



Office of Senate President Pro Tempore Del Marsh
Press Clips
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House General Fund budget: More money for Medicaid; level-funding for other agencies: \$1.8 billion budget closely resembles Gov. Robert Bentley's proposal (Montgomery Advertiser)

The House's Ways and Means General Fund committee Wednesday approved a \$1.8 billion General Fund budget for fiscal year 2015 that provides more money for Medicaid, level funds other state agencies and makes a cost-of-living increase for state employees unlikely.

The budget proposal closely follows Gov. Robert Bentley's budget from January. However, the document -- which now goes to the full House for consideration -- will still be a work in progress for lawmakers, particularly when it comes to funding for the Department of Corrections.

DOC came out of the House committee essentially level-funded, but both House Ways and Means General Fund chair Steve Clouse, R-Ozark and Senate Finance and Taxation General Fund chairman Arthur Orr, R-Decatur, have said they want to find more money for the department, facing severe overcrowding and understaffing issues.

Clouse said Wednesday lawmakers are continuing to meet with DOC Commissioner Kim Thomas on the department's needs. The U.S. Department of Justice is conducting an investigation of Julia Tutwiler Prison for Women in Wetumpka, saying in a letter to Thomas last month that Alabama was violating Tutwiler inmates' Eighth Amendment protection against cruel and unusual punishment "by failing to protect women prisoners at Tutwiler from harm due to sexual abuse and harassment from correctional staff."

"We continue to meet with (Thomas) on the demands he's getting from the federal government, and what we need to do with the prison situation," Clouse said after the meeting. "That (number) may very well change as we move forward in the process."

An attempt to reach Thomas for comment was unsuccessful Wednesday afternoon. The commissioner told the Advertiser last week that he had met with the budget chairs, but was not privy to their funding discussions.

Medicaid, the largest single component in the budget, would get about \$685 million in the budget proposal, an increase of about \$70 million over its current state funding level. The agency had requested \$700 million, but Dr. Don Williamson, who is overseeing efforts to overhaul delivery of Medicaid services, said Medicaid could make the budget work through some cost-cutting measures, such as looking at new ways to purchase pharmaceuticals.

"We'll start broke and we'll end up broke," he said. "But we'll pay all our bills in the process."

However, Williamson said the \$685 million does not cover other contingencies, such as an ongoing dispute with the Centers for Medicaid and Medicare Services over enrollment of children in the program, which could cost the agency tens of millions of dollars.

Alabama Medicaid has some of the strictest enrollment requirements in the country. Childless adults are almost never eligible, and parents of children can only qualify if their income is 11 to 13 percent of the poverty level. Despite that, the program covers about 20 percent of the state's population, and pays for more than half of the live births. The federal government picks up more than two-thirds of the costs of running the program.

Like Bentley's budget, the House version includes a conditional appropriation of \$22 million to help fund a four percent state employee pay raise. However, that raise would only come if money becomes available, and lawmakers are pessimistic that any additional funds will come into the perpetually cash-strapped budget.

Rep. John Knight, D-Montgomery, said he wanted the conditional pay raise to be the first priority if the money became available. He said Bentley made a commitment to conditional pay raises in his state of the state address last month.

Several committee members said they agree the pay raises are important, but don't want to bind themselves in case an appropriation needs to be made to another department or agency -- such as Corrections or Medicaid -- later.

"We're not adding anything to the prisons here, but we may have to as the session goes on and we get more information," Clouse said.

"Many of us feel we want to release this as the first conditional," said Rep. Charles Newton, R-Greenville. "But to tie our hands today doesn't seem prudent."

The committee voted against Knight's amendment to make the pay raises a conditional first priority.

The General Fund budget gets most of its revenues from three dozen sources, most of which post flat growth year-to-year. The Legislative Fiscal Office projected in January that revenues in the General Fund would be down by about \$83 million; lawmakers have made up the difference by seeking money from other areas, such as unclaimed property and the business license tax.

Clouse said they were "comfortable" with those projections.

The Attorney General's office did not receive any money in the General Fund budget. In a statement, Attorney General Luther Strange said he hoped "it was a mistake."

"Given everything my office is working on across the State, like defending laws passed by the Legislature and prosecuting the BP oil spill case, it's troubling not to receive guaranteed funding for the office," the statement said.

The House could take up the budget next week.

Prison money still an open question in Alabama budget (Anniston Star)

by Tim Lockette

MONTGOMERY — Alabama's ailing prison system will be the wildcard in budget talks as state lawmakers prepare a spending plan for 2015.

A House committee approved a \$1.82 billion General Fund budget proposal Wednesday, a no-surprises spending plan that mimics Gov. Robert Bentley's proposed budget and keeps most state agencies at the same level of funding they've seen in 2014.

But the needs of the state's overcrowded prison system — now at nearly twice its built capacity and under the close eye of federal officials — may lead lawmakers to lay out more money for prisons before the budget is passed, said Rep. Steve Clouse, R-Ozark, chair of the House budget committee.

"Prisons are the big question mark out there," Clouse said.

The state runs its agencies through two budgets, each with its own set of problems. One of those budgets pays for the state's school systems; all other agencies get money from the General Fund, which Clouse's committee oversees.

Revenues in the General Fund have been stagnant in recent years, but the cost of prisons continues to grow.

So does the state's price tag for Medicaid, the medical program for people in poverty. Medicaid enrollment spiked after the 2008 recession, and continues to grow, with nearly 1 million people on the program at any given time.

The proposed House budget would increase Medicaid's funding by \$70 million to \$685 million in 2015, which Medicaid officials say is just enough to get the program by.

"The \$685 million will be enough to get us to the end of 2015, but we'll be absolutely broke," said state health officer Don Williamson.

