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FULL TEXT

Alabama House committee approves \$5.9 billion education budget with no pay bonus, more money for health insurance

Al.com

March 12, 2014

Mike Cason

MONTGOMERY, Alabama --- More money would go to health insurance for education employees and employees would not get a 1 percent pay bonus under the latest version of the 2015 budget, approved today by a committee in the House of Representatives.

The \$5.9 billion budget, which spends slightly more on K-12 schools and universities than this year's budget, now goes to the House.

Rep. Bill Poole, R-Tuscaloosa, the committee chairman, said the \$48 million increase for the Public Employees' Health Insurance Program could help keep employees and retirees from having to pay a significant increase in costs.

PEEHIP faces a \$220 million shortfall next year.

The new version of the budget also restores \$10 million that was cut from Alabama State University's appropriation in the version of the budget passed by the Senate.

The Republican-dominated committee passed the budget by a vote of 10-4 after rejecting a number of amendments from Democrats.

Rep. Craig Ford, the House minority leader, proposed a 4 percent pay increase for education employees and retirees, but that was rejected.

Gov. Robert Bentley proposed a 2 percent raise for education employees and \$72 million in increased funding for PEEHIP. The governor has said he would veto the budget if it leaves those out.

Poole declined to speculate on whether the Legislature would override the governor's veto. The new version of the budget includes funding to hire about 400 additional middle school teachers, a priority for the Department of Education. The Senate budget had funding for about 200 new teachers.

Alabama has fewer teachers statewide, and more students, than it did before the recession.

The budget would spend:

-- \$3.8 billion on the K-12 Foundation Program, an increase of \$81 million, 2 percent more than this year.

-- \$334 million on the two-year college system, an increase of \$10 million, 3 percent more than this year.

-- \$1.04 billion on four-year universities, an increase of \$13 million, 1 percent more than this year.

The budget would increase funding for the state's voluntary pre-kindergarten program by \$10 million, to \$38 million. If approved, that would double the program's funding from 2013, when it was \$19 million.

Alabama's pre-k program has been recognized for its quality but has not been widely available because of the level of funding.

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Alabama committee approves education budget without teacher bonus

The Associated Press

March 12, 2014

Kim Chandler

MONTGOMERY | A House committee has voted to do away with a proposed bonus for education employees and instead put the money toward that group's health insurance costs.

The House Ways and Means Education Committee voted 10-4 Wednesday for the new version of the Education Trust Fund budget. The spending plan strips away a one-time 1 percent bonus approved by the Alabama Senate. Instead, an additional \$37.7 million, a little more than the cost of the bonus, would go toward the Public Education Employees' Health Insurance Plan.

Republicans said using the money to minimize increases in insurance costs would help both active and retired employees. However, a top Democrat on the committee called the budget a "travesty," saying teacher pay had been stagnant for too long.

Committee chairman Rep. Bill Poole, R-Tuscaloosa, said a pay raise does no good if the recipient has to pay all of it toward higher insurance premiums.

"We can stretch that dollar farther to help our education employees," Poole said.

House Minority Leader Craig Ford, D-Gadsden, said teachers have gone many years without raises while being asked to pay more for their health insurance and retirement benefits.

"Educators deserve a raise," Ford said. He argued lawmakers could find room somewhere in the \$5.9 billion budget for an increase.

The Alabama Legislature last spring approved a 2 percent cost-of-living raise for education employees, their first since October 2007.

Gov. Robert Bentley is seeking a 2 percent raise for education employees this year and has threatened to veto a budget that doesn't include both the raise and additional insurance funding.

Poole said the state could not afford both.

"I don't think we have those dollars available in our budget," Poole said.

Despite the threat, the governor has a relatively weak veto in Alabama. Lawmakers could override him if a majority of elected senators and representatives agree.

Poole said the budget should also allow for the hiring of about 400 new teachers at the middle school level.

"We are hiring more teachers under the House budget. That can't be lost in this," Poole said.

The House budget bill would also restore \$10 million that was cut from Alabama State University's budget. The university's president and supporters had lobbied for that money to be restored.

Rep. Patricia Todd, D-Montgomery, questioned several line items including an appropriation to a private military academy which has been in the budget for years.

"There are things in this education budget that do not belong there, and we all know it," Todd said.

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No teacher raises or bonus in House education bill

Montgomery Advertiser
March 13, 2014
Kala Kachmar

The House Ways and Means Education Committee passed a \$5.93 billion education budget Wednesday that doesn't include teacher pay raises or bonuses.

Instead, the money will be used to help fund health insurance for teachers and retirees.

The Education Trust Fund (ETF) budget also restores about \$10.4 million in funding for Alabama State University that the Senate's version cut and puts \$29.7 million new dollars into local school systems.

Rep. Bill Poole, chairman of the committee, said the primary focus of the budget is getting money into K-12 schools. The House version includes an additional \$8.7 million for school transportation, \$14.7 million for operations, \$5.7 million for textbooks and \$600,000 more for classroom supplies.

It also includes funding to hire 400 middle school teachers, which is 150 teachers more than what the Senate version included. State education officials at a public hearing last week said teachers are needed the most at the middle school level to prevent dropouts.

"I think you see ... a very efficient and a very responsible House budget," Poole said. "I'm very proud of it,"

Democrats at the committee meeting proposed amendments that would give teachers and retirees cost of living raises, but those votes failed along party lines.

House Minority Leader Craig Ford, D-Gadsden, recommended the 4 percent pay raise he proposed be taken from gross sales tax before it goes into the ETF, which would circumvent the 2011 Rolling Reserve Act that imposes a cap on spending. He said the governor and the Legislature are already going around the cap, so he doesn't see why the committee can't do the same to fund the raises.

In January, Gov. Robert Bentley's proposed budget included \$92 million outside the spending cap, but said he considers that funding source separate from the ETF and therefore not subject to the cap.

"The money is there," Ford said.

Bentley had proposed a 2 percent pay raise for education employees and more state funding to help them with insurance in his 2014-15 budget. He threatened to veto any budget that didn't include a pay raise for teachers and adequate funding for the Public Education Employees Health Insurance Program (PEEHIP) Board, which oversees benefits for teachers and retirees.

The House version also includes about \$48 million for PEEHIP, which will help close a \$220 million gap in funding the program.

The Senate's version of the budget included a one-time 1 percent pay bonus for teachers, but no raise. The bonus based on the average teacher's salary would be about \$480.

Poole said putting the money toward PEEHIP will go further than putting the money toward a pay raise or a bonus. The cost of a 1 percent pay raise for all education employees is about \$38 million.

"Legislators can vote with me and support our teachers across this state or they can vote against what I said, and vote against the teachers across this state," Bentley said. "That's their decision."

Bentley said Wednesday that he stands behind his "responsible" budget and that there is enough funding to give teachers a 2 percent pay raise.

Poole, however, said there wasn't enough money to give pay raises, fund PEEHIP and adequately fund classrooms.

"We're going to do everything we can to help employees. We want to put money into classrooms, and we want to have a sustainable budget that we can carry forward into future years as well."

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New 48-hour wait for abortions moves closer to becoming law in Alabama

Al.com

March 12, 2014

Mike Cason

MONTGOMERY, Alabama --- A bill to require women to wait 48 hours to undergo an abortion after receiving some state-mandated information moved a step closer to becoming the law in Alabama today.

The Senate Health Committee approved the bill after a public hearing.

The bill has already passed the House of Representatives.

Three other abortion bills that passed the House of Representatives have not received a first reading in the Senate and were not in position to be considered by the committee today. However, Sen. Greg Reed, R-Jasper, allowed speakers at today's public hearing to speak on all four bills. Reed said he expected the committee to vote on the other three bills next week.

HB489, by Rep. Ed Henry of Hartselle, would change from 24 hours to 48 hours the time a woman must wait for an abortion after receiving printed materials about adoption agencies, fetal development, methods and risks of abortion, alternatives to abortion and fathers' obligations.

A law already on the books, the Woman's Right to Know Act, requires doctors to provide that information before an abortion.

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Abortion rights advocates, opponents weigh in during public hearing before Alabama Senate committee

Al.com

March 12, 2014

Mike Cason

MONTGOMERY, Alabama ---- Five people spoke for and four people spoke against proposed new restrictions on abortions during a public hearing held today by the Alabama Senate Health Committee.

After the hearing, the committee approved a bill to require women to wait 48 hours to have an abortion after they receive printed materials about risks, adoption agencies, fetal development and fathers' obligations.

HB 489 by Rep. Ed Henry, R-Hartselle, would amend the Woman's Right to Know Act. The law now requires a 24-hour wait after a woman is given the state-mandated information.

It's one of four controversial abortion bills that have already passed the House of Representatives. Speakers today were allowed to comment on all four, although three were not ready for formal consideration by the Health Committee.

The legislation could become the latest abortion restrictions passed by Alabama's Republican-dominated Legislature, which last year approved a law that is now tied up in court.

At today's hearing, Hunter Mills, a freshman at Troy University, spoke for the 48-hour bill.

Mills said he was born to an unmarried teenager who chose adoption over abortion. Mills, 18, told the committee the adoption alternative is not emphasized enough in debate over abortion.

"All I can say is adoption, adoption, adoption," Mills said. "We don't hear it enough."

Pam Skaggs of Gulf Shores, a proponent of abortion rights, told the committee that before the Roe v. Wade decision legalized abortion, she knew friends who got beaten in the stomach or underwent coat-hanger abortions. But people with money were able to get abortions even when they were illegal, she said.

