffers took new jobs after Bonner's resignation. That required Byrne to hire more people to get the offices back to being fully functional.

Asked about case work over the time period between Bonner's resignation and Byrne's election, he replied: "I don't think there's a big backlog, but there is a little bit of a backlog."

"This office has always had a history, going back to Jack Edwards, of being very, very good at constituent services," Byrne said, referring to the past congressman from the district, "and that hasn't let up any just because there wasn't a congressman there for a few months."

"But it's like anything else," he said. "When you don't have a congressman in place, and when you have attrition as they've had, you need to staff back up and restrengthen the office, and that's what we're doing."

Byrne said he has gotten advice and help with his transition from a variety of people.

"We've had a tremendous amount of help from everybody -- from Congressman Bonner, to his former staff, to the leadership in the House, the clerk's office, the sergeant-at-arms office," he said, "Everybody's been great."

Byrne said he still has several staff positions to fill. He hired former Bonner aide Matt Weinstein as legislative director but still has some key legislative and staff assistant positions open. He said he wanted to make sure that he "understood what my needs were going to be before I started hiring" those positions.

"All three offices - the Washington office, the Mobile office, the Baldwin County office -- are up and staffed and fully functioning," he said. "And so if anybody has a need -- from me or from the office -- they should just pick up the phone and call. We're there and ready to serve them."

Preparing for Capitol Hill

Once sworn in, Byrne will face a busy voting schedule. Congress is expected to soon take up an omnibus appropriations bill and the Obama administration is pushing Congress to vote to raise the debt limit. Some Republicans have suggested they will only raise the country's borrowing ability in return for concessions like spending cuts.

"I know that we Republicans want to get some concessions from the administration on spending as part of the debt ceiling bill," Byrne said.

"And I certainly agree with leadership on that. And hope that we will make a very strong effort in getting some concessions from the administration on further spending reductions."

Byrne said he's not yet sure which committees he'll be assigned to.

"The Steering Committee for the House will have to meet before I can be assigned committees. I'm hoping that that will be resolved over the next couple weeks and that I'll have my committee assignments by the middle of January."

Byrne said he's been focusing on a number of other issues throughout the transition period. He mentioned the need to preserve the contracts for the Austal ship yard, widening the Mobile ship channel and getting the ball moving on the Interstate 10 bridge project.

He has also been "talking to major players in the district who will have potential federal needs," including the University of South Alabama, the Alabama State Port Authority, the Mobile Airport Authority and various economic developers in the area.

Byrne is set to be sworn into office on Wednesday by House Speaker John Boehner. His family will join him.

"I'll be the only person sworn in that day, so it makes it pretty special," he said. "Of course it's special to us, no matter what. It's a real exciting time for my family. You know my family is a close group and everybody's real pumped up."

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Industry sources: Airbus outsold Boeing in 2013

Al.com

January 6, 2013

Kelli Dugan

MOBILE, Alabama – Airbus appears to have reclaimed bragging rights over archrival Boeing Co., but final figures will not be available until Jan. 13, Reuters reports.

Citing industry sources but no concrete figures, the Reuters report contends Airbus outperformed Boeing in both gross and net commercial airplane orders for 2013. Airbus officials declined comment ahead of the scheduled Jan. 13 news conference.

Construction on Airbus' first A320 final assembly line on U.S. soil began at Mobile Aeroplex in 2013. The \$600 million facility is slated to deliver its first Mobile-assembled aircraft in 2016, and employ 1,000 when it reaches full annual production of 40 to 50 aircraft by 2018.

Boeing confirmed early Monday it booked 1,355 net aircraft orders in 2013, delivering a total of 648 new jets during the year. Gross orders totaled 1,531.

While Airbus might yet win the heated competition for total orders, Boeing's 648 deliveries outpaced Airbus' 625, though the latter did exceed its 2013 delivery goal by five aircraft.

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Dave Martin: For three decades his camera connected Alabamians to each other and the world (Connecting Alabama)

Al.com

January 7, 2014

Chuck Dean

MONTGOMERY – Three decades ago I met Dave Martin in an old abandoned warehouse in Tuscumbia. He dropped in as I was surrounded by some Ku Klux Klan members pissed off I had followed them from a rally into the warehouse.

Lucky for me Martin had followed me following the guys in the white sheets.

As I remember it, the lead KKK redneck was screaming at me, saying really unkind things and threatening to beat the something out of me.

It was at that point that suddenly a series of bright flashes began sporadically lighting up the dark, dirty old room. Those flashes were from Martin's camera and they caused the Klan to flee for a nearby door, cussing and yelling all the way.