Most other programs would get exactly the same amount of money they got last year, or a little less. That includes the Alabama Department of Corrections. The proposed House budget would give the state's prisons \$389 million — nearly \$7 million less than prisons are expected to spend in 2014, though budget officials have said that carryover funds would even out the amounts.

Prison officials had asked for \$42 million more than that. The state's prisons now house more than 25,000 people in buildings intended for 13,000, with thousands more serving time in lower-security facilities and rented county jail space. The U.S. Department of Justice continues to investigate conditions at Tutwiler Prison for Women — where DOJ officials announced last month that the state had done too little to protect women from sexual abuse — and some state officials fear a court order that would mandate more spending to ease overcrowding.

Attempts to reach Department of Corrections spokesman Brian Corbett weren't successful immediately after the Tuesday afternoon budget hearing. Clouse said he has spoken to prison officials about their needs, and expects the outlay for prisons to grow as the budget makes its way through both houses.

Clouse said it was too early to speculate on what could be cut to make room for more prison spending.

The House budget did include significant increases for a few other agencies. The Department of Public Health would get a \$7.6 million boost, for a total of \$79 million in 2015.

"There's been a need there for screenings for cervical and breast cancer for uninsured women," he said. He said the money would also increase funding for transportation for people who use dialysis.

The House budget would increase funding for the Department of Forensic Sciences by \$1.5 million, to a total of \$10 million. State officials have told The Star that at least 30,000 drug cases are backlogged as the state waits for evidence from drug labs.

"It's been under severe restraints the last three or four years, causing backlogs in court cases across the state," Clouse said.

Other agencies will have to hope for a good economy if they expect to see a boost in 2015. The budget proposal contains a number of "conditional appropriations" -- promises of spending that will occur only if state revenues exceed current budget projections.

The governor said earlier this year that he hoped to give state employees a 4 percent pay raise, their first in years. That pay raise is in the proposed budget as a \$22 million conditional appropriation. But it may have to stand in line behind a \$10 million conditional appropriation for prisons and a \$75 million conditional appropriation for Medicaid.

Rep. John Knight, D-Montgomery, proposed that the budget committee designate the pay raise as the first conditional appropriation to get money. Knight's amendment was rejected, more or less along party lines, with Democrats supporting it.

Republicans said they too wanted the pay raise, but didn't want to tie the state's hands in dealing with prisons.

"My heart says go ahead and do that," Rep. Greg Wren, R-Montgomery, said of the pay raise. He said his head told him to leave the appropriations open.

The budget could reach the full House as early as next Wednesday, Clouse said. It would also require passage in the Senate and the governor's signature to become law. Both houses are now halfway through their 30-day legislative session.

Alabama Attorney General Luther Strange not happy with being zeroed out of General Fund (AP)

Alabama Attorney General Luther Strange says he is concerned about what lawmakers' proposed General Fund budget will mean for his office.

The House Ways and Means General Fund Committee on Wednesday approved a budget that zeroes out the office's current \$7 million appropriation. The budget bill says the office should instead use \$7 million from the national settlement with five big mortgage companies.

Strange says it is troubling that lawmakers would not guarantee full funding for the office that prosecutes criminals and is trying the BP oil spill case.

Gov. Robert Bentley had first made the budget proposal.

A Bentley spokeswoman says if the office does not have the money needed in 2015, that the governor will work with Strange to address the shortfall.

Tracking the 2014 session: Wednesday's action in the Alabama Legislature (AP)

MONTGOMERY, Alabama — A summary of action in the Alabama Legislature on Wednesday, a committee meeting day:

COMMITTEES:

—Senate Finance and Taxation-Education Committee held a public hearing on a bill to phase out the state sales tax on groceries, but did not vote.

—Senate Judiciary Committee approved a bill to keep the manufacturers and suppliers of drugs for lethal injections private. Goes to Senate.

—House Ways and Means Committee approved a \$1.8 billion General Fund for the 2015 fiscal year. Goes to House.

—House Health Committee held a public hearing on a bill that would ban abortion after the fetal heartbeat is detected, but did not vote.

AGENDA:

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

Alabama House committee holds hearing on fetal heartbeat bill that would ban most abortions (AP)

Alabama lawmakers are considering a stringent abortion ban that would largely forbid the procedure once a fetal heartbeat can be detected, something that can happen as early as six weeks into a pregnancy.

"If your heart is beating, that is an indication that you are alive. Let's just protect those unborn, alive children," bill sponsor Rep. Mary Sue McClurkin, R-Indian Springs, told a legislative committee.

Alabama is the latest state to consider tough restrictions, as abortion opponents seek to make a dent in the Supreme Court's 1973 Roe v. Wade ruling that legalized abortion. North Dakota approved a similar heartbeat bill last year, but a federal judge put the law on hold while the legal fight plays out in court. Proponents of the McClurkin's bill said it would protect the unborn, while opponents called it blatantly unconstitutional and destined to be enjoined by the courts.

The two sides squared off in a public hearing Wednesday before the House Health Committee.

JoAnn Cummings of Decatur said the proposal would ban almost all abortions in Alabama.

"You know with the right equipment the fetal heartbeat can be heard as early as six weeks, often before the woman even knows she is pregnant," Cummings said.

The National Institutes of Health's website for patients says a heartbeat can be heard at six to seven weeks. A fetal heartbeat can generally be detected earliest using a vaginal ultrasound, although McClurkin's bill does not specify a method for detection.

"If safe, legal abortions are not available, and women and girls do not view them as a possibility, we do return to the rusty knives and coat hangers and things that many of us can remember," retired law professor Martha Morgan told committee members.

Unlike past debates over clinic regulations and more incremental restrictions, this debate was directly aimed over whether abortion should be legal.

