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Thursday, March 6, 2014

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FULL TEXT

RAPA hosts grand opening in Technology Park

Auburn Villager

March 5, 2014

Rausch & Pausch LP (RAPA) held a grand opening ceremony today in Auburn Technology Park West. RAPA will produce high-precision automobile parts including an engine stop/start system designed to reduce fuel consumption by reducing vehicle idling time. Stop/start technology is increasingly being employed throughout the automotive industry.

Guests at the event were able to see a highly-automated assembly line in action at RAPA's 70,000 sq. ft. facility in Auburn Technology Park West.

Company officials anticipate that RAPA will provide 105 jobs and \$18 million in capital investment in Auburn as it continues to ramp up production over the next few years.

"RAPA has brought more jobs to Auburn," said Auburn Mayor Bill Ham, Jr. "We're proud to continue to be able to strengthen our local job and manufacturing base, and proud to be the North American home base for RAPA as they manufacture products in demand throughout the world."

In 2012, Gov. Robert Bentley called RAPA's location a success for Alabama's strategic business development plan, Accelerate Alabama, which targets various industries for growth.

"It is another exciting day in Alabama as Rausch & Pausch opens their first U.S. automotive supplier production facility in Auburn," Bentley said. "Automotive manufacturing is one of the key components for growth in Accelerate Alabama, and today's grand opening is proof that the industry is continuing to grow statewide. The jobs will provide a good opportunity for families in Lee County, and I appreciate Rausch & Pausch's commitment to the people in Auburn."

Alabama Speaker of the House, and representative for Auburn's House District 79, Mike Hubbard, said the announcement was evidence of Alabama's pro-business environment.

"Auburn is a special place with a skilled and committed workforce, strong business climate, and a world-renowned university located in the heart of our community," said Hubbard. "We are also fortunate to have strong leadership on all levels of government and a local economic environment that allows businesses to thrive and provide opportunities for Lee County citizens."

Rausch & Pausch LP is a subsidiary of Rausch & Pausch GmbH, located in North Bavaria, Germany. Founded in the 1920s, the family-owned company is in its fourth generation of leadership by the Pausch family. The local plant will be run by Kelly Nelson, President of RAPA L.P. USA.

Horst Pausch Sr., Chairman of the Board for RAPA, thanked the City of Auburn and State of Alabama for their partnership in making Auburn RAPA's American home. "We're excited about our future as an Auburn company."

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Bentley tweets education budget threat

Montgomery Advertiser

March 6, 2014

Brian Lyman

A key legislator called Gov. Robert Bentley's threat to send back any budget the Legislature passed that didn't have a 2 percent pay raise for education employees and more state funding for their health insurance program "fiscally irresponsible."

A tweet from the governor's office Wednesday said "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."

Bentley's office said the tweet would be their official statement.

The governor's original budget proposal, submitted to the Legislature on Jan. 15, would have provided a 2 percent pay raise for education employees and would have increased state funding for PEEHIP from \$714 per employee per month to \$795 per employee per month. The Senate approved a budget last week that provides no additional funding for PEEHIP, and replaces the 2 percent pay raise with a 1 percent bonus.

PEEHIP faces a deficit in the coming fiscal year, which could require an increase in co-pays and premiums for state employees. Fully funding the deficit, which would have occurred in Bentley's budget, would cost about \$94 million.

"We passed a fiscally responsible budget that reduced spending and that we can afford," said Sen. Trip Pittman, R-Daphne, the chairman of the Senate Finance and Taxation Education Committee."

Bentley defended his proposed budget as sound and balanced.

Pittman disagreed, saying the state can't afford a raise the size that Bentley is seeking.

"The governor is being fiscally irresponsible right now," Pittman said. "We have a statute that says how much money we can appropriate. We are in the middle of the great recession so we only have so much revenue."

He added "... it's easy to talk about things, but you have to pay for them, and we're paying for them with taxpayers' dollars."

Despite the threat, the governor has a relatively weak veto in Alabama. Under the Alabama Constitution, the governor's vetoes and executive amendments can be overridden by a majority vote of the House and Senate.

Bentley's office and Pittman's budget essentially disagree over economic projections for the year and the amount of funding that will be needed to fully pay off the Rainy Day Account out of the Alabama Trust Fund, which must be made whole by July, 2015. The state still owes about \$163 million to the fund.

Bentley's budget proposed \$27 million for repayment in 2015, assuming an improving economy would provide up to \$135 million for repayment in the current budget year. Pittman's budget, with more pessimistic projections, includes \$62 million for repayment in 2015.

The governor's budget also included \$92 million which Bentley said in January was to be used to fund the raises. But the funding was outside the Rolling Reserve cap, a restriction on growth in the Education Trust Fund budget based on a 15-year average of overall growth in the fund. Pittman's budget included \$23.5 million in spending outside the cap, largely to fund obligations to the PACT program.

The House Ways and Means Education Committee was holding hearings on the Education Trust Fund on Wednesday, and committee chairman Bill Poole, R-Tuscaloosa, said "we still have far to go" in the budget process.

"It is simply premature for anyone to predict what final form the budget will take," the statement said. "I can assure you, however, that it will be balanced and responsible, and it will fund the essential needs of public education."

The budget will likely go to conference committee after the House passes it.

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Bentley won't sign budget without teacher raise

The Associated Press

March 5, 2014

Kim Chandler

MONTGOMERY, Ala. (AP) - Gov. Robert Bentley said Wednesday that he'll veto the education budget unless lawmakers include a 2 percent pay raise for teachers and public education employees.

The governor said he won't sign a budget that doesn't include both the raise and full health insurance funding for education employees. Bentley made the statement via Twitter, and the stance was confirmed by his press office. The move could set up a veto showdown between the Republican governor and the Republican-controlled Alabama Legislature.