As I recall, the flashes had left me blurring-eyed but I remember the next words I heard.

"Like f...ing roaches, afraid of the light!"

AP-Photographer-Dave-Martin.JPG

In this Sunday, Dec. 29, 2013, photo, AP Photographer Dave Martin, center, works during the first half of an NFL football game between the Carolina Panthers and the Atlanta Falcons, in Atlanta. Martin, a longtime Associated Press photographer based in Montgomery, Ala., died after collapsing on the Georgia Dome field at the Chick-fil-A Bowl on Tuesday, Dec. 31, 2013.

It was Martin. We walked outside and I remember Martin had a grin and another pithy comment as he looked at what I'm sure was my ashen but unbruised face. "Damn! I thought maybe I'd get a shot of one of them knocking the s... out of you."

At that, we both started laughing.

I thought about that day New Year's morning when I awoke to the sad news Martin had died in the wee hours of the new year from an apparent heart attack. He had collapsed on the artificial surface of the Georgia Dome at the end of the Chick-fil-A Bowl game between Texas A&M and Duke. The place and cause of his death has struck me as ironic because there wasn't an artificial bone in Martin's body and up until Tuesday night, the man's heart had never failed him, not in his renowned work for the Associated Press over 30 years or in the way he treated people.

I chose to write about Martin – known to his friends (and he had many, many friends) as Mullet - - because he spent most of his professional life connecting so many of us not just in Alabama, but to others across the South, country and the world (a sampling above).

Somebody once said a picture is worth a thousand words. That's what Martin's photos did. They told stories of Alabamians, of Southerners, of Americans and sometimes of those outside this land through images that caught moments in ways words almost never can. He shot the famous, the infamous, the successful, the failed among us, along with terrible moments of disaster and wonderful moments of joy in a body of work ranging over three decades.

Friends who knew him far better than I have posted tributes to Martin on a Facebook page you should visit and browse to learn more about what kind of special human being this man was.

This story includes more examples of his work for the Associated Press.

Over the years I ran into Dave covering storms, politics, government and day-to-day events. Each meeting found him just like that first one all those years ago in that warehouse: a pro at his craft, a funny and irreverent guy who was deeply human in the best way we can be.

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Alabama family in Colorado using medical marijuana treatment getting visit from Birmingham

Al.com

January 6, 2013

Martin J. Reed

BIRMINGHAM, Alabama -- A Birmingham-area father who is asking state lawmakers to legalize a medical treatment derived from marijuana to treat severe seizures that could help his daughter and others is going to Colorado to visit an Alabama family that moved to use the substance for their child.

Dustin Chandler, a Pelham police officer who has been promoting the bill known as Carly's Law named in honor of the 2-year-old daughter he has with his wife, Amy, is traveling to Colorado this month to gain more information that could help lawmakers understand the issue.

Chandler plans to visit with Butch and Mandy Swann, who moved their family from Haleyville to a community near Colorado Springs so they can use the medicine known as CBD oil, or

cannabidiol, in an attempt to control their 14-year-old daughter's violent seizures that brain surgery and potent pharmaceuticals haven't affected.

"I'm really trying to put a personal side to this story," Chandler said. He wants "to give these kids and their parents some hope that they can help their kids" in Alabama.

"I want to let them know we're fighting for them here in Alabama and we're doing everything we can to move forward," he said.

The Swanns moved their family from Alabama in September to benefit from Colorado's medical marijuana laws and give their daughter the CBD oil, which comes from marijuana but does not produce the drug's intoxicating effects.

In one high-profile documented case in Colorado, a girl who suffered from hundreds of seizures in a week dropped to just a couple in a month after using the treatment.

"I've talked with the Swanns about the struggles they've gone through, and I want to personally meet them and try to get them back home," Chandler said.

"We're losing good, hardworking families to other states in the United States. It's not fair to these parents including myself to have to sit down one day and make a decision to quit your job that you've had for 15 years to go to another state and find another job," Chandler said.

He wants to be able to use the treatment for his daughter and others who may benefit from it in Alabama. "It's a fight for hope is what this is ... that there might be a better quality of life for their child and it might save their child's life," he said.

Chandler is working with state lawmakers to support Carly's Law that would provide the treatment to his daughter who has a rare genetic disorder called CDKL5 that causes violent seizures. He knows the treatment does not mean a guaranteed solution for his daughter or others, but he wants people in Alabama to be able to try it.

"It's a little glimmer of hope in an otherwise dark situation that parents yearn for, and unless you are in that position, it's going to be hard for people to understand," he said.