"You are protecting the lives of people who are going to provide to society benefits and blessings that would be missed otherwise," said Joe Godfrey, executive director of the Alabama Citizens Action Program.

McClurkin agreed that the bill would ban most abortions in the state.

A. Eric Johnston, president of the Alabama Pro-life Coalition, said some abortion opponents want to use heartbeat laws as a test case with the U.S. Supreme Court in the hopes of getting the court to revisit *Roe v. Wade*. Although, Johnston, who helped write the bill, said he thought they faced long odds to get before the high court.

"If there's a small possibility, then it may be worthwhile," Johnston said.

Three other bills seek to put new limits on abortion.

Current Alabama law requires women to receive information about abortion alternatives and possible adverse outcomes 24 hours before scheduling an abortion. One of the Alabama proposals would increase the waiting period to 48 hours.

Bill sponsor Rep. Ed Henry, R-Decatur, said it would give a woman more time "to make the decision that she will carry for the rest of her life."

"I believe there are a lot of people out there who aren't aware of alternatives," Henry said.

Susan Watson, executive director of the American Civil Liberties Union of Alabama, called the proposal an attempt to shame a woman into changing her mind about having an abortion.

"These bills imply that we are stupid. That we don't understand and we can't make informed, mature decisions regarding our own bodies. That we need politicians to coddle us and say, 'Now honey, are you sure?'" Watson said.

A third bill would require women seeking an abortion because of lethal fetal anomalies to be advised of the availability of perinatal hospice services. A fourth bill would require parents to submit a birth certificate, or other proof of parenthood, when giving consent for their daughter to have an abortion.

Twenty-two years and counting: Alabama lawmakers hear another proposal to remove state sales tax on food (AP)

For the 22nd year, Alabama legislators are discussing removing the state sales tax on groceries and replacing the lost revenue with another source.

The Senate Finance and Taxation-Education Committee held a public hearing Wednesday on a bill that would phase out the state's 4 percent sales tax on groceries. It would increase the sales tax on other purchases to 5 percent to make up the lost revenue.

Dial said he and others have been introducing bills every year since 1992 to address the sales tax on groceries and have never had anything enacted. "This is Groundhog Day," he said, referring to the Bill Murray movie where the weatherman repeats the same day over and over.

The leader of a group that represents Alabama's poor said low-income Alabamians would end up paying about the same under Dial's bill because they would have to pay more to buy clothes, detergent and other basic household items that would have a 5 percent state tax.

"We are replacing one regressive tax with another regressive tax," Kimble Forrister, executive director of Alabama Arise, said.

Forrister's group prefers a bill introduced in the House by Democratic Rep. John Knight of Montgomery. It would repeal the sale tax on groceries and replace the revenue by removing Alabama's state income tax deduction for federal income taxes paid. That would save money for lower-income Alabamians and require higher-income citizens to pay more. Knight's bill is awaiting consideration in a House committee.

Opponents of Knight's plan pointed out that he couldn't get it passed when his fellow Democrats controlled the Legislature prior to 2010 and his chances are worse now that Republicans control the Legislature.

Dial said legislators from both parties are reluctant to raise taxes on one group. "That is just not going to happen in this Legislature," he said.

Dial also said repealing the grocery tax and not replacing the revenue is not an option because sales taxes support public education and eliminating the grocery tax would cut public education funding by \$370 million annually.

Dial said he's hopeful of getting the committee to approve his bill next week and send it to the Senate. He got an identical bill through the committee last year and then saw it die in the Senate.

Alabama and Mississippi are the only Southern states that levy their total state sales tax on groceries. All other Southern states either have no tax or a reduced tax.

"I am hopeful I will live to see the day when we remove the tax on groceries like Georgia," Forrister said.

State House committee examines proposed expansion, restrictions for Birmingham Water Works Board (al.com)

MONTGOMERY, Alabama -- A bill in the Alabama House of Representatives that would expand the Birmingham Water Works Board and put area counties in a leadership majority was discussed in a committee today.

The House Health Committee held the first hearing on the proposal from Rep. Jim McClendon, R-St. Clair County. An endorsement vote by the committee is expected next week. If approved, the bill would progress to a vote by the full House.

McClendon is also the committee chairman. He has said the ultimate goal of the bill is to get five new members on the expanded Water Works Board who would then agree to sell the Moody water system back to the city of Moody.

The St. Clair board member would then exit the board. The Birmingham Water Works bought the Moody system in 1992.

Moody City Attorney James Hill III, spoke on behalf of bill supporters today.

"The city of Moody and those citizens do not have a voice on that board," Hill told AL.com in an interview. "Rates, debt service, are both management and financial issues that our citizens are directly affected by, but they have no representation when those decisions are made."

Hill, who is also the St. Clair County attorney, said the Moody and St. Clair delegation is united behind McClendon's proposal.

"The county's position is they support their cities and this is a significant issue for one of their cities," Hill said. "Jefferson County is not an island, the city of Birmingham is not an island and the decisions they make have an immediate impact on St. Clair County."

St. Clair Commissioner Paul Manning was also at the State House in support of the bill. After the hearing Manning stressed that the bill would benefit St. Clair County by providing a needed voice for water customers there.

"We're all in this to make a better county, be more responsive to the people and are looking forward to progress at the end of the day," he said

The McClendon bill is similar to other pending bills from State Sen. Jabo Waggoner R-Vestavia Hills , Paul DeMarco R-Homewood and David Standridge R-Blount County.

In all, there are four bills in the Legislature that would expand the Water Works Board and impose restrictions on board terms and compensation.

Supporters from both St. Clair County and Blount County spoke in favor of the legislation today including Blount County Commissioner Allen Armstrong.