"Before Roe v. Wade it was horrible," Skaggs said. "I would hate to go back to that."

JoAnn Cummings of Decatur, an abortion rights advocate, recited statistics on poverty and hunger and said women have abortions because they know their economic limitations.

“Women choose to terminate their pregnancies because they can’t afford them,” Cummings said. “And they’ve been doing that for thousands of years.”

Cheryl Ciamarra of Alabama Citizens for Life took exception to that.

“Because you’re poor, you deserve a death sentence?” Ciamarra said. “To me, that is almost communistic in thinking.”

Susan Watson, executive director of the American Civil Liberties Union, said there is no value in requiring the 48-hour wait because women already think carefully before choosing abortion.

Watson said the 48-hour rule would be a tactic intended to bully women into changing their minds.

“It implies that women are stupid and that we need politicians to hold our hands and guide us,” Watson said.

The committee approved HB 489 with Sen. Billy Beasley, D-Clayton, casting the only vote against it.

Besides the 48-hour bill, the other three abortion bills that passed the House are:

-- HB 490, would prohibit abortions in cases where a fetal heartbeat is detected, which can occur as early as six or seven weeks.

-- HB 493, would require doctors to provide women with information about post-birth hospice services before aborting a fetus with a lethal anomaly, a defect reasonably certain to cause death within three months after birth.

-- HB 494, would tighten the law on minors receiving parental consent for an abortion.

The Health Committee chairman, Sen. Greg Reed, R-Jasper, said he expected the committee to vote on those bills next week.

Sen. Cam Ward, R-Alabaster, said he was opposed to abortion but was concerned about passing legislation certain to result in a federal court challenge.

“I don’t want to pass legislation that says we’re going to throw it out there to force the Supreme Court to give us a decision,” Ward said.

Eric Johnston, an attorney and member of the Alabama Pro Life Coalition, said that the fetal heartbeat bill is the only one of the four that has been blocked by a federal court after passing in another state.

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Summary of action in Alabama Legislature

The Associated Press

March 12, 2014

MONTGOMERY, Ala. (AP) — A summary of action in the Alabama Legislature on Wednesday, a committee day of the regular session:

— House Internal Affairs Committee approved an amended legislative reorganizational bill. Goes to House.

— House Ways and Means Education Committee approved a new version of the education budget that does not include a bonus for education employees. Goes to House.

— House State Government Committee approved a series of bills putting new restrictions and requirements on welfare recipients. Goes to House.

— House Commerce and Small Business Committee held a public hearing on a bill seeking an increase in the Alabama minimum wage.

— House Health Committee killed a bill restricting smoking in some businesses.

— Senate Health Committee approved a bill to extend the mandatory waiting period before an abortion from 24 to 48 hours. Goes to Senate.

— Senate Health Committee held a public hearing, but did not vote, on three other abortion restriction bills, including a bill to ban abortion once a fetal heartbeat is detected.

— Senate Health Committee approved a bill to allow trained volunteers who are school employees to administer insulin to students with diabetes. Goes to Senate.

— Senate Constitution and Elections Committee delayed action on proposed constitutional amendments that would rewrite four articles on the Alabama Constitution.

— Senate Education Committee approved a bill to let local school systems opt out of Common Core school standards. Goes to Senate.

AGENDA:

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

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Accountability Act changes approved by House committee

Montgomery Advertiser

March 12, 2014

Brian Lyman

Rep. Chad Fincher, R-Semmes, is sponsoring legislation that would make changes to the Alabama Accountability Act. / Alabama House of Representatives

The House Education Policy committee Wednesday approved several changes to the Alabama Accountability Act, the controversial 2013 bill allowing students in failing schools to claim tax credits for use toward private school tuition.

The legislation, sponsored by Rep. Chad Fincher, R-Semmes, lifts the individual tax credit cap on contributions made to scholarship granting organizations and moves the date for dispersal of leftover funds to nonfailing school students from September 15 to May 15.

An amendment offered by Rep. Terri Collins, R-Decatur and approved by the committee also changes the definition of failing schools. Currently under the law, a failing school is defined as one that is persistently low-performing under U.S. Department of Education guidelines, is designated as a failing school by the State Superintendent or has been listed in the lowest six percent of standardized assessment for three of the previous six years. Collins' amendment changes the last criteria to two out of the previous four years.

It was unclear what impact the failing school change would have on the state's failing schools list. The Alabama State Department of Education Wednesday said it needed time to study the change. Collins said after the meeting she believed the new definition would better reflect schools that are improving. The new definition would last until 2017, when a school grading system under development by the Department of Education would be implemented.

The lifting of the cap and the new date for the release of funds consumed most of the energy at the hearing on Fincher's bill. Currently, individuals who make donations to scholarship granting organizations (SGOs), aimed at helping qualifying students pay the cost of tuition, can deduct up to 50 percent of their contribution, to a maximum of \$7,500. Fincher's bill eliminates that cap.

The bill would keep the \$25 million aggregate cap on donations made out of the Education Trust Fund.

"I want to hit that \$25 million cap every single year," Fincher said. "If we hit the \$25 million cap, we can provide the most opportunity to families."

A number of speakers working for or benefitting from the Alabama Opportunities Scholarship Fund, an SGO founded by former Gov. Bob Riley and Tampa investor John Kirtley that has raised \$17.8 million, also spoke in favor of the bill. Daphne Wilson, whose household has received a scholarship from the fund, urged expansion of the program.

"Our children, my children deserve this opportunity, that's all," she said. "Do not allow public education to limp into the 21st century."

Supporters of the bill have acknowledged that the provision would most benefit the superwealthy. Susan Kennedy of the Alabama Education Association, which has sued the state multiple times over the law, said at the meeting that to have a state tax bill of more than \$7,500, a household would have to make over \$350,000, close to the top one percent of income earners

in the country. Kennedy said the law would simply make it easier for SGOs to get money from wealthier individuals.

“They can call really, really rich people and ask really, really rich people to give more so they don’t have to make more phone calls,” she said.

Gary Crum of Ellwood Christian Academy in Selma, one of the first schools to opt into the tax credit system, spoke in support of the bill. He said removing the individual cap would not affect the school, which has about 150 students on SGO scholarships, but that moving the release date would make it easier to accommodate new students.

“A lot of planning goes into the programming over the summer,” he said. “If you’ve got to wait until Sept. 15, when a school has already started, if you get another 100 kids, you have to get another 100 desks, another 100 sets of books, hire another 20 teachers – it’s a nightmare.”

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GOP-sponsored welfare bills continue march through Alabama Legislature

Al.com

March 12, 2014

Mike Cason

MONTGOMERY, Alabama --- Several Republican-sponsored bills that could affect welfare applicants and recipients moved closer to become law today in the Alabama Legislature today.

The House of Representatives' State Government committee approved the Senate bills today. They go to the House.

The committee approved a bill sponsored by a Democratic senator that would allow felony drug offenders who have served their time and met other obligations to receive food stamps if they are otherwise eligible.

The committee approved:

-- SB 63, would require drug tests for applicants for Temporary Assistance for Needy Families (TANF) who have a drug conviction in the last five years.

-- SB 87, would restrict the state from waiving requirements that some able-bodied food stamps recipients work at least 20 hours a week.

-- SB 114, would expand the law against fraudulently obtaining public benefits to cover more benefit programs.

-- SB 115, would require applicants for TANF to apply for three jobs before receiving TANF.

-- SB 116, would say that TANF money cannot be spent on alcohol, tobacco, lottery tickets, psychic hotlines or in strip clubs or tattoo parlors.

The committee approved the bills today on voice votes with no dissent.

Carol Gundlach of Alabama Arise, which advocates for low-income families, said that in general, the bills are carefully written to have little negative effect on most poor people who rely on benefit programs to get through tough times.

"This is going to allow them (legislators) to tell their constituents they are doing something about welfare fraud," Gundlach said. "But I don't think it's going to hurt your ordinary, law-abiding recipients."

The committee approved SB 303 by Sen. Linda Coleman, D-Birmingham. Coleman said it would allow those with a felony drug conviction to apply for food stamps after serving their time. They would have to complete court-ordered drug treatment programs and be meeting any requirements under probation.

Coleman said a current prohibition against drug felons receiving food stamps isn't fair because she said there is no such prohibition against those who commit violent offenses or some more serious crimes.

Coleman said the bill could reduce prison recidivism by helping people at a vulnerable time.

"This is another way of giving the person a hands-up when they are trying to re-balance their lives," Coleman said.

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Stone Brewing sides with Alabama's craft brewers, makes legislators' job more difficult

Al.com

March 12, 2014

Alex Walsh

The chief operating officer of Stone Brewing Co. has issued a statement in support of Alabama's local craft brewers, saying that any change to the state's alcohol laws should benefit smaller operations as well as large ones.

Stone, a major force in the American craft beer industry, is on Alabama's radar because it is planning to build a new brewing facility east of the Mississippi River. Its combined production, packaging, and distribution center could generate up to \$100 million in revenues by year four, the company projects.

But Alabama's current alcohol laws make it essentially ineligible for the new project. The San Diego brewer wants to pair its new facility up with a restaurant, but the state's alcoholic beverage industry is governed by a so-called three-tier system, which prevents brewers from operating their own retail shops.

To address the issue, Sen. Dick Brewbaker, R-Montgomery, and Rep. April Weaver, R-Alabaster, each filed a bill in their respective chambers last week that would have exempted Stone from the three-tier system. The bills would exempt brewers producing at least 25,000 barrels of beer a year from existing retail laws.