Chandler also plans to meet with the Realm of Caring non-profit organization that offers the marijuana-derived treatment. His trip will include visits with others concerning CDKL5.

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Federal judge rules Chicago's ban on gun sales unconstitutional

Al.com

January 7, 2014

Jonathan Grass

CHICAGO -- On Monday, a federal judge ruled that Chicago's ordinance prohibiting licensed gun stores from operating in the city is unconstitutional.

The Chicago Tribune reports U.S. District Judge Edmond Chang found the city failed to convince him the sale ban reduces gun violence.

The ruling also legalizes transferring gun ownership as a gift or through private sale if the recipient is at least 18 years old and has the proper gun owner's paperwork.

The rule does not go into effect immediately. The judge gave the city time to appeal.

Roderick Drew, a spokesman for the city's legal department, gave a written statement saying Mayor Rahm Emanuel "strongly disagrees" with the judge's decision.

"Every year Chicago police recover more illegal guns than officers in any city in the country, a factor of lax federal laws as well as lax laws in Illinois and surrounding states related to straw purchasing and the transfer of guns," the statement said. "We need stronger gun safety laws, not increased access to firearms within the city."

[Click here for the Chicago Tribune's complete story.](#)

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Report: 198,000 in Alabama eligible for Obamacare insurance subsidies

Al.com

January 6, 2013

Kim Chandler

MONTGOMERY, Alabama — Nearly 200,000 uninsured Alabamians are eligible for federal subsidies to help purchase insurance under the Affordable Care Act, according to a new report released today by the Kaiser Family Foundation.

The number represents 30 percent of Alabama's uninsured population.

But 25 percent of the state's uninsured population aren't eligible for the subsidies to help buy insurance. And another 29 percent, or 191,000 people, fall in the coverage gap because the state is not participating in an optional expansion of Medicaid.

"The ACA will help many currently uninsured Alabamians gain health coverage, but many who could have obtained financial assistance through the Medicaid expansion will remain outside its reach," the report stated.

"Further, the impact of the ACA will depend on take-up of coverage among the eligible uninsured, and outreach and enrollment efforts will be an important factor in determining how the law affects the uninsured rate in the state."

The Affordable Care Act provides subsidies to people, from 100 to 400 percent of the federal poverty level, to help purchase insurance.

The report estimated Alabama's uninsured population at 660,000.

However, only about 3,400 Alabamians signed up for insurance through the federal marketplace in the first two months.

Alabama had 2,824 people enroll in November and 624 in October.

Healthcare.gov, the federal enrollment portal, had a disastrous debut in October with frequent system crashes. Federal officials say many of the early issues have been resolved.

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Here's \$2.4 million Alabama won't be getting this week

Al.com

January 6, 2014

Alex Walsh

Unemployment insurance benefits for the long-term jobless have expired, a change that means millions for Alabama.

Long-term jobless benefits, also known as emergency unemployment compensation, were available throughout 2013 to Americans who had been out of work for at least half a year, and were still looking for a job.

The duration of those benefits varies from state to state, and can also change with varying unemployment rates. (When a state's unemployment rate goes down, it might trigger a decrease in long-term benefits, for example.)

Last Friday, the Alabama Department of Labor paid out 11,543 emergency unemployment compensation claims for the week of Dec. 28, representing slightly more than \$2.4 million federal dollars. Those claimants will not receive any benefits this Friday because emergency unemployment compensation has expired, due to federal law.

Despite being years removed from the bottoming out of America's economy, long-term joblessness remains one of the current job crisis' defining characteristics. More than 4 million Americans still looking for a job have been out of work for at least half a year, representing more than one-third of all unemployed, according to the latest data. Rarely before this most recent recession did that share ever climb above 20 percent.

In Alabama, about 30 percent of all unemployment benefit claims were paid to the long-term unemployed.

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Ala. first lady to celebrate state flower

The Associated Press

January 7, 2014

DOTHAN, Ala. (AP) — First Lady Dianne Bentley is scheduled to celebrate the state flower at the Dothan Botanical Gardens.

The governor's press office says Bentley is scheduled to celebrate Camellia Day with the Wiregrass Camellia Society at 10 a.m. on Tuesday.

The event is expected to feature discussions on the flower's history in the state and several other presentations.

Bentley is also scheduled to present a proclamation on behalf of the governor.

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For right, Common Core fight prelude to bigger agenda

Politico

January 7, 2014

National advocacy groups powered by the Koch brothers and other conservative megadonors have found a new cause ripe with political promise: the fight to bring down the Common Core academic standards.