Under the bill, Jefferson County, Shelby, Blount, St. Clair and Walker counties would be added to the board. If approved, the nine-member board would be comprised of five from outside the city and just four from Birmingham.

McClendon's ultimate call for independence from the Birmingham Water Works comes at the same the board members mull possibly divesting all customers outside Jefferson County in an attempt to kill proposals to expand the board.

A preliminary Water Works Board study on selling off outside water systems and ending non-Jefferson County service is expected Thursday.

Nevertheless, McClendon and bill supporters said immediate overtures to sell the Moody system back to the city of Moody would not stop efforts to gain a Birmingham board seat. Those officials want more than a promise to sell, saying St. Clair County would only leave the Birmingham Water Works board when a transfer of assets is completed.

Department of Justice puts all states on notice: Prisons' sex abuse cases could threaten federal funding (Montgomery Advertiser)

The state of Alabama could lose federal grant funding for prisons if it doesn't certify that it's in compliance with federal prison rape elimination standards.

The U.S. Department of Justice sent a letter to all state governors last week asking each to certify that they are in full compliance with the Prison Rape Elimination Act (PREA), or submit an assurance that they'll use a portion of the grant funds solely for the purpose of achieving that compliance.

If states don't respond by May 15, they'll lose 5 percent of federal grant money in the current fiscal year. The Alabama Department of Corrections received \$44,393,510 from miscellaneous revenue sources and the federal government this year, according to budget data.

"I applaud the Justice Department for creating financial consequences," said Bryan Stevenson, executive director of the Montgomery-based nonprofit legal firm Equal Justice Initiative, which has released several reports about sexual assault and violence at Alabama facilities. "The bill was passed with almost unanimous support.

"The entire federal government is putting all their weight behind getting rid of this dreadful phenomenon."

Last month, the DOJ's Special Litigation Section of the Human Rights Division released a 34-page report detailing what it called systemic problems at the Julia Tutwiler Prison for Women in Wetumpka that have allowed its staff to continue to sexually abuse and harass inmates.

A letter to Gov. Robert Bentley from the DOJ said the conditions at Tutwiler were unconstitutional, and that it would expand its investigation of the facility.

The letter said that inmates at Tutwiler "universally fear for their safety ... live in a sexualized environment with repeated and open sexual behavior," including abusive actions and language. It also said they were subjected to a staff member-condoned "strip show" and "deliberate cross-gender viewing" of inmates as they bathed and used bathrooms.

According to the report, there were also "serious discrepancies" between the information maintained in Tutwiler's incident report log related to allegations of sexual misconduct and the sexual abuse log maintained by the ADOC's PREA coordinator, including missing reports, reports listed as pending for long periods of time and no clear indication of whether action had been taken.

"As we've seen in Tutwiler, Elmore and Donaldson, not only is sexual violence from other prisoners a problem, but it's directed at prisoners from officers, too," Stevenson said.

Reports of the conditions have state leaders concerned about the potential threat of lawsuits that could lead to federal intervention.

Jennifer Ardis, a spokeswoman for Bentley, said Alabama has been working to implement PREA since before it was officially adopted in 2012.

"Prison rape abuse is unacceptable, and we are taking appropriate steps to make Alabama facilities safer for inmates, staff and the public," Ardis said. "We will continue to review the DOJ letter, and we will respond by the May 15 deadline."

Prison Commissioner Kim Thomas could not be reached for comment Wednesday.

[Arkansas sends message to Alabama on Medicaid expansion: Don't do it! \(Yellowhammer News\)](#)

Despite the increasing push from the left for states to expand Medicaid under ObamaCare, 25 states, including Alabama, have resisted.

Southern states have been particularly apprehensive about accepting the expansion. Arkansas, West Virginia, and Kentucky are the only three who have, and Arkansas' experience was so bad that they just voted to reverse course, according to a Watchdog article published on Wednesday.

"We just put another layer of complexity on top of a broken system," Arkansas House Majority Leader Bruce Westerman said in a conference call with reporters on Tuesday, adding that Arkansas is experiencing some major "buyer's remorse."

Last year Arkansas instituted an Obama-approved hybrid "private option" system that would allow the state to take advantage of the Medicaid expansion funding by having private insurance companies provide subsidized coverage for the newly-eligible population.

Approximately 100,000 Arkansans signed up for the service. On Tuesday, the Arkansas State House of Representatives narrowly voted against reauthorizing the program for the coming year.

Arkansas' Democratic Governor Mike Beebe is pleading with legislators to pass the reauthorization, but House and Senate Republicans seem to be standing firm.

Arkansas's buyer's remorse should serve as a reminder to Alabama lawmakers and citizens not to buy into the media narrative that Medicaid expansion will be an economic boon for the state.

"It was sold as free money from D.C., but it's not free, and strings are attached," Westerman said.

Parker Griffith kicks off campaign for governor; calls Gov. Robert Bentley 'timid' (AP)

MONTGOMERY, Alabama — Former U.S. Rep. Parker Griffith kicked off his Democratic campaign for governor Wednesday by calling Republican incumbent Robert Bentley timid and advocating expansion of the state Medicaid program under the federal health care law.

The former congressman from Huntsville said he would also campaign on legalizing a state lottery to pay for scholarships.

"We know we can create more jobs when we have a healthy, well-educated workforce," Griffith said.

Griffith outlined his campaign agenda of jobs, education and health care in a letter posted on his new campaign website Wednesday. In interviews and in a letter to voters posted on his website, Griffith called Republican incumbent Robert Bentley timid for not expanding Medicaid.

"Alabama wasn't built by timid politicians like Robert Bentley," Griffith said.

In seeking re-election, Bentley points out that Alabama's 6.1 percent unemployment rate is the lowest in five years and there are 59,400 more jobs now than when he took office in January 2011.