Bentley recommended a 2 percent cost-of-living raise for public school employees in his proposed budget. Instead, the Alabama Senate last week approved a one-time, 1 percent bonus.

Bentley defended his proposed budget as sound and balanced.

The chairman of the Senate Finance and Taxation-Education Committee, Republican Trip Pittman of Daphne, disagreed, saying the state can't afford a raise the size that Bentley is seeking.

"The governor is being fiscally irresponsible right now," Pittman said. "We have a statute that says how much money we can appropriate. We are in the middle of the great recession so we only have so much revenue."

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.

House Ways and Means Education Chairman Bill Poole, R-Tuscaloosa, said it was premature to predict what final form the budget will take because the House was just beginning its work.

The House budget committee held a public hearing Wednesday on the proposed budget.

Leura Canary, chief legal counsel of the Retirement Systems of Alabama, asked committee members to increase the allocation for the Public Education Employees Health Insurance Plan. Canary said the program is dealing with increased costs from the Affordable Care Act and years of level funding.

"Any money that the legislature can give us toward that shortfall will help defray that cost that will have to be put on the backs of teachers and the members of PEEHIP," Canary said.

Susan Kennedy, revenue and funding manager of the Alabama Education Association, told committee members that she was concerned that education employees could end up with a net pay cut, instead of a raise, because of increased insurance costs.

Bentley had proposed to spend more money on raises and insurance than state senators did by shuffling \$92 million to get around a spending cap in the Education Trust Fund.

The Rolling Reserve Act, pushed by Republican legislators and signed into law by Bentley, sets an Education Trust Fund spending cap based on fund growth over the last 15 years.

The governor had proposed this year to send \$92 million in sales taxes directly to schools. Since the money doesn't appear in the Education Trust Fund, the spending cap is not violated. Bentley has said the money is needed to meet pressing state needs and would otherwise sit untouched in a large stabilization fund.

The Senate-passed bill, also skirted the funding cap, but by a lesser amount.

Pittman said the Senate's version of the education budget spends less than the governor recommended, doesn't exceed the spending cap by as much as the governor did, and includes \$62 million to pay back on time the last of the money the state borrowed from the Alabama Trust Fund in 2009 to prop up public schools during the recession.

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House debates teacher insurance, pay raises

Montgomery Advertiser

March 6, 2014

Kala Kachmar

House legislators said after a public hearing on the state education budget Wednesday that they support restoring the \$10.8 million cut from Alabama State University's budget.

The Senate cut the funds last week when it passed its version of the \$5.9 billion Education Trust Fund (ETF) budget. The ASU cut accounted for about 90 percent of all the higher education cuts.

"If you look at the level of cuts on other institutions, it has to be categorized as an attack (on ASU)," said university president Gwendolyn Boyd, who spoke at the public hearing. "You're cutting the legs from the institution."

Sen. Trip Pittman, the Daphne Republican who chairs the Senate Finance and Taxation Education Committee, has said his proposal empowered Gov. Robert Bentley to return \$10 million of that as a conditional appropriation at his discretion and that the proposal was to help Bentley and Boyd bring about changes at the university, where a forensic audit found evidence of nepotism and financial mismanagement.

Other funding concerns include a \$220 million shortfall for the Public Education Employees Health Insurance (PEEHIP) Board, and the level funding of K-12 transportation and operations since 2007.

The Senate budget proposal includes a \$1.5 million increase for transportation, a \$2.8 million increase for textbooks and a \$6 million increase for operating expenses for schools, which is used for things like utility bills and maintenance staff.

State Superintendent Tommy Bice said about 51 percent of the state's 740,000 public school students take the bus. The state budget only funds about 80 percent of the \$541 million transportation costs, meaning \$53 million of that is funded at the local level.

"Our budget is based on need, not wishes," Bice said.

He also encouraged the committee to keep the additional \$10 million to fund 250 additional middle school teachers.

Bice said the most recent graduation rate — which at 80 percent is the highest it's ever been in the state — was up 5 percent from last year. Data shows that the largest number of dropouts happen in ninth grade, and the state has identified that this process starts in sixth grade, he said.

“Middle school is crucial,” he said. “We need teacher units at the middle school level.”

Another major topic at the public hearing was about funding the PEEHIP Board, a Retirement Systems of Alabama entity that's responsible for managing public education employees' insurance plans.

Gov. Robert Bentley's proposal was for the state to increase its annual contribution for each K-12 employee from \$714 to \$795, which would raise about \$72 million to cover the board's \$220 million shortfall.

The Senate's version of the budget didn't include any increase of state funding. Increasing the state contribution for all employees, including two-year college system and higher education employees, would raise that \$72 million to about \$95 million.

RSA attorney Leura Canary said for nine years, the health insurance program has been level funded.

She also said PEEHIP funding is complex and there's no way to know how much teachers' health insurance premiums would go up even with the increased state funding. She said it's up to the PEEHIP Board to implement changes unrelated to the state's funding that would determine the final cost.

Canary said teachers' premiums range depending on the plan, but the standard price for a single teacher is \$15 per month and \$170 for a family.

Poole said the cost of health care costs is outpacing inflation everywhere, and it's a problem.

“I don't think we have enough dollars to get to full funding of PEEHIP under the governor's request,” Poole said. “Doing so would eliminate virtually all classroom dollars. We need to find a balance.”

Poole said his priorities include rewarding employees to the greatest extent they can and funding K-12 classrooms adequately.

On Wednesday, Bentley threatened to veto the final ETF budget if it didn't include a 2 percent pay raise for teachers. The Senate passed its budget with a 1 percent teacher bonus, which for the average teacher salary would be about \$480.

Poole also said increasing funding for the state's pre-kindergarten program — which he said has been proven effective through data — is also a priority.

“The root of education is K-12,” said House Minority Leader Craig Ford, who is also on the committee. “If we don’t invest in K-12 and pre-K, everything else we do is irrelevant.”