But that approach leaves out all the small craft breweries based in Alabama, and would essentially give an out-of-state transplant an advantage over locally-grown businesses.

Stone has not yet said whether it received an invitation to build from Alabama officials. But in a statement dated March 10 and printed on Stone letterhead, COO Pat Tiernan stood with Alabama's locally-based brewers.

"Stone Brewing Co. supports legislation that benefits all craft brewers," the statement said. The statement was distributed directly to members of the Economic Development and Tourism Committee in the Alabama House, and obtained by AL.com.

The committee had been scheduled to discuss the brewing bill at a Tuesday morning meeting, but that meeting was postponed. Rep. Alan Harper, the committee chair, explained that changing opinions on the Alcoholic Beverage Control Board had necessitated a delay.

"The ABC Board continues to re-evaluate their previous opinion on HB 581 relative to its potential impact on the three-tier system," Harper said in an email to AL.com.

As it stands, HB 581 remains on the economic development committee's agenda.

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As acquisition rumors swirl, Remington marches ahead with planned \$110M Huntsville firearms factory

Al.com

March 12, 2014

Steve Doyle

HUNTSVILLE, Alabama – Mayor Tommy Battle says Remington Outdoor Co. is moving full speed ahead with plans to produce firearms in Huntsville starting in 2015, despite a digital technology firm's possible attempt to acquire Remington.

Palm Beach, Fla.-based Global Digital Solutions announced Wednesday that it plans to submit a bid to purchase America's oldest gun manufacturer for \$1.08 billion in cash. Global Digital Solutions says buying Remington would help it take advantage of a growing market for so-called "smart guns" that can only be operated by an electronically-matched shooter.

Remington, which last month announced a \$110 million plan to turn the vacant former Chrysler electronics plant near Huntsville International Airport into its third U.S. firearms factory, is not acting like a company that may be changing hands, said Battle.

Tommy Battle Will Not Run For Governor

View full size

Huntsville Mayor Tommy Battle. (Eric Schultz / eschultz@al.com)

"I got a call yesterday that they want to change the power over," Battle told AL.com Wednesday. Director of Urban Development Shane Davis "has been meeting with them three, four, five days a week.

"They're hiring engineers here and are very engaged with the governor's office and the commerce director's office," he said.

According to the Grand View Outdoors website, Remington Outdoor CEO George Kollitides, in a memo to employees, called Global Digital Solutions' announcement a "publicity stunt from an agenda-driven group with no credible financing options." Grand View Outdoors says it obtained a copy of the memo. [Click here to read that story.](#)

Gov. Robert Bentley's office and the Huntsville-Madison County Chamber of Commerce said they have been assured by top Remington executives that the company is not in negotiations with Global Digital Solutions.

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Revision of Alabama Constitution stalls

The Associated Press

March 12, 2014

MONTGOMERY, Ala. (AP) — The Legislature's effort to rewrite the lengthy Alabama Constitution article by article has stalled

A Senate committee delayed action Wednesday on four proposed constitutional amendments that would rewrite four articles of the constitution. Committee members said the issue is over for now, with only seven meeting days remaining in the 2014 legislative session.

The chairman of the Senate Constitution and Elections Committee, Republican Sen. Bryan Taylor of Prattville, said the process of rewriting the constitution lost momentum after state Supreme Court Chief Justice Roy Moore and Justice Tom Parker issued advisory opinions earlier this month saying the article-by-article approach was unconstitutional.

Nancy Ekberg of Birmingham, communications chairman for Alabama Citizens for Constitutional Reform, agreed that the advisory opinions took the energy out of constitutional revision, but she said the group can try again next year with the new Legislature chosen in the November general election.

"No one should give up hope," she said.

The Alabama Constitution was written in 1901 and is the longest of any state, with more than 800 amendments. It can be changed in two ways. The Legislature can approve a change to one part and submit it to the voters for approval in a statewide referendum, or the whole document can be rewritten in a constitutional convention if the Legislature and Alabama voters approve that process.

When Republicans won control of the Legislature in 2010, the new GOP leadership made revision of the Constitution a priority. They wanted to delete portions that were outdated or negated by court rulings. They created a commission that includes public officials and others to recommend revisions to a few articles each year, with the goal of addressing 11 of the 18 articles in the constitution.

So far, the Legislature has rewritten the articles on banking and corporations, and voters have approved those changes.

In the 2014 session, the Republican leadership was trying to address a few more articles before the advisory opinion caused some legislators to have doubts.

Moore said putting out a few new provisions each year for voters to approve does not change the reality that the Legislature has undertaken a near total revision of the constitution through an in-house constitutional convention.

"By wresting the convention process from the people, the Legislature has unconstitutionally made itself the paramount mechanism of constitutional revisions," the chief justice wrote.

None of the other seven justices on the Supreme Court joined in Moore's or Parker's advisory opinions. Instead, they chose to remain silent.

Republican Sen. Paul Bussman of Cullman was among the committee members voting to delay consideration Wednesday. He said too many questions remained. "We've heard a lot about constitution reform and whether it's constitutional," he said.

The proposed constitutional amendments delayed by the committee would have affected the constitution's articles on impeachment of public officials, the legislative branch, the executive branch and homestead exemptions for property taxes. Some had minor technical revisions, but others, like the proposal for the legislative branch, would have made major changes from current practices.

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Beason's common core opt-out bill likely dead on arrival in Alabama Senate, top Republicans say

Al.com

March 12, 2014

Mike Cason

MONTGOMERY, Alabama -- Leading Alabama Republicans said today there just aren't enough votes in the Senate to bring to the floor proposed legislation that would allow local school systems to opt out of the controversial common core education standards.

Voting 4-2 today, the Senate Education Committee approved the bill by Sen. Scott Beason, R-Gardendale. Sen. Vivian Figures, D-Mobile, and Sen. Quinton Ross Jr., D-Montgomery, dissented.

[Related: Keep your hands off our common core standards, readers tell legislature (poll)]

Despite voting for the bill, Senate President Pro Tempore Del Marsh, R-Anniston, said he does not believe there are enough votes in the Senate to bring the matter to the floor.

That makes the committee decision largely symbolic, despite Beason offering it as a compromise from his earlier bill that would have repealed the common core entirely statewide.

[Related: State education board rescinds common core agreement, but remains committed to controversial standards]

"I don't see any more votes for this modified bill than the first bill," Marsh said after the meeting. "I mean it's the same situation, and I think Senator Beason sees that as well."

"The most common denominator that I see support for is the moratorium aspect of the bill of not expanding at this time until we see what this thing is doing. That I think has been handled in budget."

[Related: Education budget would block expansion of common core in Alabama schools]

According to Marsh, the best that common core detractors can hope for this year is that the moratorium on expanding the standards stays in place as the Education Trust Fund budget works its way through the Legislature.

Meanwhile, Committee Chairman Dick Brewbaker, R-Pike Road, made similar statements, agreeing there are not enough votes to push the bill through the Senate this year.

[Related: Business Council of Alabama president slams Beason's new common core bill as 'the very definition of government']

"It's clearly controversial, which means the only way to move it is with a cloture vote, so unless we get 22 people to vote for cloture there's just not a whole lot of point in bringing it forward," he said.

Brewbaker was a chief proponent of failed bills to repeal the common core during the 2013 legislative session. He remains opposed to the standards.

[Related: Is Alabama destined for the same common core misfire as New York?]

State Superintendent Tommy Bice, who has fought to save the common core standards for more than a year, said today he feels confident the common core will survive this year's legislative session.

"I trust the pro tem at his word. He's upheld his word throughout this process and so I feel good about where we are," he said.

[Related: State education board alters common core standards in response to criticism]

Beason was not immediately available for comment.

The common core refers to a set of national English and math standards developed through a multi-state initiative of the National Governors Association and the Council of Chief State School Officers.

Adopted by 45 states, the District of Columbia and four U.S. territories, they are intended to bring more rigor to American classrooms in response a 2004 study that showed 28 percent of high school graduates aren't prepared for college math or English.

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

But the standards have been under fire from Republicans and conservative groups since 2009 when the Obama administration announced that adopting the common core would be one of several requirements for states seeking federal Race to the Top Grants.

Critics have charged the standards are a federal overstep into state-run education and that the standards are an untested experiment similar to the failed Bush-era education reforms known as No Child Left Behind.

[Related: Is the common core reigniting Alabama's fight over textbook content? (graphic content warning)]

Unlike curriculum, which is decided at the local level in Alabama, education standards tell local school systems what knowledge students should master in each grade. How to teach those standards is still decided at the local level, state school officials say.

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Standards should NOT be optional in Alabama's public schools (Opinion from the Alabama Association of School Boards)

Al.com

March 13, 2014

By The latest attack on the Alabama College and Career Ready Standards, SB 443 by Sen. Scott Beason, is the most disingenuous to date. It uses the rallying cry of "local option" to divert

attention from the true impact of the bill: lowering standards for students, weakening accountability for parents and taxpayers, and stalling efforts to make our state nationally and internationally competitive.

SB 443, if passed, would be a train wreck to efforts to improve the system of public education in this state and derail our progress under the new nationally and internationally benchmarked standards. It would bypass the democratically elected state Board of Education by allowing every local school board to opt out of the Alabama College and Career Ready Standards for math and English language arts.