Griffith said Alabama's job creation is low compared to many states and the decline in unemployment is due in part to workers 55 and older losing their jobs and giving up on finding replacements, which means they are no longer counted as unemployed.

Griffith signed up to run for governor only a few minutes before the Feb. 7 deadline for major party candidates declare their candidacies. He said he needed a few days to pull his campaign together and that's why he had the kickoff Wednesday.

Griffith and Bentley are both 71 and both physicians. Bentley refused to expand the Medicaid program under the federal health care law because he said he said the program was broken and unaffordable. Griffith voted against the Affordable Care Act in Congress because he said he didn't like parts of it and other parts were confusing. But he said Tuesday he always liked the Medicaid expansion in the law and believes it would create 30,000 health care jobs in Alabama.

Griffith accused Bentley of making the Medicaid decision based on politics instead of what's in best for his constituents.

"He's timid in the sense he's a captive of the extremists in his party," Griffith said.

Bentley's campaign had no immediate comment on Griffith's remarks.

Griffith faces Fayette businessman Kevin Bass in the Democratic primary June 3. Bentley faces two opponents in the GOP primary the same day.

Griffith was elected to the Alabama Senate in 2004 and then to Congress in 2008 as a Democrat, but switched parties in December 2009 ahead of a national Republican wave. He lost the Republican primary in 2010 to Mo Brooks, a tea party favorite who beat Griffith again in the 2012 primary. Then he became an independent and recently rejoined the Democratic Party to run for governor.

Griffith said he originally left the Democratic Party because national leaders of the Democratic Party were far to the left of the Democrats he served with in the Alabama Legislature. He said he didn't get along with national leaders of the Republican Party either and decided to re-enter state politics as a Democrat. "I'm wiser for the experience," he said.

[Candidate hoping to be 'gun-toting governor' says lottery would eliminate state incentives like Remington's \\$54 million \(al.com\)](#)

MORGAN COUNTY, Alabama - Stacy Lee George, a corrections officer and former Morgan County Commissioner running for election as the "gun-toting governor" of Alabama, said implementing a

lottery would eliminate the need for the state to provide \$54.5 million in incentives to companies like Remington Arms.

George, a Republican, held a press conference today in Union Grove in response to Monday's announcement that the gun manufacturer would soon locate in Huntsville, eventually bringing 2,000 jobs to north Alabama.

"This is an excellent opportunity for Alabama but we spent nearly \$70 million (including \$14.5 million in contributions from local governments) to get them here," George said in an interview after the press conference. "If we could put the lottery in place, we could improve education, start the Ready to Work program, and improve the quality of life--issues companies look at when they want to expand."

George estimates a lottery would bring from \$200 to \$250 million to the state, a conservative number. Those funds would improve the state's marketability, he said, "so next time we may not have to give the (funding) incentives."

Alabama is bordered on all sides by states with lotteries or gambling, he said. Tennessee's lottery generates \$330 million annually, while Georgia generates \$900 million and Florida more than \$1 billion. Mississippi's casinos generate an unknown amount of revenue, George said.

A state-run lottery would keep money in Alabama.

"Jobs are good but that won't start until 18 months from the time the building is renovated and will create jobs over 10 years," George said of Remington's plan.

Using lottery funds, he wants to focus on improving Alabama's ranking in education, as well as add fire departments and promote downtown revitalization, he said.

"Every child should be able to read and write by the time they're in fourth grade," he said.

George said in a poll his campaign conducted in five north Alabama counties, 62 percent of people favor a lottery.

'Gun-toting governor'

George said one reason Remington chose to locate here is because southerners typically support Second Amendment rights. George, who has been an officer at Limestone Correctional Facility for five years, said he wears his gun to send a message.

"I'm not wearing a gun for self-protection," he said. "I'm protecting the Second Amendment. If Alabama is known for having a gun-toting governor, people know Alabama supports Second Amendment rights. It sends a message to the President of the United States that if you can't take the governor's gun, you can't take the people's guns either."

George, who served two terms on the Morgan County Commission, said he previously worked for the Department of Defense at AMTEC Corp., Wylie Labs in Madison and as a pipeline inspector at nuclear power plants.

Half of Alabama's workforce could retire today, two-year college chancellor says (al.com)

Just 56 percent of Alabama public high school graduates go on to enroll in college compared to the national average of 68 percent.

That's what Alabama Community College System Chancellor Mark Heinrich had to say this month about the future of Alabama's workforce.

And if something isn't done to replace retiring baby boomers, who worked longer than expected because of the recession, Alabama's business and industry could face a shortage of qualified workers.

"If we do nothing, we will have a workforce crisis," Heinrich said.

"In fact, when we talk to the folks in business and industry, they're talking in terms of 50 percent of their workforce could retire today if they wanted. So far, the economy has kept them in place."

If the state can't get more students into the college pipeline and hurry their path to the workforce, Heinrich said, employers may think twice about expanding their existing operations in Alabama.

They could also be forced to recruit qualified workers from other states, leaving even fewer job opportunities for native Alabamians.

"We know that 28 of the 34 fastest growing occupations require a community college background or a community college degree," he said.

According to Heinrich, there are already significant shortages of industrial management workers -- those who keep robots working on assembly lines -- welders and nurses.

Thus far, the state's efforts to boost its trained workforce has focused primarily on dual enrollment between public high schools and the community college system.

Dual enrollment enables teens to earn college credit at local community colleges while still enrolled in high school. The head start helps them finish college and enter the workforce faster.

To boost the program, Heinrich called on the state last year to make dual enrollment free. That would encourage more students to enter college and make college cheaper by reducing the number of required credit hours for which student must pay.

While the two-year college system estimates that 15,000 of its students transfer to four-year schools annually, efforts thus far focus more on students who plan to seek jobs immediately after community college.