Poole said the plan is to have a House version of the budget by Friday, and discuss it in committee on Tuesday or Wednesday.

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Pay day loan database clears House committee

Montgomery Advertiser

March 5, 2014

Brian Lyman

The House Financial Services Committee Wednesday approved a compromise pay day regulation bill that would establish a central database to track loans, but drop an earlier provision that would have capped them at 36 percent.

The new bill, sponsored by Rep. Patricia Todd, D-Birmingham and brokered in part by House Speaker Mike Hubbard, R-Auburn, represents less regulation than what advocates would have liked, and more than what the industry preferred. However, both sides said Wednesday they could generally live with the provisions, assuming they win approval from the House and Senate.

“I think the database will tell us a lot about user frequency,” Todd said after the vote Wednesday morning. “It is a step in the right direction.”

Pay day and title loans are loans with a short life span, typically between 14 and 30 days. Pay day operators can charge up to 456 percent APR on their loans; title loan businesses, which are governed under a separate act, can charge up to 300 percent APR.

Critics of the industries say they trap individuals in a cycle of debt, as many customers of the businesses are forced to take out loans to service interest rates on earlier ones. The industry says it provides a service traditional lenders do not, and that the APR reflects risk.

The state currently caps the amount of pay day loans individuals can take out at \$500; however, businesses use third-party databases, effectively making it impossible to enforce the provision.

Todd said the database would be funded by a 75 cent-per-transaction fee, paid for by licensees. Herb Winches, a lobbyist representing Birmingham-based Check Depot, said Wednesday his client could live with the database, assuming all pay day lenders in the state were immediately included in it, not just larger firms.

“Those (bigger) people get converted immediately,” he said. “If the little guy is left behind totally, it’s going to force them out of business.”

Pay day reform advocates have expressed cautious approval of the compromise, though a number said they had not seen the substitute Wednesday morning. Last fall, the State Banking

Department moved to establish a central database, but was immediately sued by the pay day industry, which said the Department did not have the authority to make the transaction.

“This would be good, even if it just made the lawsuit go away,” said Stephen Stetson, a policy analyst for Alabama Arise, which supports pay day reform.

The legislation appeared to be dead following a Feb. 12 meeting where the House Financial Services Committee referred the bill to a subcommittee; Todd said she met with various industry representatives over the last several weeks. A companion bill regulating the title loan industry and sponsored by Rep. Rod Scott, D-Fairfield, is still pending. In the upper chambers, Sens. Scott Beason, R-Gardendale and Arthur Orr, R-Decatur, have filed their own regulatory bills for the industries.

Todd said information gathered from the database could lead to further pay day and title loan legislation, possibly in the next two years.

“No one wants to be regulated,” she said. “But I think they realized this was coming down the pike. I don’t think the big companies will be bothered by this.”

The bill now goes to the House for consideration. Todd said she was optimistic about its prospects.

“I have nothing but support,” she said. “It’s always been bipartisan.”

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Tracking the 2014 session: Lawmakers face tough decisions, threat of veto on education budget

Al.com

March 6, 2014

Mike Cason

MONTGOMERY, Alabama --- A standing-room-only hearing on the education budget and threat of a veto by Gov. Robert Bentley highlighted a busy day Wednesday in the Alabama Legislature.

The House Ways and Means Committee took no action on the \$5.9 billion budget but plans to do so next week.

Bentley said Wednesday he would not sign a budget that did not include a 2 percent pay raise for education employees and a \$72 million increase in funding for the Public Education Employees’ Health Insurance Plan. The Senate took those out of the budget before passing it, putting in a 1 percent bonus for employees instead.

The health insurance program faces a \$220 million shortfall next year, and the \$72 million would help offset that.

Besides the pay raise and insurance costs, House committee members heard many demands for budget increases Wednesday.

The Legislature can override the governor's veto with a majority vote in each house, as it did on an Alabama Accountability Act amendment last year.

What they did:

House and Senate committees approved bills to regulate payday loans.

The House version would set up a database to help make sure than the loan companies obey a law that no borrower can have more than \$500 in payday loan debt. The Senate bill would do the same and would extend terms of repayment on the loans to four months, effectively dropping the annualized interest rates below triple digits.

A Senate committee approved a bill to allow people to carry loaded pistols in vehicles without a concealed carry permit.

House and Senate committees approved bills to say that local school systems cannot use seniority as the main factor in deciding which teachers to lay off when there are funding cuts or enrollment declines.

A Senate committee approved a bill to help ensure than nonprofit spay/neuter clinics can continue to operate.

The Senate sent back to committee a bill to increase the penalty for possessing a gambling machine from a misdemeanor to a felony.

The House passed a bill to exempt barbers with at least 10 years experience from new regulations passed last year and to change the definition of barbering to its traditional meaning.

Coming up:

The House convenes at 9 a.m. today; the Senate at 10 a.m.

Nine meeting days remain in the 30-day legislative session.

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Summary of action in Alabama Legislature

AP

March 5, 2014

MONTGOMERY, Ala. (AP) — A summary of action in the Alabama Legislature on Wednesday, the 21st meeting day of the regular session:

HOUSE:

—Passed a bill to name the queen honey bee as the official state agriculture insect of Alabama. Goes to Senate.

—Passed a bill establishing a new process for grandparents to petition for visitation rights with their grandchildren. Goes to Senate.

SENATE:

—Stalled on a bill to restructure the Birmingham Water Works Board.

—Passed a bill to encourage insurance companies to make use of a law that offers tax credits to companies that provide homeowners insurance with wind coverage in Mobile and Baldwin counties. Goes to House.

—Passed a bill that would let landlords consider a property abandoned if the tenant's power has been cut for more than seven days. Goes to House.

COMMITTEES:

—House Financial Services Committee approved a bill to set up a statewide database for payday loans. Goes to House.