This local autonomy is illusionary. Local school boards exercising the so called “opt out” would be required to implement the standards last adopted by the state board which were not aligned to the “common core,” a set of voluntary academic standards developed by the states, National Governors Association and Council of Chief State School Officers. This means school boards would be forced to use 20th century standards. The bill would send Alabama back to math standards adopted in 2003 and English language arts standards adopted in 1999.

The only “option” the Legislature is giving school boards is to go back in time. Local control does not mean lower standards for students and never should. (It is somewhat ironic to note that Beason and others who have railed about the deficiencies of the standards now think it is acceptable for some boards to leave them in place.)

Local control is the mantra of school boards, but this is not local autonomy, far from it. School boards have not asked for the authority to set standards nor are we asking for it now. Alabama has a system of public education, not a collection of one-room schoolhouses. A system must have standards. In this system, it is the state board’s duty to set standards and local school boards’ duty to meet those standards. Imagine a football game where each team had its own set of rules for playing the game.

School boards want – need – autonomy to reach state standards. Local options are those made in selecting curriculum, determining staffing, allocating funding and adopting policy. Some of the same senators who now are advocates for local control previously dictated to school boards the calendar they must follow. That, incidentally, didn’t produce the results intended by lawmakers, nor will this overreach into the state board’s domain.

This ill-conceived legislation would completely dismantle the state testing and accountability systems adopted by the state board and replace them with a system that requires students NOT be tested on the materials currently being taught in every Alabama public school. Standards, assessments and accountability must be aligned in any functioning system.

The bill says students must be tested on the standards in effect before the ACCRS were adopted. Thus, Alabama educators would have to scrap all materials and lesson plans, if they wanted to have their lessons aligned with the new testing program this legislation would mandate; a new system even though the state hasn’t even fully phased in the current testing program. And, this “new” testing program must be based on standards set last century, according to the bill.

Any board that does not wish to dismantle its curriculum and go back in time will be penalized under Beason's plan. Test scores would decline because students are being tested on different standards than they are being taught. Paradoxically then, the very systems that stick with the more challenging ACCRS will not fare as well on the state accountability system or school report cards. Performing well on these indicators is critical for schools. State law soon will require report cards to be issued for all schools based on student test results, and under the Alabama Accountability Act, schools labeled as failing are subject to student transfer provisions based on this label.

Standards should not be an option, especially when it stretches the bounds of credibility to even call SB 443 an option for local boards or the legislation an option for the state Senate.

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Common Core compromise is dead, so what went wrong?

Yellowhammer News

March 12, 2014

Cliff Sims

Only days ago it appeared that Sen. Scott Beason, R-Gardendale, and Sen. Del Marsh, R-Anniston, had reached an agreement to end the Alabama Senate's showdown over Common Core State Standards.

Although the bill, SB443, was not the full repeal that many grassroots activists had pushed for, it would keep Common Core from expanding into new subjects and give local school boards the power to opt out all together. 12 senators co-sponsored the bill, including Beason and Marsh. The Business Council of Alabama and the state's education establishment continued to fight it, but momentum seemed to be on the bill's side.

However, all of that came to an abrupt halt today.

After helping SB443 pass out of the Senate Education Committee, Sen. Marsh and Sen. Dick Brewbaker said they had come to the realization that the bill did not have enough votes to pass out of the full senate.

"I don't see any more votes for this modified bill than the first bill," Marsh said. "I mean it's the same situation, and I think Senator Beason sees that as well."

"[T]he only way to move it is with a cloture vote, so unless we get 22 people to vote for cloture there's just not a whole lot of point in bringing it forward," added Brewbaker, who has long been one of the staunchest advocates for repeal.

So what went wrong?

When a Common Core compromise bill was first discussed, the idea was floated to actually bring two bills on the issue. One would create the moratorium on expanding Common Core to

new subjects, essentially giving the state a couple of years to study the success or failure of the standards. The second bill would give local school boards the option to opt out of the standards all together. Initial feedback from Senate Republicans was that there was broad support for the moratorium concept, but the opt-out made some senators uneasy.

But rather than moving forward with two separate bills, Sen. Beason decided to combine the two bills into one and try to rally the support to pass it. In the end, wide-ranging support for the opt-out provision did not materialize.

Multiple senators declined to comment on the record about what kept the opt-out provision from gaining enough support to pass, but one did agree to speak candidly on condition of anonymity.

“There are plenty of members of various conservative groups who have gained a lot of respect during this fight,” the senator said by phone. “They’ve done their homework. They’ve been respectful. They’ve stated their case. So when they come up here with issues in the future, they’ll get a fair shake. On the other hand, there are a very small number of people who have embarrassed themselves and the rest of us up here. They played out every stereotype al.com and the Common Core proponents wanted them to. Conservatives are going to be mad at legislators over this, and I’m frustrated about it to. But the truth is that we’re having trouble winning this issue because of a small number of people on our side — conservatives, tea partiers — who can’t come to the State House without showing their butt. People don’t want to hear that, but it’s the truth.”

Ann Eubank of the Rainy Day Patriots Tea Party group, who the aforementioned senator complimented for being “one of the hardest working, most well-spoken conservatives working on this issue,” said that they are disappointed with the bill not passing, but will continue pushing forward.

“We did everything we could do to show that we’re not going away,” Eubank told Yellowhammer. “We knew it was a long shot, but we will not give up. So now we switch focus to electing school board members. We’re going to take every option available to us to defeat Common Core.”

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Alabama House Health Committee kills bill to restrict smoking in workplaces

The Associated Press

March 12, 2014

MONTGOMERY, Alabama — Legislation to ban smoking in many Alabama businesses has died.

The bill by Democratic Sen. Vivian Davis Figures of Mobile failed in the House Health Committee 4-7 Wednesday.

The government relations director of the American Cancer Society's Cancer Action Network, Ginny Campbell, says she's glad the bill was killed because it was rewritten by the Senate last month to add too many exceptions.

The exceptions included bars, private clubs, retail tobacco outlets and electronic cigarettes. Campbell says all employees, including those in bars, deserve to breathe clean air. She says the organization will start over with another bill next year.

Figures has worked for 16 years to reduce the public's exposure to secondhand smoke. She started by getting smoking stopped in the Statehouse in Montgomery.

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Ala. state rep. named to national conservative group's 'Emerging Leaders' list

Yellowhammer News

March 12, 2014

Cliff Sims

GOPAC, a Washington, D.C.-based organization that prides itself on training up the conservative "farm team" around the country, today announced its 2014 Class of Emerging Leaders. Included on the prestigious list is Alabama State Rep. April Weaver, R-Alabaster.

The 21 members of the nationwide 2014 class were nominated by members of GOPAC's Legislative Leaders Advisory Board and selected because of the potential and ability they have shown to have an impact in their state and the Republican Party.

"Our Emerging Leaders program is a yearlong initiative to coach and develop promising state legislators on how to be effective legislative and political leaders," said GOPAC Chairman Frank Donatelli. "With the 2014 Class showing a strong commitment to ideas leading to more private sector jobs and more effective government at lower costs, we look forward to assisting them with leadership training, policy seminars and interactive discussions at our Annual Emerging Leaders Summit."

Rep. Weaver told Yellowhammer that she is excited to learn from her peers in other parts of the U.S. and to also share with them some of the things that have proven to be successful in Alabama.

"I am honored to be chosen as an Emerging Leader by GOPAC and I am excited to meet the rest of the class to share ideas and best practices that I can bring back to Alabama," Weaver said. "We have had tremendous success in creating jobs, growing the economy, and streamlining government and I look forward to sharing Alabama's success with the legislators in my class."

The full list of 2014 GOPAC Emerging Leaders is as follows:

- * Georgia State Senator Hunter Hill
- * Indiana State Senator Rod Bray

- * Kentucky State Senator Chris McDaniel
- * Ohio State Senator Troy Balderson
- * Oklahoma State Senator Kim David
- * Pennsylvania State Senator Rich Alloway
- * Tennessee State Senator Steve Dickerson
- * Texas State Senator Charles Schwertner
- * Alabama State Representative April Weaver
- * Colorado State Representative Dan Nordberg
- * Florida State Representative Jim Boyd
- * Illinois State Representative John Anthony
- * New Hampshire State Representative Glenn Cordelli
- * New Mexico State Representative David Gallegos
- * North Carolina State Representative Susan Martin
- * South Carolina State Representative Phyllis Henderson
- * Texas State Representative J.M. Lozano
- * Washington State Representative Hans Zeiger
- * West Virginia State Delegate Paul Espinosa
- * Wisconsin State Assemblywoman Mary Czaja
- * Wisconsin State Assemblyman Dale Kooyenga

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WalletHub ranks 4 Alabama cities among best places to start a new business (photos)

Al.com

March 12, 2014

Lucy Berry

Four of Alabama's largest municipalities are among WalletHub's best cities to start a business in the U.S.

WalletHub, a personal finance social network in Washington, D.C., released a report Tuesday naming the top cities for entrepreneurs in 2014. Mobile (No. 22), Montgomery (No. 23), Huntsville (No. 25) and Birmingham (No. 31) were the only Alabama cities featured in the ranking.

WalletHub looked at startup opportunities in the 150 most populous U.S. cities using 14 metrics, including access to financing, cost of office space, corporate taxes, labor pool availability, cost of living, average annual salary, length of an average workday and education.

The website also considered an area's entrepreneurial activity, five-year survival rate, number of businesses per capita, real estate affordability, industry variety and small business friendliness.