A bill in the State Legislature this session would authorize a \$10 million scholarship program toward that end.

However, instead of the state footing the bill, the scholarships would be funded through donations from business and industry, up to 50 percent of which would be tax deductible.

It would also allow dual enrollment programs to be tailored with specific employers in mind as long as a regional workforce council determines it is justified.

But neighboring states are positioning themselves to outpace Alabama in the race to cheap tuition and a qualified workforce.

In recent weeks, lawmakers in Tennessee and Mississippi have proposed making the first two years of community college free for any students who graduate high school in their states.

The Tennessee proposal would use state lottery reserves to create an endowment to pay for the program at an estimated cost of \$34 million for the first year, according to The Chronicle of Higher Education.

In Mississippi, which has no lottery, lawmakers say paying everyone's tuition in the 75,000-student system would cost less than \$4.5 million a year, according to The Sun-Herald.

Lawmakers in Oregon are pushing a similar free-tuition plan.

Anatomy of the deal: Why Remington chose Huntsville for \$110M firearms plant (al.com)

After a long day touring the former Chrysler electronics plant near Huntsville International Airport and getting a crash course on the area's public schools, universities and community colleges, Remington Outdoor CEO George Kollitides and other top company executives went to dinner at Cotton Row.

They were joined on that chilly early December night by Huntsville Mayor Tommy Battle, Madison County Commission Chairman Dale Strong, Chamber of Commerce leaders and Shane Davis, the city's point man on industrial recruitment efforts.

Gov. Robert Bentley and Alabama Commerce Secretary Greg Canfield were also there, having flown in unannounced to see where Huntsville stood on Remington's short list after the crucial site visit.

The Alabama Department of Commerce had been notified just before Thanksgiving that the Rocket City was a finalist for a \$110 million Remington gun plant that would create up to 2,000 advanced manufacturing jobs. But impressions formed by company executives on their first trip to Huntsville would be a deciding factor.

Turns out Kollitides and his team were sufficiently impressed.

'Every nook and cranny'

"They checked every nook and cranny of that (Chrysler) building," Strong recalled Monday. "You could see how excited they were about this opportunity to grow their company."

Dale Strong mug.jpg

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Madison County Commission Chairman Dale Strong. (Sarah Cole | scole@al.com)

As the dinner party left Cotton Row, handshakes were exchanged on the historic Courthouse Square. Strong said he felt at that point that Huntsville would be Remington's choice.

"We started the process to finish the deal," he said. "We put the full-court press on. There was no relenting; we were committed to bringing them here."

That perseverance paid just after 2 p.m. Monday, when Kollitides confirmed word that began leaking over the weekend that Remington will turn the sprawling former Chrysler plant at the corner of Wall-Triana Highway and Electronics Boulevard into the company's third U.S. firearms factory.

The plant is expected to open in 2015 with 280 employees and reach full production in 2021. Remington's development deal with Huntsville guarantees the company will create a minimum of 1,868 new jobs at an average annual salary of \$42,000.

Project Traveler

Davis, the city's urban development director, said he first heard about "Project Traveler" – the code name for the Remington factory search – in August 2013 from M.R. Press Consulting, an industrial site selection firm from Connecticut.

At that point, cities and states across the U.S. were being invited to submit proposals for an unnamed advanced manufacturing company that would bring about 2,000 new jobs to the winning community. Information from M.R. Press indicated the company would initially need 300,000 to 400,000 square feet of manufacturing space, and perhaps much more in the future.

Davis said the empty Chrysler building – with 843,000 square feet of manufacturing space, 145 acres for future growth and 2,000 employee parking spaces – jumped quickly to mind.

"I knew that facility very well, and it just seemed like a perfect match," Davis told AL.com Thursday.

The Alabama Department of Commerce ultimately submitted nine sites, including the Chrysler plant, as potential homes for Project Traveler. Twenty-three other states also made bids.

About a month went by before Davis heard back from M.R. Press: Huntsville had made the first cut. It was September; Remington's name had still not come up.

The art of the deal

"At that point, we kind of went into the mode of how our project, if selected, would work," he said. "Kind of the terms of what our community could offer."

Huntsville Urban Development Director Shane Davis.jpg

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Huntsville Urban Development Director Shane Davis. (File photo)

Davis said the city's negotiating team, which had signed non-disclosure agreements promising not to say anything publicly about Project Traveler, put together a package of information highlighting North Alabama's skilled labor pool, quality of life features and good public schools, community colleges and universities.

"If you don't have the workforce," said Davis, "the building doesn't do them any good. We've got a lot of advanced manufacturing and have been able to replenish that labor pool."

The city provided examples of other advanced manufacturers that are thriving in the Huntsville area: Toyota, Adtran, Navistar, Raytheon, Teledyne Brown, Carpenter Technology in Limestone County.

Huntsville learned it was a finalist for the project in early November. Just before Thanksgiving, the site selection firm revealed that Project Traveler was North Carolina-based Remington Outdoor Co.

Davis was thrilled to now be courting America's oldest gun maker. He said one of his most prized possessions is the Remington Model 1100 .12-gauge shotgun he received as a Christmas present at age 12.

"I was just very excited," said Davis. "Being an avid outdoorsman myself, it just made you work a little harder through the holidays."

Chaotic time

The all-important December site visit by Kollitides and other Remington executives came at a chaotic time. Huntsville was also courting Boeing, which was hunting for a site to build its next-generation 777X jetliner after the machinists union rejected the company's initial offer to perform the work in Washington state. The Rocket City was rumored to be high on Boeing's list.

Like Strong, Davis said it became obvious during the Chrysler plant tour that the Remington leaders liked the property.