— House Ways and Means-Education Committee held a public hearing, but did not vote, on the Education Trust Fund.

—Senate Judiciary Committee approved a bill to allow people to carry loaded pistols in their vehicles without having to get a concealed carry permit. Goes to Senate.

—Senate Banking and Insurance Committee approved a bill to set up statewide database for payday loans and extend the length of the loans. Goes to Senate.

—Senate Finance and Taxation-Education Committee and House Education Policy Committee approved bills providing that seniority can't be the most significant factor in the layoff policies for city and county school systems. Go to Senate and House.

— Senate Health Committee approved a House-passed bill to protect nonprofit spay/neuter clinics from efforts to shut them down. Goes to Senate.

AGENDA:

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

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Bills change criteria for Alabama teacher layoffs

The Associated Press

March 5, 2015

MONTGOMERY | House and Senate committees have approved bills saying that seniority can't be the most significant factor considered by city and county school boards when they write policies for laying off teachers due to funding problems or declining enrollment.

The Senate Finance and Taxation-Education Committee approved a bill Wednesday sponsored by Republican Sen. Del Marsh of Anniston, and the House Education Policy Committee approved an identical bill by Republican Rep. Ed Henry of Decatur. The bill says the annual

performance evaluations for teachers now being developed by the state Board of Education will be a significant factor in determining layoff policies.

Henry says the bills ensure the most effective teachers remain in the classroom.

Opponents say it is a way to lay off veteran teachers with the highest salaries.

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Committees OK bills reducing influence of seniority in teacher cutbacks

Montgomery Advertiser

March 6, 2014

Brian Lyman

Teacher seniority could not be used as the most significant factor in employee cutbacks, under bills passed Wednesday by House and Senate committees.

The legislation, sponsored Rep. Ed Henry, R-Hartselle, and Senate President Pro Tem Del Marsh, R-Anniston, covers teacher cutbacks due to lack of funding, known as reduction-in-force.

Supporters, including Marsh, said at a public hearing before the vote that the legislation was intended to allow districts to keep effective teachers, regardless of the years they had put into the system.

“I think it’s necessary to give the system flexibility,” Marsh said at the Senate Finance and Taxation Education Committee. “It’s not creating anything as the most significant factor. As it stands now, I think it is discriminatory against those individuals who are younger.”

Under the bills, by the 2016-2017 school year, districts contemplating reductions-in-force would have to make decisions based on student growth as measured under a system currently under development by the Alabama State Department of Education, based on “statistically reliable measures.” Seniority could not be used as the most significant factor, though it could be considered.

Critics of the bill said that it could lead to overreliance on test scores as a judge of which teachers get terminated during the process. Fred Fohrell, an attorney representing the Alabama Education Association, said the bill was based on evaluations that were still being developed and still unknown. He also said it could discourage teachers from working at schools with higher populations of low-income students, known as Title I schools, where scores may be lower.

“If you measure teachers based on how kids perform, we’re going to get rid of teachers going to Title I schools,” he said. “We’re going to get rid of the outfielders reaching for the ball they can’t quite catch.”

Tery Michal, leader of a Huntsville-based group called Support Our Schools, said the measure was intended to get rid of higher-paid teachers and replace them with younger, cheaper ones.

“It’s a win-win for predatory reformers, but not our children,” said Michal, who added it would create a “revolving door” in education.

Marsh said “student growth,” as defined in the bill, did not necessarily equate to academic growth.

Joe Morton, a former state schools superintendent who now works with the Business Education Alliance, a group backed by the Business Council of Alabama, said he did not expect reductions-in-force to take place often.

“Seniority can still be in the mix,” he said. “It could be a 49 percent factor. But it could not be the majority factor. The evaluation of something that someone does daily to me should carry extreme weight.”

Marsh accepted an amendment from Sen. Roger Bedford, D-Russellville, that said testing scores could also not be used as a priority in determining reductions.

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Lawmaker: Stop colleges from hiding sex crimes

Decatur Daily

March 5, 2014

Mary Sell

MONTGOMERY — A Republican lawmaker wants to require the state’s colleges and universities to alert their students and staff of any alleged felony crimes on their campuses.

Campus police or authorities would also have to report the alleged crimes to local authorities, according to House Bill 560.

“Currently, college campuses do not have a requirement to report certain crimes, including sex crimes,” said Rep. Becky Nordgren, R-Gadsden.

Nordgren, the mother of a 17-year-old daughter, said she came up with the bill after hearing about attacks and crimes and how they’re handled by authorities at several schools.

Some schools do an excellent job reporting crimes, she said. Some do not.

She didn’t mention any universities by name Wednesday when discussing her bill in the House committee, but talked about a recent alleged gang rape on a nearby campus.

“They suppressed that information,” she said. “This left other young females vulnerable because they were unaware that a crime had occurred.”

A female student at Alabama State University in Montgomery reported being assaulted by five men. Information about the alleged attack wasn't made public until January, though it was reported to have happened Nov. 1.

University police initially refused to provide any information about the alleged attack, WSFA-TV reported in January.

"Our not releasing the report immediately was done because the investigation was still going on," Henry Davis, director of the school's public safety department, said in January.

University officials didn't inform students about the case at the time, the Associated Press reported.

"It was not put out to the students at that time because it was an after-the-matter fact," Davis said. "When the victim reported the incident, the incident had already transpired — there was no danger."

Nordgren's bill was given a favorable report in committee and sent to the House. For more on this, see Thursday's editions.

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Merry Christmas bill nearing passage in Alabama

The Associated Press

March 5, 2014

MONTGOMERY, Ala. (AP) — The Alabama Legislature is getting close to enacting a law to allow public schools to educate students about the history of traditional winter celebrations and allow student and staff to exchange seasonal greetings.

The bill by Republican Sen. Gerald Allen of Tuscaloosa won approval in the Senate last month and cleared the House Education Policy Committee on Wednesday. It now goes to the House for a final vote.