WalletHub's list of the top 10 best overall cities for entrepreneurs is:

1. Jacksonville, Fla.

2. Fayetteville, N.C.
3. Augusta, Ga.
4. Jackson, Miss.
5. Memphis, Tenn.
6. New Orleans
7. Tulsa, Okla.
8. Columbus, Ga.
9. Cape Coral, Fla.
10. Las Vegas

[Click here to see the full ranking and methodology.](#)

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Madison County pastor opens U.S. House of Representatives in prayer

Al.com

March 12, 2014

Paul Gattis

WASHINGTON - A Hazel Green pastor today served as chaplain at the U.S. House of Representatives as the guest of Rep. Mo Brooks.

Jason Parks, the lead pastor at Refuge Church, opened today's House session in prayer.

Parks serves on the ALS Association Patient Care Committee, Calhoun Community College EMS Advisory Board and as a faculty member at Huntsville Bible College.

"I appreciate the work he has done for our community and his passion for serving the people of North Alabama," Brooks said.

The text of Parks' prayer, according to Brooks' office:

"Let us pray. Father God, thank you for the rich blessings you have lavished upon the United States of America. We are so unworthy of your grace and your mercy. Today we pray for the men and women of the United States House of Representatives. Give them great wisdom, protection, and steadfast resolve.

"In their personal lives, we ask that you replace turmoil with peace, bitterness with joy, and doubt with encouragement.

"For our country Father, we ask that you give us a renewed sense of gratitude, an unquenchable zeal for serving those who are in need, and unity toward the common purpose of liberty.

"Above all else, Father, we honor you today. We humbly intercede on behalf of our country and her leaders. In Jesus' name, amen."

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Top legislative opponent to common core admits State Superintendent Tommy Bice has 'clearly improved Alabama's public schools'

Al.com

March 12, 2014

Evan Belanger

MONTGOMERY, Alabama -- State Superintendent of Education Tommy Bice has a little more job security today -- and perhaps a better relationship with a longtime antagonist.

During a Senate Education Committee meeting, Chairman Dick Brewbaker, R-Pike Road, quashed a bill to make Bice's job a statewide elected position.

[Related: Beason's common core opt-out bill likely dead on arrival in Alabama Senate, top republicans say]

Following the meeting, Brewbaker, one of the chief proponents for repealing the common core Alabama, admitted "nobody has had more public fights with Dr. Bice than I have."

[Related: Education budget would block expansion of common core in Alabama schools]

But he also had this to say about the bill and Bice's performance as head of the state's public K-12 school system:

"I think to subject him to an election, especially since we have an elected board and he works for them, doesn't make a lot of sense, because he has clearly improved Alabama public schools."

[Related: Keep your hands off our common core standards, readers tell legislature (poll)]

Proposed by Sen. Scott Beason, R-Gardendale, who is also pushing legislation that would let local school systems opt out of common core, the bill called for a constitutional amendment to make the superintendent's job an elected position.

Currently, the superintendent is appointed by -- and answers to -- the Alabama State Board of Education, which is elected by district.

Bice said after the meeting he was pleased by Brewbaker's decision.

"It was held over by the chair with the comment that he felt like I was doing an exceptional job even though we don't get along on every subject, so that means a lot for me coming from Dick Brewbaker, whom I respect," he said.

[Related: State education board rescinds common core agreement, but remains committed to controversial standards]

Brewbaker said he still disagrees with Bice on the issue of the common core, but he noted that Bice has taken steps on the standards to protect student data and get rid of objectionable books.

[Related: Is the common core reigniting Alabama's fight over textbook content? (graphic content warning)]

"Eventually, the state board did what we were trying to legislatively," he said, adding he is hopeful that will continue to keep the standards from expanding in Alabama.

The common core refers to a set of national English and math standards developed through a multi-state initiative of the National Governors Association and the Council of Chief State School Officers.

[Related: State education board alters common core standards in response to criticism]

Adopted by 45 states, the District of Columbia and four U.S. territories, they are intended to bring more rigor to American classrooms in response a 2004 study that showed 28 percent of high school graduates aren't prepared for college math or English.

[Related: State education board passes new data governance policy over objections of two board members and several concerned citizens]

But the standards have been under fire from Republicans and conservative groups since 2009 when the Obama administration announced that adopting the common core would be one of several requirements for states seeking federal Race to the Top Grants.

Critics have charged the standards are a federal overstep into state-run education and that the standards are an untested experiment similar to the failed Bush-era education reforms known as No Child Left Behind.

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

Unlike curriculum, which is decided at the local level in Alabama, education standards tell local school systems what knowledge students should master in each grade. How to teach those standards is still decided at the local level, state school officials say.

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Lawmakers take Carly's Law to next level, announce research partnership with UAB

Yellowhammer News

March 11, 2014

Cliff Sims

FIVE FACTS:

- An updated version of “Carly’s Law” would legalize the use of cannabidiol (CBD) to treat neurological and epileptic disorders and fund research at UAB.
- CBD is an oil derived from marijuana that has no ability to get anyone “high”
- CBD has proven to be an effective treatment to control epilepsy and other neurological disorders
- Carly’s Law does not in any way legalize marijuana, even for medicinal purposes
- Carly’s Law is garnering bi-partisan support in Alabama’s legislature

Supporters of Carly’s Law, a bill that would legalize a new treatment method for children with serious neurological and epileptic disorders, flooded the State House late last week in hopes of seeing their bill pass.

They were disappointed when it didn’t even come up for a vote, and some expressed concerns that, with only a handful of legislative days remaining in 2014, the legislature wouldn’t bring it up at all this year. What they didn’t know was that a small group of legislators was actually working behind the scenes to craft a bill that would far exceed their initial expectations.

House Speaker Mike Hubbard, R-Auburn, floated the idea of transforming Carly’s Law from a bill to simply legalize a treatment into a bonafide research issue in partnership with the University of Alabama at Birmingham. UAB and Hubbard’s colleagues in the legislature jumped at the idea and began crafting an updated version of the bill.

The sponsors of Carly’s Law announced the breakthrough development in a press conference at the Ala. State House on Tuesday.

Sen. Paul Sanford, R-Huntsville, and Reps. Mike Ball, R-Madison and Allen Farley, R-McCalla, said they have worked to develop a partnership with researchers in UAB’s Department of Neurology to study cannabidiol, or CBD oil. The treatment would be available through the University to individuals diagnosed with severe epilepsy and neurological disorders that lead to serious and life-threatening seizures. Lawmakers plan to fund the study through a \$1 million appropriation in the Education Trust Fund budget to UAB’s Department of Neurology.

David Standaert, M.D., chair of the Department of Neurology says UAB maintains a leading role in safeguarding the public health of the residents of Alabama through a special responsibility to provide access to cutting edge treatments and therapies that are not available elsewhere, and that UAB will continue to work in partnership with other neurologists across the state to provide the best possible medical care for all Alabamians.

“There is growing evidence from a number of scientific studies that cannabidiol is an effective treatment to control epilepsy and other neurological disorders that produce serious, debilitating, or life-threatening seizures,” Standaert said. “ In some cases, seizures can be controlled with other medications, and some patients are candidates for curative surgery, but there are still cases that are difficult to control by any existing therapy. UAB will undertake research into the mechanisms underlying cannabidiol to learn more about its function and effect on seizures. This research will be invaluable in the search for ways to prevent seizures, or minimize their effects.”

RELATED: This 3-year-old is doing the unthinkable: bringing the Ala. legislature together

Carley Chandler

Carley Chandler

In addition to establishing the medical study with the UAB Department of Neurology, the revised version of the bill establishes the Department as the only entity authorized to prescribe or treat individuals with epileptic conditions using CBD.

Additionally, the proposal prohibits the prosecution of an individual who has a debilitating epileptic condition, or the parent of a child who has a debilitating epileptic condition, for being in possession of CBD oil as long as the individual has an authorized prescription from UAB.

Sen. Sanford, the bill’s Senate sponsor, said the latest development will ensure much-needed access to the drug in a way that contributes to the long-term study of its effectiveness.

“I see this as a win-win for both those who desperately need a better way to treat debilitating seizures and the medical community who can gain valuable insight through further study of the drug,” Sanford said.

Rep. Ball, the bill’s House sponsor, emphasized the impact the strengthened bill will have on Alabama children.

“I’m proud to play even a small part in bringing relief and comfort to a group of Alabamians that can’t speak for themselves,” Ball said. “Regardless of whether this research helps one child or hundreds of children we are giving Alabama families a chance at a better future.”

“Families no longer have to travel long distances or worry about prosecution simply because they were trying to make things better for their children,” added Rep. Farley, a House co-sponsor . “Carly Chandler and the Chandler family have been an inspiration to all of us, and I’m honored to help carry this bill in the House.”

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Graphic material was not from common core textbook, but reading list

Al.com

March 12, 2014

Evan Belanger

MONTGOMERY, Alabama -- A conservative opponent of the Common Core State Standards Initiative said today graphic material she read to the Senate Education Committee on Tuesday did not come from a textbook.

Becky Gerritson of the Wetumpka Tea Party said she was referring to two different books when she read a passage from Toni Morrison's acclaimed novel "The Bluest Eye."

[Related: Is the common core reigniting Alabama's fight over textbook content? (graphic content warning)]

She was cut off by the committee when she attempted to read the graphic passage that referenced the incestuous rape of a young black girl.

She read the passage because the novel, which she called vile and inappropriate, was listed as an example of a common core book on Appendix B from the common core standards.