"They really fell in love with the facility and felt it could meet their immediate needs and future needs," he said. "But there was still work to do. At that point, we still didn't know who we were competing against."

Davis said the city took the non-disclosure agreement seriously, meeting behind closed doors in small groups to avoid raising suspicion. In addition to Battle and Strong, the negotiating team included Huntsville Economic Development Director Michelle Jordan; Chamber of Commerce CEO Chip Cherry; Limestone County Economic Development Association President Tom Hill; Tate Godfrey, president and

CEO of the Decatur-based North Alabama Industrial Development Association; Jetplex Industrial Park Director Brooks Kracke; and Richard Knox, Huntsville Utilities' engineering service superintendent.

The city-owned utility will be responsible to meeting Remington's considerable power needs at the new Huntsville plant.

Strong said Remington has had its architects and facilities team inside the Chrysler building for about two months, giving the company a head start on retrofitting the site to meet its needs. At full production, he said, Remington will be Madison County's third-largest private employer behind Boeing and SAIC. Adtran also employs about 2,000 people in Huntsville.

"People were wanting more to be done on economic development, and I believe we've answered the call," said Strong.

"There will be nothing greater than seeing employees coming in and out of that Remington plant on multiple shifts, producing the world's finest firearms right here in Madison County."

New Alabama Power CEO stressing continuity (AP)

MONTGOMERY, Ala. (AP) — Mark Crosswhite doesn't like the word "initiative," saying it too often brings up ideas he calls "flash in the pan." Instead, the new Alabama Power Co. CEO wants to stress continuity.

"I would say things are probably not going to change drastically for a long time," Crosswhite said late last week, a few days after being named CEO of the state's largest private utility. "Our interests are focused on providing reliable, affordable electric service to our customers. That's always at the top." And Crosswhite said that means market conditions will continue to determine the company's energy portfolio — once heavily reliant on coal, today somewhat less so. It also means the utility will continue to push for economic development and keep an eye on regulations aimed at cutting the nation's carbon emissions, a key contributor to climate change.

Crosswhite, 51, has been with Southern Company since 2004, and has previously served as chief operating officer for Southern Company, Alabama Power's parent company. Prior to joining Southern Company, Crosswhite worked in the energy division of Birmingham's Balch and Bingham law firm for 17 years.

He will succeed Charles McCrary, who will retire on May 1 after 12 years as the head of the company. Crosswhite steps into the position a few months after Alabama Power and other utilities were wrapped up in an attempt to have a formal rate review. PSC commissioner Terry Dunn and a number of groups,

including Alabama Arise and AARP, had pushed for reviews of the rates charged by the utility, as well as those charged by Alagasco and Mobile Gas.

The utility has not seen such a review since 1983, and commission president Twinkle Andress Cavanaugh and commissioner Jeremy Oden ultimately voted against the proposal. Cavanaugh has claimed "environmental extremists" would hijack such a process.

The PSC ultimately voted to use a new measurement formula for Alabama Power's return on common equity, which takes into account the utility's debt structure. Cavanaugh and Oden said the change would ultimately save money over the long haul, but critics argued it would only make it difficult to compare the utility's rates with other states.

Crosswhite said he watched the proceedings from afar, but did not think the utility's cost of capital "was in any way unjustified."

"Obviously, the Public Service Commission is the company's regulator, and it's their prerogative to have investigations when they think they're appropriate," he said. "It did not appear to me that the proceeding was necessary. But the commission had the proceeding. I think it came to a fair conclusion."

According to the U.S. Energy Information Agency, in November Alabama's average retail price of electricity to the residential sector was 10.75 cents per kilowatt hour, lower than the national average of 12.09 cents kw/hr and slightly higher than the East South regional average of 10.31 cents per kw/hr.

Industrial customers paid an average of 5.65 cents kw/h that month, the lowest in the East South region. Low industrial electricity rates have been cited as a factor in drawing customers to Alabama, and Crosswhite said economic development would continue to be a priority for the utility.

"A lot of us have kids in their teen years or their early 20s, and they're trying to decide where to settle," he said. "We want them to be here. We know that means they're going to have to have careers they can have in the state."

The company does not plan to build any new power plants until 2030 at the earliest, but Crosswhite said the company will try to keep up with regulations from Washington, in particular those related to carbon, a by-product of coal burning.

Last month, the Environmental Protection Agency proposed a rule limiting coal plants to 1,100 pounds of carbon dioxide per megawatt hour, less than what the average coal plant current emits. Crosswhite said the utility had spent \$3 billion over the past 10 years complying with regulations; the company reported operating revenues of \$5.5 billion in 2012.

"It's a challenge because the bar is never static," he said. "The rule is set. We satisfy that rule, then another rule is set on top of it. It makes future planning very difficult when the rules are evolving."

The utility has moved away from coal in recent years. Southern Company actually burned more natural gas than coal in 2012 and 2013. Crosswhite called those market-based decisions, aimed at trying to keep prices down for consumers. The recent cold snap throughout the country, he said, has raised the price of natural gas and made coal more attractive.

"We do believe very strongly that the answer for us is to have a very diverse fuel mix," he said. "When the price of natural gas goes down, we can burn natural gas and take advantage of those prices. When natural gas prices go up, we can have the coal fleet run."

Crosswhite said the utility was "exploring renewables to see where it makes economic sense for our customers."

9 Alabama companies win U.S. Chamber's annual Blue Ribbon Small Business Awards (al.com)

Several Alabama companies have been named winners of the U.S. Chamber of Commerce's annual Blue Ribbon Small Business Awards.

The program honors 100 small businesses across the U.S. that have demonstrated a "dedication to the principles of free enterprise and contributions to restoring jobs and supporting economic growth," a news release said.