The groups are stoking populist anger over the standards — then working to channel that energy into a bold campaign to undercut public schools, weaken teachers unions and push the federal government out of education policy.

The Common Core standards, which have been adopted in 45 states plus the District of Columbia, are meant to guide rich and rigorous instruction in math and language arts. They have substantial bipartisan support. But they have also drawn sharp bipartisan criticism as Big Government overreach.

(Also on POLITICO: Full education policy coverage)

What started as a ragtag opposition led by a handful of angry moms is now a sophisticated national movement supported by top donors and strategists on the right. Conservative groups say their involvement already has paid dividends in the form of new members and troves of email addresses.

But that's just the start.

A draft action plan by the advocacy group FreedomWorks lays out the effort as a series of stepping stones: First, mobilize to strike down the Common Core. Then push to expand school

choice by offering parents tax credits or vouchers to help pay tuition at private and religious schools. Next, rally the troops to abolish the U.S. Department of Education. Then it's on to eliminating teacher tenure.

“This is going to be a huge campaign,” said Whitney Neal, the group's director of grass-roots activism. She plans to kick it off within weeks with a series of videos that will “connect the dots” between killing Common Core and enacting other conservative priorities.

The campaign will build to a march on Washington this summer, perhaps in partnership with radio host Glenn Beck. “This is definitely an institutional priority for us in 2014,” she said. “We're putting a lot of time and resources into it.”

(Sign up for POLITICO's Morning Education tip sheet)

Americans for Prosperity, an advocacy group backed by the Koch brothers, is pressing similar themes in town hall meetings across the country.

A key battleground: Missouri, where conservatives are pushing to get measures promoting vouchers and ending teacher tenure on the fall ballot. Increasingly, the issues are being linked to Common Core. Concerned Women for America held a conference outside Kansas City, Mo., this weekend that opened with denunciations of Common Core and built to an address by state Sen. Ed Emery, a voucher proponent who has compared the current public education system with slavery because it traps students in government-run schools. Concerned Women, which is part of a Koch-backed network of conservative organizations, will hold additional seminars across the state this month.

The libertarian Show-Me Institute in St. Louis is also fighting Common Core — and sponsoring policy breakfasts in both St. Louis and Kansas City this month on the virtues of expanding school choice. Meanwhile, the institute's president, retired investment manager Rex Sinquefeld, has poured \$850,000 of his personal fortune into promoting the ballot measure to end tenure. Missouri will also host a two-day conference devoted to attacking Common Core at the end of the month.

(Also on POLITICO: Common Core problems inevitable?)

Supporters of the Common Core standards have plenty of resources to fight back. The Bill & Melinda Gates Foundation has spent \$170 million to develop and promote the standards. The Obama administration has pushed them hard. Big Labor and Big Business both back them.

Still, supporters have struggled to counter the critics. They have had trouble even understanding the contours of the smoldering opposition.

“We don't know who's funding the other side, and to what purpose,” said Michael Cohen, president of Achieve, a nonprofit that helped write the standards. “It's really murky.”

Such dark suspicions tickle Sean Fieler, the hedge fund manager who chairs the American Principles Project, another conservative think tank on the front lines of Common Core opposition.

“I wish the money stream were more murky here,” Fieler said. At least at APP, he said, “most of the funding is from me.” Fieler, a prominent social conservative who has spent big in the past to fight gay marriage, said he has directed his organization to spend \$500,000 organizing the Common Core opposition and connecting it to his think tank’s long-standing drive for school choice.

“The grass-roots support for this is stronger than for anything else we work on,” Fieler said. “This is an issue with great political promise.”

That same political calculation is evident in FreedomWorks’ draft plan for an Educational Freedom Campaign. Picking up the mantle of parental rights “casts a passionate and caring light on our activists — different from the image currently portrayed by media,” the draft states. The campaign also offers a rare chance to attract new members from outside the tea party — “especially minority communities.”

Already, the strategy is paying off. FreedomWorks started the year in contact with a few dozen stalwart foes of the standards; it now holds weekly strategy sessions with more than 200. “Common Core is bringing in people who are brand-new to activism. They’re coming out of the woodwork,” Neal said. “That’s huge for us.”

Americans for Prosperity’s state chapters also report membership growing because of the issue, even in states like Texas that have not adopted the standards.

“It’s been exhilarating” to watch momentum gather and allies come aboard, Fieler said. “I would characterize this as a tipping point.”

The opposition movement is even starting to draw in conservative Christian groups that in the past have mostly focused on promoting home schooling.