Christmas and Hanukkah are the only celebrations mentioned in Allen's bill. Merry Christmas, Happy Hanukkah and Happy Holidays are the only greetings mentioned.

Democratic Rep. Marcel Black of Tuscumbia voted against the bill and said teachers and students can already do what the bill says. Allen says there is con

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Gov. Robert Bentley won't sign education budget without 2 percent raise, health insurance funding increase

Al.com

March 5, 2014

Mike Cason

MONTGOMERY, Alabama --- Gov. Robert Bentley said today he would send back to the Legislature an education budget that does not include a 2 percent pay raise and an increase in health insurance funding for education employees.

The governor included both in his proposed budget, but it was changed by the Senate last week.

The Senate changed the 2 percent raise to a 1 percent, one-time bonus. The Senate-passed budget would level fund the Public Employees' Health Insurance Program. Bentley had proposed an increase in the state share from \$714 per month per employee to \$795 per month.

Bentley's proposed budget includes \$72 million to cover that increase for K-12 schools. That was not in the Senate-passed budget.

The House education budget committee held a public hearing today on the budget but took no action on it.

Rep. Bill Poole, R-Tuscaloosa, the budget chairman, said he would prepare a substitute budget later in the week for the committee to consider next week.

Poole said the Legislature had hard decisions to make about the proposed pay raise, bonus and health insurance costs.

"It is simply premature for anyone to predict what final form the budget will take," Poole said in a statement today. "I can assure you, however, that it will be balanced and responsible, and it will fund the essential needs of public education."

Rebekah Mason, a spokeswoman for the governor, said if the budget that arrives at his desk does not include the raise and PEEHIP increase, he will send it back with an executive amendment.

"Obviously he thinks he sent over a good and balanced budget, one that's fiscally responsible," Mason said.

The governor made his comments at an event at the State Capitol today.

The Legislature can override the governor's veto with a majority vote in both houses.

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Spay-neuter clinic bill clears Senate committee

Dothan Eagle

March 5, 2014

Jennifer Calhoun

A bill that would protect low-cost spay-neuter clinics overwhelmingly passed through a state Senate committee on Wednesday.

The bill, HB 141, would allow veterinarians to practice at non-profit clinics. Current law allows veterinarians to work for businesses owned only by licensed veterinarians.

Karen Peterlin, executive director of the Greater Birmingham Humane Society, called the committee's passage of the bill "a huge victory."

The bill was passed in an 8-4 vote in the Senate Health Committee. It is expected to reach the Senate floor for discussion soon.

Sen. Harri Anne Smith, I-Slocomb, sits on the committee. Smith said she voted in favor of the bill because her constituents said it is what they wanted.

"I've gotten more calls (in favor of this bill) than any other issue this year," she said. "They really are in support of seeing this passed."

The four senators who voted against the bill were Billy Beasley, D-Clayton; Tom Whatley, R-Auburn; Gerald Dial, R-Lineville and Paul Bussman, R-Cullman.

Bussman has said veterinarians are concerned about the quality of care provided by the clinics.

"(Private veterinarians) are concerned about how they treat their animals, and they want to make sure that when other people are treating animals, they are treating them the same way," Bussman was quoted as saying in the Florence Times Daily. "And that's not always the case at this point. That's their issue."

Proponents of the bill have said the clinics offer an inexpensive alternative to veterinarian clinics, while also reducing the stray dog and feral cat populations.

Nikki Wyatt, executive director of the Wiregrass Spay-Neuter Alliance, said the non-profit clinic has performed 32,000 surgeries in five years for about \$40 to \$70 each. She said their services had effectively reduced the number of euthanizations performed on dogs and cats.

"People drive an hour to use our services," she said. "I know there's a need across the state."

Peterlin said one of the spay-neuter clinics that opened in Irondale had reduced the number of animals surrendered by more than 30 percent in five years.

"This impacts county government regarding animal control costs," she said. "It will continue to reduce the number of feral cats and stray dogs and help save money, as well."

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Alabama Senate committee gives thumbs-up to loaded pistols in vehicles without permit

Al.com

March 5, 2014

Mike Cason

MONTGOMERY, Alabama --- A bill to allow people to carry loaded pistols in their vehicles without having to get a concealed carry permit from the county sheriff won approval today in an Alabama Senate committee.

SB 354 by Sen. Scott Beason, R-Gardendale, now moves to the Senate. It would also have to pass the House to become law.

Beason proposed the same change in the law last year, but it was left out of a sweeping gun bill that passed.

“Number one, I don’t believe you ought to have to pay for your 2nd Amendment rights. That’s just the overall belief that I have,” Beason said when asked why the change was important.

The bill approved last year allowed people to carry a pistol in their vehicles without a permit as long as it was unloaded and locked away out of reach of the driver and passengers. Beason said that because it is legal to have a loaded pistol at home with no permit, that right should extend to your vehicle as part of the "castle doctrine."

"You should be able to have a usable pistol with you in your car, and you ought not have to pay for it," he said.

A permit is required to carry a concealed weapon in Alabama. But state law allows people without a permit to openly carry a holstered or secured gun in public except in businesses and other places where that is prohibited.

Beason said if someone can openly carry a pistol without a permit walking down the street, they should be able to openly carry one in their vehicle without a permit. The committee approved the bill on a 6-2 vote, with Sens. Linda Coleman of Birmingham and Vivian Figures of Mobile voting against it.

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Fight another day? Birmingham Water Works Board legislation hits Senate floor this evening, vote delayed by single vote

Al.com

March 5, 2014

Joseph D. Bryant

MONTGOMERY, Alabama -- It all came down to one vote.

The legislative fight over the makeup and operation of the Birmingham Water Works Board isn't over.