[Related: Beason's common core opt-out bill likely dead on arrival in Alabama Senate, top Republicans say]

The text did not come from The American Experience 1900 to Present, a Prentice Hall literature book labeled "Alabama Common Core Edition" and intended for 11th graders.

That textbook featured the author and the book though, promoting on a full page, she said.

[Related: Senate education committee poised to consider common core opt-out bill]

Of that book, Gerritson complained of bias, including the representation of Americans as bloodthirsty murders for using the atomic bomb on Japan during World War II and claims the founding fathers of America promoted slavery.

The state board of education repeal in January Appendix B from its standards, but Gerritson said that didn't matter because the same books and authors were ending up in Alabama classrooms.

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Alabama Senate approves bill changing Birmingham Water Works Board, effort moves to House

Al.com

March 11, 2014

Joseph D. Bryant

MONTGOMERY, Alabama -- A bill to expand the Birmingham Water Works Board and mandate new rules on pay, term limits and transparency passed the Alabama Senate this evening.

The bill from Sen. Jabo Waggoner, R-Vestavia Hills, was approved on a 20-9 vote with one abstention. The vote this evening came after hours of debate between Waggoner, and Sen.

Rodger Smitherman, D-Birmingham, and two tense votes to end debate and bring the issue up for a final vote.

Waggoner's bill would add three members to the utility's board with two from Jefferson County and one rotating members from surrounding Blount, St. Clair, Shelby and Walker Counties. Birmingham would remain in the majority with four board seats.

Other provisions include \$500 monthly cap of board pay, board term limits and mandatory public hearings before customer rate increases.

Waggoner and Sen. Rodger Smitherman, D--Birmingham stood on dueling sides of the issue as the main speakers for and against the legislation. Both made long speeches stressing their points, and to presumably allow time to count votes.

Waggoner described the teams of lobbyists the city of Birmingham and Water Works lobbyists deployed to kill his bill. Still, he said reforms were fair and preserves Birmingham's majority.

"They drew a line in the sand about 10-feet deep," Waggoner said. "They don't want anyone obviously to know what's going on. Why are they so opposed to having other people's minds, other people's eyes and ears and mouths to ask questions?"

Conversely, Smitherman said there was nothing to compromise on.

"I can't recall anything as egregious and extreme in the State Legislature," he said. "Why is there a fixation on taking away our system? How do you compromise with a thief, somebody trying to take your stuff?"

Smitherman noted the Water Works ranking in water quality and finances and discounted criticism of its operation.

"They must be doing something right," he said.

Waggoner said the issue has never been about water quality.

"This goes a lot deeper than good water," he said. "Yes we have good water. Now we need good management."

After losing the vote, Smitherman called the vote "an assault" on the people of Birmingham. He lashed out against Waggoner for his efforts to press the bill to a vote while other state issues remained on the table.

"But the precedent has been set, and remember, they came for us today and they'll come for you tomorrow," Smitherman said.

Conversely, Waggoner celebrated the win.

"It's a positive move; it's the right thing to do," Waggoner told AL.com after the vote. "We took advantage of the legislative process and we won."

Wagoner's bill could now be taken up in the House, where it would go through the same process. If the House version passes, then changes to the Water Works would become state law.

"The battle ground is now in the House," Waggoner said.

Waggoner Thursday plans to meet with the House Republican Caucus to seek support for this bill in the other chamber.

The Birmingham Water Works remained a dominant issue at the State House today including the Senate vote and a lively House committee hearing earlier.

Just before the Senate went into session, the House Judiciary Committee listened to opponents and proponents of another bill from State Rep. Paul DeMarco, R-Homewood, that reduces board member terms, sets term limits, caps board pay and requires public hearings before water rate increases.

"This legislation brings some much needed changes to the Birmingham Water Works Board," DeMarco said. "This bill has simple changes."

Speakers including members of the Blount County Commission, Water Works Board Chairman Jackie Robinson and General Manager Mac Underwood all took positions on the issue. Rep. Jim McClendon, who has a similar bill heading to the floor, also appeared in favor of the legislation.

DeMarco called his bill essential to remedying a longstanding "blemish" at the Water Works. DeMarco cited a critical Water Works-commissioned audit that listed pages of internal problems at the agency.

"This audit shows there are significant issues with the board itself," DeMarco said. "I'm hopeful with the passage of this legislation we can bring some common sense changes to the Water Works Board."

Underwood defended the utility against the report, saying that while some of the findings were legitimate, much of it was inflated. The Water Works paid \$100,000 for the report.

Michael Mason of Forensic CPAs was commissioned in 2012 by the Water Works Board after an overtime fraud scheme involving employees was reported in the distribution department.

"There are a minimal amount of issues in the audit that need to be addressed," Underwood said.

The hearing was back and forth at times, as DeMarco countered Water Works officials with questions to the contrary, asking Underwood why the utility objects to reforms such as public hearings before rate increases and representation for non-Birmingham residents.

Underwood said the utility already has open meetings, treats all customers fairly and even has a significant amount of employees and senior officials, including him, who live outside the city.

"Changing the law is not necessary because we already do that," Underwood said.

Underwood went further, saying at least 40 percent of customers live in Birmingham. Demarco says that means 60 percent live outside, which is justification for more representation.

Robinson said all current board members live in Jefferson County, so the largest customer base of the utility is already represented. The largest customer-base comes from non-Birmingham Jefferson County, while Birmingham remains the largest single municipal customer base.

Robinson also took the lectern in defense of the utility.

Robinson said he's tried to talk to DeMarco to find a non-legislative compromise, but he won't meet.

"I've been trying to meet with Rep. DeMarco for over two years to address his concerns," Robinson said. "If he were serious about the facts, he would sit down and discuss what the facts are."

Robinson presented two thick packets on the Water Works outlining the system's operations, efficiency and financial stability.

DeMarco and others then asked about board member pay at \$285 per meeting. Robinson said he made \$23,000 last year and asked officials to consider the size of the utility, the state's largest water system. In addition, Robinson said board pay has been reduced since his term.

DeMarco said the Water Works continues to deflect and not address his core concern and call for reform. If the issues are already being handled, then he questioned the opposition to the legislation.

"This is about power and money and we're either going to fix this now or we're going to continue to have this problem for years," DeMarco said. "This is just Exhibit A on why need these changes. They've hired numerous people to obstruct and try to kill this bill."

The most dramatic moment of the hearing occurred after the meeting when DeMarco and Robinson faced off one-on-one in an impromptu debate.

Robinson told DeMarco that they should sit and talk like men and to find some common ground. But there was little ground to be reached with both men remaining firm on the board expansion issue and pay caps.

After today's spirited exchange, the committee took no vote on the bill. DeMarco said a vote could come Thursday.

"I just heard more of the same, which is status quo from the Water Board," DeMarco told AL.com after the hearing. "People who are served by the Water Board are tired of the status quo."

Robinson told AL.com that outside counties including Blount, who seek a seat on the board, failed to note that Water Works assets, including Inland Lake, are owned and maintained by the utility.

Blount County Commission Chairman Chris Green mentioned Inland Lake in his comments. In addition, another bill from David Standridge, R-Blount County, would charge the Water Works a fee for using water from outside Jefferson County.

"That's a man-made lake in Blount County and we've maintained all the assets," Robinson said. "Nowhere in America does anybody pay for rainwater that falls on their property."

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Alabama Senate approves Carly's Law, authorizes study of marijuana-derived oil to treat epilepsy

Al.com

March 11, 2014

Mike Cason

MONTGOMERY, Alabama --- The Alabama Senate has approved a bill to authorize the University of Alabama at Birmingham to study the use of a marijuana-derived oil to treat seizure disorders.

The vote was 34-0.

The bill, named Carly's Law in honor of 3-year-old Carly Chandler of Birmingham, whose family has fought for the law, now moves to the House.

The bill passed today is a new version of legislation pushed at the State House for weeks.

Lawmakers supporting it said the decision by UAB to study the use of cannabidiol was a breakthrough. Under the new legislation, UAB's Department of Neurology would be the only entity authorized to prescribe cannabidiol to treat people with epileptic and neurological conditions.

The plan also calls for lawmakers to seek \$1 million from the Education Trust Fund to help pay for the study.

Sen. Paul Sanford, R-Huntsville, the bill's sponsor, said there are two FDA-approved studies in other states but that Alabama residents are not allowed to participate under current law.

The bill, SB 174, now moves to the House, where it is sponsored by Reps. Mike Ball of Madison and Allen Farley of McCalla.

The Chandler family posed for pictures with Sanford after the vote.

Amy Chandler, Carly's mother, said she was elated. She said news of the UAB study came quickly after the disappointment of last Thursday, when the Senate adjourned for the week without taking up the bill.

"We prayed that something good was going to come out of that," Chandler said.

She said moving to another state where cannabidiol was available would have been a last resort.

"Now we're just thankful that we get to stay in Alabama," she said.

Sanford said he did not know how quickly the study would begin if the bill passes the House.

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Prattville mother eager to see if marijuana-derived oil could help her 2-year-old son

Al.com

March 11, 2014

Mike Cason

MONTGOMERY, Alabama --- Robin Pass of Prattville said she'll do whatever she can to give her son a chance to participate in a planned UAB study on the use of a marijuana-derived oil to treat seizure and neurological disorders.

Pass was at the Alabama State House today when lawmakers announced plans for the study. Gabriel, 2, slept soundly in her arms.

Pass said Gabriel suffered a traumatic brain injury before birth and as a result has cerebral palsy and intractable epilepsy.

She said Gabriel takes four seizure medications that have numbing side effects.