Parents who teach their children at home aren’t directly affected by the new standards but fear they will face pressure to follow them when most textbooks, not to mention the SAT, are aligned to Common Core. Homeschoolers also sense an opportunity to grow their ranks by fanning anger at the public education system.

The Home School Legal Defense Association is putting the finishing touches on a documentary painting the Common Core standards in ominous terms. FreedomProject Education, a Christian homeschool group affiliated with the John Birch Society, is promoting an hourlong video on the “threats to American liberty” posed by the standards. Even the evangelical group Focus on the Family has chimed in with a video that pivots from the perceived dangers of Common Core to the need to push for expanded school choice.

All of this has left supporters of the standards reeling.

“There’s no doubt it’s going to be a brutal legislative session,” said Michael Petrilli, executive vice president at the Thomas B. Fordham Institute.

Petrilli has spent the past year traveling from statehouse to statehouse, attempting to shore up support for Common Core. He expects to earn many more frequent-flier miles trying to keep the standards on track as protests mount, especially in wavering states such as Indiana, Alabama, Mississippi, Florida and Michigan.

The Common Core State Standards were written by nonprofit education advocacy groups with input from state associations and funding from the Gates Foundation. The Obama administration gave states financial and policy incentives to adopt the standards in 2010; most quickly did, often with little public debate.

In the past year, as the standards have begun rolling out in classrooms nationwide, the opposition has picked up steam.

Tea party activists angry about federal overreach have joined forces with liberals who object to the new standardized tests and worry that Common Core asks too much of some students and too little of others. Conservative organizations — including think tanks connected with the Koch brothers, such as the Cato Institute and Heritage Foundation — have dedicated the most resources to fighting the standards, but liberals have been highly active on social media and at public hearings.

And they’re not happy that conservative political strategists are seeking to harness the opposition to their own ends.

“I would be very concerned if opposition to Common Core became a vehicle to promote vouchers and charters,” said education historian Diane Ravitch, a prominent critic of the standards.

The politics of the debate are so tangled that education policy analyst Frederick Hess said he doubts groups like FreedomWorks would be able to mold the opposition into an effective lobbying force for bold goals like expanding vouchers.

“How do you take a whole bunch of disjointed criticism from left and right and use that to mobilize people for a policy agenda?” said Hess, of the conservative American Enterprise Institute.

But strategists leading the fight are convinced it will work.

The anti-Common Core movement so far has been about saying “no” to the standards, “but at some point soon, we’ll have to define what ‘yes’ is — and school choice is a perfect ‘yes’ for people to galvanize around,” said Jim Stergios, executive director of the Pioneer Institute, a conservative think tank.

Exhibit A: North Carolina, where the wealthy and influential conservative strategist Art Pope funds a think tank that has mobilized strident opposition to Common Core.

That think tank, Civitas Institute, also backed a successful drive in the Legislature last year to eliminate teacher tenure and enact a voucher program to pay private school tuition for low-income students. Lawmakers stipulated that voucher students will not have to take the same state tests as public school students — a huge win for Common Core foes, who want private schools to feel free to teach what they want, without pressure to prepare students for exams aligned to the new standards.

Bob Luebke, education policy analyst for Civitas, said the voucher bill may well have passed in North Carolina even without the Common Core fight stirring up parent demands for school choice. But his colleague Terry Stoops, who works on education for another Pope-funded advocacy organization, said linking the two issues is helpful and would likely give a boost to voucher legislation in other states.

In addition to Missouri, Tennessee and Kansas are likely battlegrounds.

In Kansas, a voucher bill failed to pass in 2012 — but Americans for Prosperity spent the fall holding town halls across the state, in part to prod anti-Common Core activists into pressing the issue anew in the coming months. “It’s one of our key talking points,” said Peggy Venable, AFP’s state policy adviser.

As they take up the fight against Common Core, conservative groups are injecting a dash of professionalism into a scrappy mom-and-pop campaign.

They have the money to fly prominent Common Core foes to testify before state legislatures and speak at public forums. They’ve helped rookie activists set up websites and recruit allies. They’ve drafted model legislation.

Their battle-tested political strategists have even drawn up game plans for key states — including how to secure meetings with key lawmakers and which talking points to stress.

“For a mom like me who has spent the last 14 years raising children, buying groceries and cleaning house, having those type of groups to ask questions of, ... it’s been invaluable,” said Debbie Higginbotham, a mother of six in Orange Park, Fla., who sees the standards as a federal power grab. “They’ve been a huge asset.”