A bill from Sen. Jabo Waggoner, R-Vestavia Hills, made it to the Alabama State Senate floor today, but was carried over to another agenda following debate between Waggoner and Sen. Rodger Smitherman, D-Birmingham.

Waggoner's bill would expand the board by creating two seats for Jefferson County members and one rotating member from outlying counties serviced by the utility.

Waggoner agreed to continue debate and carry over his bill either for another vote tonight or later, after failing to get the one more vote to get the necessary 21. After counting the votes, he agreed to the delay and the Senate voted to continue debate.

Both Waggoner and Smitherman worked their colleagues today, with Waggoner seeking to pass his bill, while Smitherman sought to keep debate open, delaying a vote.

Smitherman and bill opponents ended with the upper hand - so far - tonight.

During debate, Waggoner said the bill would bring new eyes and ears to the board and implementing reforms, while preserving Birmingham's majority.

"I have never seen the activity on the 7th floor and the lobbying community over this bill," Waggoner said, referring to the teams of lobbyists hired by both the Water Works Board and the city of Birmingham. "What is wrong with having some representation outside the city of Birmingham? You would think in the meeting last year that I was poisoning the water or that I was bombing the dams at Lake Purdy or Inland Lake."

Speaking for the opposition, Smitherman called the bill unfair and a smokescreen to snatch control of the utility from Birmingham.

And While Waggoner stressed that Birmingham would remain in the majority with four of the seven seats, Smitherman called that a false statement. Smitherman argued that Waggoner's bill would take away Birmingham's majority because the next vacant Birmingham seat would be filled with a new Jefferson County appointee.

"You were given a smokescreen of the truth," Smitherman said.

Waggoner, following the delay, told AL.com that it was not his intention to shift any power away from Birmingham.

"If there's a question, I'll have it fixed before it comes back up," he said.

Still, he said the issue holding up his bill is not Smitherman's accusation of a trick, but rather two senators who had committed to the legislation, then reneged at the last minute. Now Waggoner this evening is searching for one additional supporter.

In addition, Smitherman called it unfair to give board seats to outside counties that had fewer customers and were only added to the system under a "Good Samaritan" action to provide service to hard-to-reach areas in Blount and Walker counties.

"This is really not right. It's just that simple," Smitherman said. "There's nothing right about what's being asked to be done here."

Smitherman said he had no problem with changes such as board pay reductions, but said those issues should be handled locally.

"My problem is touching the board, the makeup and the appointing authority," he said. "There's a faction in our community that wants to raid and take over our institutions."

Smitherman compared the action to Jefferson County's closing of Cooper Green hospital as a full-time facility.

The debate was a point-counterpoint between Smitherman and Waggoner, where Smitherman touted the work and awards of the Water Works while Waggoner pointed to deficiencies.

"So that's not a surprise," Waggoner said. "We've always had good water. We have good water and we will have good water forever."

Smitherman told AL.com that he is grateful to the senators who voted to keep debate open, saying they gave his arguments a fair hearing.

"It was an effort to establish control away from the city of Birmingham," he said in an interview.

Smitherman said he was able to gain some bipartisan support in the Republican-controlled Senate, enough to postpone a vote on the Water Works bill.

"That's an attribute to when I was president pro-tem and I was fair to everybody and they reciprocated that to me," he said. "It didn't matter whether it was an 'R or a D.'"

Still, both Smitherman and Waggoner said they would continue pulling for their side of the issue.

"Anything is possible," Smitherman said. "We'll just stay guarded and ready to continue to work if that happens."

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Gov. Robert Bentley recognizes 8 Alabama companies for international trade excellence

Al.com

March 5, 2014

Lucy Berry

Eight Alabama companies were recognized today for excellence in international trade by Gov. Robert Bentley during the Trade Excellence Awards in Montgomery.

Coordinated by the state Department of Commerce and Export Alabama Alliance, the nine-year-old Governor's Trade Excellence Awards Program highlights small, medium, large and new-to-export businesses across the state.

In a news release, Bentley said Alabama exports last year topped \$19.3 billion, which is a 57 percent increase since 2009. In 2013, state companies shipped products to approximately 200 countries.

The top export markets for businesses in Alabama are the United Kingdom, Mexico, China, Germany and Canada.

"Alabama products are among the best in the country, and the companies recognized today show how successful Alabama products are reaching the global marketplace," Bentley said.

The recipients of the 2014 Governor's Trade Excellence Awards are:

Aladdin Light Lift, Inc. – Huntsville

Archangel Systems, Inc. – Auburn

ES Robbins Corp. – Muscle Shoals

Fagerman Technologies, Inc. – Somerville

Hornsby Steel, Inc. – Cleveland

McWane, Inc. – Birmingham

Mitternight, Inc. – Satsuma

PESA – Huntsville

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How does Alabama's income tax compare to states around the country?

Yellowhammer News

March 5, 2014

Cliff Sims

A new map by New York-based accounting firm O'Connor Davies lays out the top marginal income tax rate for every state in the country, and it reveals some interesting data points.

For instance, how do red states stack up against blue states? Using the 2012 election results, The Fix, found that “the average state income tax rate in states (plus D.C.) that Obama won is 6.4 percent, while the average rate in states Mitt Romney won is 4.9 percent.”

No surprise there.

Which states have the highest and lowest top marginal tax rates? California easily has the highest state income tax rate (13.3 percent), while Alaska, Florida, Nevada, South Dakota, Tennessee, Texas and Washington have no state income tax at all (Tennessee’s six percent rate noted on the map is a tax on income from interest and dividends).

Again, no surprises there, with the possible exception of Washington, a state not known for its conservative politics.

State income tax map (Click to enlarge)

State income tax map (Click to enlarge)

As for Alabama, we fall somewhere near the middle of the pack with a 5% state income tax. But two of our neighboring states have no income tax at all (Florida and Tennessee). Our other two neighbors sit at 5 percent (Mississippi) and 6 percent (Georgia) respectively.