"They keep a 2-year-old from being a 2-year-old," Pass said. "They keep him from wanting to learn and wanting to be awake."

Pass wants Gabriel to be able to try cannabidiol, which has shown promise in treating some seizure disorders, according to Dr. David Standaert, chair of the UAB Department of Neurology.

Pass and other parents and relatives of children who might benefit from cannabidiol have been coming to the State House in the last few weeks to support legislation that would allow use of the drug.

Lawmakers sponsoring that legislation announced plans for the UAB study today. The Senate is expected to consider a bill to authorize the study today, and lawmakers said they will seek \$1 million from the Education Trust Fund to help pay for it.

The study would make the treatment available to some diagnosed with severe epilepsy and neurological disorders that lead to serious and life-threatening seizures. The legislation would establish UAB's Department of Neurology as the only entity authorized to prescribe cannabidiol to treat people with epileptic conditions.

"It's kind of their doorway of hope to provide relief for their families," said Sen. Paul Samford, R-Huntsville, the bill's sponsor.

Pass and her husband, Frank, adopted Gabriel last year. She said Frank was on a mission trip to Haiti this week. Pass is hopeful that cannabidiol can help stop Gabriel's seizures, increase his appetite, decrease nausea and repair some of the damage from the seizures.

"He's not learning like a 2-year-old should be," she said.

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Alabama House committee resets, approves revolving door ban

Al.com

March 11, 2014

Mike Cason

MONTGOMERY, Alabama -- An Alabama House committee today approved a substitute bill that would ban lawmakers from serving as lobbyists for at least two years after leaving office.

The so-called "revolving door ban" would set a two-year clock at the end of a lawmaker's term before he or she could lobby the Alabama Legislature. Lawmakers who leave office early would have to wait until the end of their term before the two-year period would begin.

The substitute replaces a heavily amended bill by Sen. Pro Tem Del Marsh and mostly restores to the bill to how Marsh had designed it.

Early in the session, Senate Democrats amended the revolving door ban to include a wide-swath of reforms that some lawmakers said were too restrictive to be practical.

Those other reforms included banning the family members of elected officials from working for companies that do business with the state or working for a state board or agency.

The revolving door ban now goes to the Alabama House for consideration.

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UAB plans to conduct research study on use of marijuana-derived oil

Al.com

March 11, 2014

Mike Cason

MONTGOMERY, Alabama ---The University of Alabama at Birmingham plans to conduct research on the use of a marijuana-derived oil to treat seizure disorders, state lawmakers announced today.

The study was reported today as a breakthrough by three state legislators who have worked to pass bills to allow use of cannabidiol, or CBD oil, by some families whose children suffer from treatment-resistant epilepsy.

Dr. David Standaert, chair of UAB's Department of Neurology, said UAB has a responsibility to provide access to cutting edge treatments for Alabama residents that are not available elsewhere.

"There is growing evidence from a number of scientific studies that cannabidiol is an effective treatment to control epilepsy and other neurological disorders that produce serious, debilitating or life-threatening seizures," Standaert said.

The Alabama Senate is expected to consider a new bill today that would authorize UAB to conduct the study. The legislation is needed for the study to proceed, said the bill's sponsor, Sen. Paul Sanford, R-Huntsville.

Sanford said the plan includes seeking \$1 million from the Education Trust Fund to help fund the study. Reps. Mike Ball of Madison and Allen Farley of McCalla will sponsor the bill in the House.

Some families whose children suffer from treatment-resistant epilepsy have been making trips to the Alabama State House in support of legislation that would allow use of the cannabidiol and some were on hand for today's announcement.

The legislation has been named Carly's Law after Carly Chandler, 3, of Birmingham, who suffers from uncontrollable seizures caused by a genetic disorder called CDKL5.

Carly's father, Dustin Chandler, was at the State House for the announcement today.

"There's a tremendous amount of people that can be helped by this," Chandler said.

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Bill backs daylight saving time all the time

Montgomery Advertiser

March 12, 2014

Kala Kachmar

Rep. Greg Wren, R-Montgomery, has proposed a bill that would keep Alabama on Central Daylight Time indefinitely instead of changing the clock every March and November.

“People are tired of springing forward and falling back,” Wren said. “A lot of it is simply the fact that it’s an archaic standard.”

Wren said he thinks Alabama would be a trendsetter in the region if such a bill were passed, although it would put Alabama an hour ahead of other states observing Central Standard Time for about four months every winter. During those months, the time in Alabama would be same as states in Eastern Standard Time zones.

Daylight saving time has been in use throughout most of the United States since World War I, when it was instituted to save fuel and energy. The only states that don’t currently observe daylight saving time are Hawaii and Arizona.

In 1966, President Lyndon B. Johnson passed the Uniform Time Act of 1966, which said that daylight saving time would start on the last Sunday of April and end on the last Sunday of October. But states then were, and still are, able to opt out by passing a local law.

The federal law about when daylight saving time is observed has changed several times since then. The most recent change, in 2007, declared daylight saving time begins at 2 a.m. each second Sunday in March and ends at 2 a.m. the first Sunday in November.

“I can’t find a single reason why we still do it,” Wren said.

He said during the winter months, when it gets dark at about 4:30 p.m., children are riding school buses home in the dark. He said it doesn’t make sense for agriculture or energy savings anymore.

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Selma's Edmund Pettus Bridge designated national landmark

Montgomery Advertiser

March 11, 2014

Alvin Benn

SELMA — Mayors of three historic Alabama cities met Monday to help designate the Edmund Pettus Bridge — the scene of a violent assault by state troopers on peaceful marchers in 1965 — as a national landmark.

The federal honor capped a picture-perfect weekend for Selma which welcomed thousands of visitors from around the country for the 49th annual Bridge Crossing Jubilee.

Selma Mayor George Evans was joined by Mayors Todd Strange of Montgomery and William Bell of Birmingham at the unveiling of a plaque explaining the significance of the bridge where the assault — known as “Bloody Sunday” — occurred.

The ceremony was held at a small park just below the Alabama River bridge where cars and trucks rumbled overhead, at times drowning out the speakers.

National Park Service Director Jon Jarvis noted that the Edmund Pettus Bridge — built in 1940 and named for a former Confederate general and future U.S. Senator — was not much more than a “little-known” river crossing in the American South — until March 7, 1965.

That was the day a large contingent of Alabama State Troopers, under orders from then-Gov. George Wallace to stop the marchers, set upon 600 black activists who were marching to Montgomery to protest for easier access to ballot boxes around Alabama.

It was a violent assault on defenseless men, women and children who were scattered by tear gas, clubs and horses ridden by the Dallas County sheriff’s posse under the direction of segregationist sheriff Jim Clark.

Millions of Americans watching film of the assault that night on television were horrified and angered. That disgust was later transformed by Congress into passage of the Voting Rights Act of 1965.

In his remarks, Jarvis said the peaceful protest that had been scattered by law enforcement officers became “a watershed event in the civil rights movement.”

“The violence of ‘Bloody Sunday’ did not stop the marchers from their ultimate destination,” Jarvis said. “In fact, it sped the country toward one of the most important pieces of civil laws ever passed by the U.S. Congress.”

Federal court orders issued by U.S. District Judge Frank Johnson allowed the march to continue two weeks later and Wallace watched from an office window as 25,000 marchers jubilantly walked up Dexter Avenue to hear the Rev. Martin Luther King Jr. deliver one of his most famous speeches.

Part of the federal government’s actions included creation of the Selma-to-Montgomery Historic Trail which has been taking shape with interpretive centers, sites where rest stops existed along the 1965 march route and other features.

Jarvis said his agency is “proud to honor the courage and conviction that was displayed here that spring day in 1965 that changed the civil rights movement and the nation as a whole.”

He said the bridge which was built in 1940 now carries “some of the same echoes you can hear at places like the Lincoln Memorial and Independence Hall.”

Officials indicated that the National Historic Landmark designation can now be used as a vehicle to secure federal funds for much needed projects in Selma.

The ceremony also included comments from U.S. Rep. Terri Sewell who grew up in Selma, but now lives in Birmingham where she represents the sprawling 7th Congressional District.

Sewell and other district officials are now looking ahead to the golden anniversary next year of “Bloody Sunday” and the subsequent successful march two weeks later.

“Selma has a lot of burdens on it and I know the whole world will be watching when we embark on the 50th anniversary of the Selma to Montgomery March,” she said.

Sewell said the conclusion of the march half a century ago “Not only changed the face of Selma, it also changed the face of America and led to an international human rights movement.”

She acknowledged that her hometown has had a “painful past,” but said from that pain has been “glorious progress.”

Strange said Alabama’s Capital City is preparing to spend “close to \$10 million” to spruce up Dexter Avenue to welcome marchers who will re-enact the weeklong, 54-mile-long trek from Selma in 1965.

He also said once the magic 50th anniversary march ends next year, “it’s going to be forever” and then came up with a slogan he hopes will be used to describe the changing face of Montgomery, Selma, Birmingham and the rest of Alabama.

He dubbed it: “The Dream Marches on” and added: “History was indeed made, but history is yet to be made.”

Alabama Transportation Director John Cooper noted that history is something that tends to be studied, but also pointed out that: “It’s much more difficult to know when you are living history.”

Cooper indicated that while Selma has discovered it’s “terribly difficult to live history” at times, “it’s also terribly monumental that people did it.”

“We have many history makers among us today,” he said, looking over at the large crowd that included several who took part in the voting rights protests of 1965.