Of course, while this map is interesting and at least somewhat revealing, it doesn’t tell the whole story. Some of the states with the lowest income tax find other ways to tax their citizens, like jacking up property taxes.

What do you think about the way Alabama’s taxes are currently structured?

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House-passed flood insurance bill would prevent disastrous premium increases, advocates say

Al.com

March 5, 2014

Brendan Kirby

MOBILE, Alabama – A new flood insurance bill passed Tuesday by the U.S. House of Representatives would prevent disastrous effects that are due to take effect under the current law, according to local insurance reform advocates.

The House bill that passed overwhelmingly Tuesday would cap premium increases at 18 percent a year, update flood maps and restore “grandfathered” rates on older buildings. It now goes to the Senate, which in January passed a bill that essentially postponed the issue for four years.

Without a bill that both chambers can agree on, changes passed in 2012 could result in massive premium hikes for some coastal property owners. Local advocates said they favor the House bill.

“I think it’s good. I don’t get overly excited about some of this,” said Wiley Blankenship, president and CEO of the Coastal Alabama Partnership. “That’s what everyone who needs to have this type of insurance would want. . . . In its current form, it’s very harmful to the economy – particularly in the working waterfront communities.”

U.S. Rep. Bradley Byrne, R-Fairhope, was one of 306 representatives who voted in favor of the Homeowner Flood Insurance Affordability Act. He said in a prepared statement that the bill would provide time to ensure that the government uses “sound science” to update flood maps.

“Real lives and livelihoods are at stake in this debate,” he stated. “This bill will ease the process of implementation by placing the power of appeal in the hands of the policy holder, creating a flood insurance advocate and allowing for reimbursement to communities who successfully challenge flood maps.”

Byrne also praised a provision that authorizes an affordability study to ensure that the government bring the flood program “back to solvency in a responsible manner.”

Congress already delayed the provisions of the 2012 bill, called Biggert-Waters, for 18 months when it passed a budget bill last year. In January, the Senate passed a bill that would extend that delay for four years. Sens. Jeff Sessions, R-Mobile, and Richard Shelby, R-Tuscaloosa, voted against that bill.

Critics contend that the federal government cannot afford to continue subsidizing flood insurance policies for properties in flood-prone areas along rivers and those threatened by hurricanes and other big storms. They argue that the policies should be priced according to the true flood risk.

But David Treutel, a member of a national advisory panel on flood insurance, said the Senate chose to “kick the can down the road” and did not resolve any of the underlying issues. He said he favors the House approach.

Treutel, who owns houses in Daphne and Bay St. Louis, Miss., said he understands the concerns of critics who worry about a \$24 billion deficit in the flood insurance program. But he added that the 2012 law would force market insurance rates to kick in too quickly for many people to afford them.

“It took us 40 years from 1968 to get to where we are today,” he said.

Treutel, who also serves as chairman of Smart Home America – a nonprofit that advocates preparedness – said he believes strongly in efforts to construct stronger and better buildings designed to withstand flooding. But he questioned the fairness of removing grandfather provisions that protect property owners who constructed buildings under older rules.

He said that an Orange Beach property owner who built “in good faith” according to rules in place 15 years ago should not be penalized because new regulations, for example, require buildings to be constructed higher from the ground. He added that those folks should be able to

pass their subsidized insurance rates when they sell their properties as long as the policies are continuously maintained.

“How do you undo or retroactively add 6 feet when at the time, it was OK?” he said.

Treutel said about 60,000 Alabamians have flood insurance, about two-thirds of them along the Gulf Coast. In Mississippi, he estimated about two-thirds of nearly 100,000 flood insurance policyholders lives in six coastal counties.

Treutel said that many of them would face unaffordable increases if current law stands. That means in some cases, he said, premiums could jump tens of thousands of dollars.

Blankenship said unlike the stereotype of millionaires with vacation homes, most flood insurance policies on residential homes belong to middle class residents.

“They live there and they have to afford to live there,” he said. “It could have the potential to impact a lot of Mobile.”

The bill passed by the Senate, Blankenship said, would create uncertainty. Homebuilders likely would be reluctant to start new projects on coastal areas without knowing if the land will end up on a flood map. That could hurt the economy, he said.

“We don’t have the rules. How high do we build?” he said. “We have to have a sense of urgency. ... It’s gonna impact us a lot in this area.”

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President Jeff Sessions? Has a nice ring to it, according to national talk show host

Al.com

March 5, 2014

Leada Gore

A nationally syndicated radio talk show host knows just the person she'd like to see run for the nation's top office in 2016: Sen. Jeff Sessions.

On her show Monday, radio host Laura Ingraham praised the Alabama Republican's conservative stance on a number of issues and his keynote speech during last week's Tea Party Patriots event in Washington, D.C.

"Jeff Sessions ... Sessions for President," Ingraham said. "Really. Is there anyone out there who is better than Jeff Sessions on any of these issues? He's great."

She went on to say she thought Sessions could attract a wide range of support.

"I think someone like Sessions could probably attract Democrats, Hispanics who are here legally who are tired of these stupid trade agreements and who have had their own wages undercut by

illegal immigration, African-Americans, certainly, I think, a lot of Tea Party people. Sessions is one of the few people to actually say it like it is."

Sessions' office dismissed suggestions he's interesting in making a bid for the White House.

"Senator Sessions' focus is on Alabama, on running for re-election as Alabama's Senator, and on serving Alabama's citizens," his office told Daily Caller.

What do you think? Would you like to see Sessions in the White House? Or any other person from Alabama?

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An Alabamian leads the way as GOP increases outreach to black voters

Al.com

March 6, 2014

Alex Pappas

WASHINGTON -- Where did Kristal Quarker Hartsfield get her political views?

It's a question the 32-year-old native Alabamian says she gets often.

"My family has been Republican since emancipation," she replies.