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Ken Hare In Depth: Governor's tweeted budget threat rings hollow

WSFA

March 11, 2014

MONTGOMERY, AL (WSFA) -

If Alabama governors threaten to veto something the Legislature appears ready to pass, they run the risk of having such promises appear to be hollow threats. That's because the governors of Alabama have such weak veto power that such actions easily could be overridden by legislators.

But when a governor issues that veto threat by just "tweeting" it, it rings even more hollow.

Last week sentiment appeared to be building in the Legislature to adopt a budget that does not include the 2 percent pay increase for teachers that Gov. Robert Bentley supports. That prompted Bentley to tweet: "If the Legislature doesn't include my 2% pay raise for teachers & full funding for PEEHIP, I'll send the budget back w/ an Exec. Amendment."

When asked to expand on the Twitter comment, the governor office said the tweet would be its official statement.

[READ: Lawmakers brush off Gov. Bentley's veto threat 3/7/14]

That, quite frankly, isn't likely to work. It raises the question of whether Bentley is serious about his pay increase proposal or just simply trying to make points with educators prior to the coming elections.

Alabama governors have a remarkably weak veto power, except for bills passed at the very end of a session. That's because lawmakers can override a veto by a governor simply by a majority vote. Since they need a majority vote in each legislative chamber to pass a bill in the first place, it usually isn't very difficult to get a simple majority to override a veto.

As a writer who is partial to Shakespearean allusions, it is tempting to turn to Macbeth and write that veto threats by Alabama governors are "full of sound and fury, signifying nothing."

But that's not completely true. There are times when a veto by a governor can be effective.

Consider, for instance, when the Legislature several years ago passed a bill increasing its pay by more than 60 percent in one fell swoop (to use another phrase from Macbeth). Legislators did so by an unrecorded voice vote.

That prompted then-governor Bob Riley to veto the pay raise bill. His veto still was overridden by legislators, but that required a recorded vote. So while the pay raise passed, at least Riley was able to use his veto effectively to put individual legislators on the record as supporting the increase. And some observers believe that the legislators' vote for such a large pay increase caused many of them to lose their next re-election effort, and that helped to speed the shift from a Democrat-dominated to a Republican-dominated legislature in the state.

Other governors have vetoed bills, then used their bully pulpit to campaign to persuade the public to pressure their legislators to sustain those vetoes.

But by simply tweeting his threat, and not following up with press conferences or public appearances or speeches to underscore that threat, Bentley leaves the impression that he is not serious about it.

Maybe he'll change a few minds among legislators, but it doesn't look like it as of this writing.

For instance, House Speaker Mike Hubbard told the news media that he is concerned that the governor's pay and educator health insurance proposals could put next year's budget into proration if approved.

Senate President Pro Tem Del Marsh of Anniston was quoted as saying, "I'm not going to be a budget buster. Unless you want to mess up the Rolling Reserve Act, there's no way for us to do what the governor is asking us to do."

The Senate approved a budget last week that provides no additional funding for teacher health insurance and replaces Bentley's proposed 2 percent pay increase with a one-time bonus of 1 percent.

But now even that looks iffy. The Associated Press reports that House education budget committee chairman Bill Poole of Tuscaloosa said he will introduce a substitute budget proposal this week that eliminates the 1 percent pay bonus for education employees approved by the Senate and instead shift that money to the health insurance program for educators. Poole told the AP that a 1 percent bonus wouldn't help educators if they have to use it to pay higher health insurance premiums.

So stay tuned to see if Bentley's budget veto threat will work. But my guess is that it's going to take a lot more than just a tweet for it to have much effect.

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Bill for marijuana derivative expands into study

Times Daily

March 11, 2014

Mary Sell

MONTGOMERY — Three police officers are among advocates who appear to be moving closer to achieving what initially was a political long shot: legalizing the use of a marijuana derivative in an election year when Alabama legislators are concerned about the implications of every vote.

On Tuesday, three legislators unveiled a new version of their bill to allow the use of cannabidiol, or CBD oil, to treat severe epileptic seizures.

The new version, backed by key legislative leaders, would provide the oil through a \$1 million appropriation to the Department of Neurology at the University of Alabama at Birmingham for a research study. The bill breezed through the Senate 34-0 Tuesday night and now goes to the House for consideration, possibly as early as next week.

"This provides a good, safe way to go about getting our children some help," said Dustin Chandler, a Pelham police officer whose 3-year-old daughter, Carly, suffers from frequent epileptic seizures.

Chandler worked on the legislation with Republican Rep. Mike Ball, a retired state trooper from Madison; Republican Rep. Allen Farley, a retired assistant sheriff from Jefferson County; and Republican Sen. Paul Sanford, a barbecue restaurant owner from Huntsville.

"I think of our team as three cops and a barbecue guy," Ball said.

"It's the most unlikely group you'll ever find to carry a bill to do with marijuana," Farley added.

The legislators said they began the session thinking there was no way colleagues would vote for anything connected to marijuana during an election year when the issue might be used against them by an opponent. They figured they would raise the idea this year and then push it again in 2015 after the election. But they said their law-enforcement background encouraged other legislators to take a second look, and then families with children with severe epilepsy began repeatedly visiting the Legislature to work for the bill's passage.

They started out with a bill that would give legal protection to families that used the marijuana derivative, which is currently illegal in Alabama. Then House Speaker Mike Hubbard, R-Auburn, reached out to UAB to get the medical center involved and make sure the program had safeguards. Proponents also promised a \$1 million appropriation through the state education budget. That resulted in the new version of the bill Tuesday that is backed by legislative leaders.

The bill limits the research project and use of CBD oil to five years, when the Legislature will have to evaluate whether to continue it.

A group of families were at the Statehouse on Tuesday for the passage of the bill. Kari and Jeremiah Forsyth, of Athens, brought their daughter, Chesney, who will be 9 next month.

Chesney was born more than three months premature and has cerebral palsy. At one point, she was experiencing 1,000 seizures a day; the fluttering in her eyelids could be seen about every 15 seconds. With the medication she now receives twice a day, those seizures happen about every 30 seconds. Two years ago, she had brain surgery.

Her parents hope lawmakers will make the oil legal. They have a friend in Colorado with a condition similar to Chesney's; with the oil, she hasn't had a seizure in 28 days.

"It might not help, but at least we can try," Kari Forsyth said. "We've tried everything, we've tried every medicine. Brain surgery was the last resort, and we tried that."

Sen. Roger Bedford, D-Russellville, was one of several lawmakers on both sides of the aisle to speak in favor of the bill.

"It is politically courageous in a state as conservative as Alabama," Bedford said. "We're not legalizing marijuana; we're not legalizing any drugs ... what we're doing is giving another option, through proper study."

Southern Baptist minister Joe Godfrey, executive director of the church-based Alabama Citizen Action Program, said the group likes the new bill because it doesn't open the door to wider marijuana use.

Senate Majority Leader Jabo Waggoner, R-Vestavia, predicted the bill will sail through the Legislature.

"I believe in this bill," he said.

The chairman of the neurology department at UAB, Dr. David Standaert, said UAB's research will focus on ways to prevent seizures.

"There is growing evidence from a number of scientific studies that cannabidiol is an effective treatment to control epilepsy and other neurological disorders that produce serious, debilitating, or life-threatening seizures," he said.

Sherry Gibbs, of Madison, who has been at the Statehouse repeatedly with her 19-month-old granddaughter, Charlotte Dalton, said the bill gives her hope of celebrating the normal things in life, like a daily bath.

"We couldn't even give her a bath without a seizure," she said.

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Marijuana derivative may get state OK for medical use

The Associated Press

March 11, 2014

MONTGOMERY, Ala. (AP) — Three police officers are among advocates who appear to be moving closer to achieving what initially was a political longshot: legalizing the use of a marijuana derivative in an election year when Alabama legislators are concerned about the implications of every vote.

On Tuesday, three legislators unveiled a new version of their bill to allow the use of cannabidiol, or CBD oil, to treat severe epileptic seizures. The new version, backed by key legislative leaders, would provide the oil through a \$1 million appropriation to the Department of Neurology at the University of Alabama at Birmingham for a research study. The bill was on the Senate's work agenda for consideration later Tuesday. If passed by the Senate, it goes to the House for a vote.

"This provides a good, safe way to go about getting our children some help," said Dustin Chandler, a Pelham police officer whose 3-year-old daughter Carly suffers from frequent epileptic seizures.

The police officer worked on the legislation with Republican Rep. Mike Ball, a retired state trooper from Madison; Republican Rep. Allen Farley, a retired assistant sheriff from Jefferson County; and Republican Sen. Paul Sanford, a barbecue restaurant owner from Huntsville.

"I think of our team as three cops and a barbecue guy," Ball said.

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Alabama voter IDs available at mobile sites

The Associated Press

March 13, 2014

MONTGOMERY, Ala. (AP) — The Alabama secretary of state's office is planning to have staff traveling the state starting Monday to provide photo IDs to voters who need them for the upcoming elections.

Secretary of State Jim Bennett says the mobile site visits are in addition to the IDs being available in his Montgomery office and at county boards of registrars.

The visits will take about two months. They begin Monday in Alberta and Waterloo. Tuesday's schedule includes Maplesville, Thorsby and Athens. The tour wraps up May 12 in Hoover.

The free IDs are for registered voters who don't have one of the photo IDs that can be used to vote in Alabama. The approved IDs include an Alabama driver's license, a non-driver ID issued by the state, military IDs and Alabama college IDs.