Her job is to show fellow African-Americans -- 93 percent of whom voted for Barack Obama in 2012 -- that they have more in common with Republicans than they might think.

As the Republican National Committee ramps up outreach efforts to African-Americans, the responsibility of implementing that strategy heading in to the 2014 elections falls to Quarker Hartsfield.

The veteran political aide, who was raised outside of Atmore and attended Escambia County High, is the national director of African-American strategic initiatives at the RNC in Washington, D.C. She has been in the position since May 2013.

Her primary role is leading a group of black Republican staffers scattered across the country who are making themselves known in black communities.

"We have staff on the ground building relations," Quarker Hartsfield said. "And our goal is to build something that's solid."

National Republicans have done African-American outreach in the past, she said. But there is a new emphasis on the effort since last year, when the RNC released a 100-page autopsy of the party's loss in the 2012 presidential election and what Republicans should change to win.

That document, called the Growth and Opportunity Project, specifically mentioned how the party should do better outreach to black voters.

The report bluntly stated that public perception of the GOP is “at record lows” and “many minorities wrongly think that Republicans do not like them or want them in the country.”

“Similar to the approach it must take with other demographic communities, the RNC must embark on a year-round effort to engage with African-American voters,” the report argued. “The engagement must include not only persuasion based upon our Party’s principles but also a presence within community organizations.”

Those goals are now Quarker Hartsfield’s mission. She gives credit to RNC chairman Reince Priebus for devoting enough resources to hire full-time staff “with real salaries plus benefits.”

She declined to say how many black field staffers are on the RNC payroll, but said the committee plans to keep hiring more of them.

Quarker Hartsfield said these staffers are putting together packages of information that they will give to local Republican campaigns to help them court the black vote.

“When we package all this up and give it to a campaign, they’ll already know where they should be, who they should talk to, and where they should go because the relationships have already been established,” she said.

She acknowledges that the work can be tough, but said field staff think they are being successful in showing many in the black community that they hold conservative views and they should give the Republican Party a chance.

“Black folks are traditionally very conservative,” she said.

Back home in Alabama, folks are noticing her. The Alabama Republican Party last month named her a “rising Republican star.”

“Alabama Republicans are proud that RNC Chairman Reince Priebus selected an Alabama African-American female to lead the party’s effort to engage the African-American community,” Alabama Republican Party chairman Bill Armistead said.

“Kristal is well qualified for this position and has an excellent resume to serve in this first-ever position of this type at the RNC,” he said. “And, Alabama has many more conservative African-Americans like Kristal who are breaking away from their traditional blind support of Democrat candidates.”

After graduating from college at the University of Alabama in Birmingham, Quarker Hartsfield did a number of stints for Republican campaigns and causes.

“From a political side, I’ve been working on campaigns and in politics since I was in high school,” she said.

She worked for former Michigan Rep. Thaddeus McCotter and later on the House Committee on Foreign Affairs, where she handled legislative oversight for the continent of Africa. She also worked for the Tennessee Republican Party helping to elect Sen. Bob Corker.

Quarker Hartsfield said she could see herself moving back to Alabama one day, but has no plans to do that yet.

“I’ve been here for almost 9 years,” she said. “I just got married last year. And my husband is from D.C., but he loves Alabama.”

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If you like your plan, now you may be able to keep it until after Obama is out of office

Birmingham Business Journal

March 5, 2014

Kent Hoover

Some Americans will be allowed to keep their current health insurance -- even if the plans don't comply with the Affordable Care Act -- into 2017 under new rules announced Wednesday by the Obama administration.

In November, the Department of Health and Human Services announced that health insurers could continue to offer noncompliant plans to current customers in 2014. Wednesday's announcement extends that for another two years. The extension covers policy years that begin on or before Oct. 1, 2016.

The extension applies to both individual insurance and to small business plans. The Congressional Budget Office estimates that about 1.5 million Americans in these insurance markets currently are covered by plans that don't meet the ACA's requirements.

Senior administration officials said this latest extension will give individuals and small businesses more time to consider their options and shop for coverage on the new health insurance exchanges established by the federal government and some states.

States have the option, however, of requiring insurers to stop offering plans that don't comply with health care reform's standards. About half have done so, according to senior administration officials.

By the time 2016 rolls around, there likely will be only "a very small number of people" who are still covered by plans that don't comply with the ACA, one official said.

Some Republicans, however, see politics as the motive behind this extension. Now there's no danger of a large wave of insurance cancellations either before this year's midterm election or before the 2016 presidential election.

Cancellations became a big issue after Republicans accused President Barack Obama of lying when he promised Americans that "if you like your plan, you can keep it."

"Once again, the Obama administration has shown it will do whatever it takes to hide the true impact of Obamacare from the American people -- at least until after the next election," said Sen. Orrin Hatch, R-Utah.

"The fact is Americans should be able to keep the insurance -- and the doctors and hospitals -- of their choosing, as the president promised. Pushing this off for two more years isn't a solution at all," Hatch said.

Senior administration officials, however, told reporters that the only motivation for this delay was to implement health care reform in the way it should be implemented, and give certainty to individuals, small businesses and states. The rules issued Wednesday will be the last major changes that will be made to health care reform, one official promised.

The administration also announced it may allow state exchanges to delay a requirement, previously scheduled to go into effect in 2015, that would enable employees of small businesses to choose their own plans in these marketplaces, instead of having their employers choose plans for them.

That's "a major letdown for small business owners and their employees looking forward to choosing between different healthcare plans," said John Arensmeyer, founder and CEO of Small Business Majority.

Allowing employees to choose among multiple insurers is "key in distinguishing the new insurance marketplaces from the outside health insurance market," Arensmeyer said.

"We strongly advise against the finalization of this rule," he said.

The Obama administration announced last April that employee choice would be delayed until 2015 in the federal health insurance exchange for small businesses.