Seven regional finalists, as well as all the Blue Ribbon Small Business Awards winners, will be recognized March 19 at the America's Small Business Summit in June in Washington, D.C. One regional finalist will be awarded the DREAM BIG Small Business of the Year award and \$10,000 cash.

The Blue Ribbon winners are also up for the Community Excellence Award, which will be determined through online public voting through Feb. 28.

The following Alabama companies were recognized as Blue Ribbon winners:

Bhate Geosciences Corporation – Birmingham.

Cepeda Systems & Software Analysis, Inc. – Madison.

GaN Corporation – Huntsville.

McSweeny Holdings – Trussville.

PPT Solutions, Inc. – Huntsville.

Proventix Systems, Inc. – Birmingham.

Relax, It's Handled – Birmingham.

Silvertron Café – Birmingham.

Urban Cookhouse – Birmingham.

Judge: 'Stand your ground' law protects Saban's daughter (AP)

BIRMINGHAM (AP) — A judge cited Alabama's "stand your ground" law today in throwing out a lawsuit against University of Alabama football coach Nick Saban's daughter, who was being sued by her sorority sister over a fight.

Tuscaloosa County Circuit Judge James H. Roberts Jr. ruled that Kristen Saban was justified in using force to defend herself during a 2010 scuffle with Sarah Grimes, a one-time best friend of the coach's daughter.

Grimes claimed Kristen Saban, 23, injured her during a brawl that followed a night of drinking, but the judge ruled that evidence showed Grimes initiated the confrontation.

Alabama's "stand your ground" law — similar to the Florida statute cited by George Zimmerman in the fatal shooting of Trayvon Martin — meant Saban had a right to fight back with reasonable force, Roberts ruled.

Grimes sued in state court in 2012, seeking an unspecified amount of money for injuries. An attorney for Grimes, Stephen Strickland, declined comment.

Bob Prince and Josh Hayes, attorneys representing Kristen Saban, said the coach's family was vindicated in its refusal to pay "hush money" to Grimes to avoid the lawsuit and subsequent bad publicity over the brawl.

The subject of money was brought up during talks between Grimes' mother and Terry Saban, the coach's wife, said Hayes.

"The Sabans had a choice, and they chose to do the hard thing to put their family through that. But there are some things you have to go through in life even through it is difficult," he said.

Arguments during a hearing and court documents showed the two women got into a fight at Kristen Saban's apartment after a night of partying in Tuscaloosa.

Saban posted "No one likes Sarah yayyyyy!" on Facebook, and Grimes banged on her closed bedroom door demanding that the post be removed. The judge said Grimes became the aggressor once the door was opened by yelling within inches of Kristen Saban's face, so Saban was justified in pushing Grimes.

The two women, both members of the Phi Mu sorority, became entangled in a fracas that included pushing and hair pulling. Grimes portrayed Kristen Saban as the aggressor and claimed she suffered serious injuries including a concussion and nasal problems that required surgery.

"If anyone was assaulted in this incident it was Kristen," said Hayes.

Both women graduated from Alabama in 2012.

The Sabans have no plans for a countersuit, Hayes said, but Grimes could still appeal Roberts' decision.

[One thing the new CBO minimum wage report proves: state policies matter \(Washington Post\)](#)

By Niraj Chokshi, Updated: February 19 at 6:00 am

CORRECTION: An earlier version of this post incorrectly cited the range of hourly earnings affected by a federal minimum wage hike to \$10.10. It would affect anyone with earnings within a range of \$4.25 in states that currently match the federal level.

Expect to hear a lot from both sides of the aisle about the new minimum wage report out Tuesday from the nonpartisan Congressional Budget Office. On one hand, it found that a federal minimum wage hike would bump up earnings for 16.5 million people. On the other hand, 500,000 people will lose their jobs. It's not exactly the most stunning conclusion—a minimum wage hike will help a lot and hurt a few.

But embedded in the nearly 40-page report are two other takeaways — both of which show why states matter so much to federal policy. There's the obvious: State policies serve as laboratories of policy. And CBO compared them to one another to suss out what effect a national wage hike might have. The other may not be so clear, but it's an important one: the population affected by a new federal policy can vary widely by state thanks to how state and federal policies interact. Here's how:

The nation is a patchwork of minimum wage laws. About half of America's workers live in the 29 states where the minimum wage matches the federal minimum of \$7.25. A fourth live in states where it's \$8.01 or higher. (Washington state's is highest, at \$9.32.) And a fourth of workers live in states where it's somewhere in the middle.

As with almost all economic policies, there would be ripple effects from a federal hike. Obviously, anyone earning below the new proposed federal minimum of \$10.10 would be affected. But so, too, would some workers who are just above that level. If you're earning four dollars above the current

minimum wage and suddenly that rises by nearly three dollars, your pay might get bumped by market forces even if it's still technically above minimum wage.

But the size of that ripple effect, it turns out, is directly related to a state's minimum wage. In fact, it's kind of easy to calculate, according to CBO, and it can have a big impact on what slice of a state's residents is affected. The size of the ripple effect above and beyond the proposed federal \$10.10 level is about half of the difference between that and the state's current minimum. Here are some examples from CBO that show how the math works out:

Thus, in states where the current minimum wage is \$7.25, CBO anticipates that workers earning up to about \$11.50 per hour would probably be affected by the \$10.10 option. In states with a higher minimum wage, the ripple effect would be much smaller. For instance, under current California law, the minimum wage is scheduled to increase to \$10.00 in 2016, and in that state, only workers earning up to \$10.15 per hour would probably be affected by an increase to \$10.10 in the federal minimum, by CBO's estimate.

Some 29 states currently match the federal minimum of \$7.25. If they do nothing and Congress passes a federal hike to \$10.10, then the hike would affect the lives of anyone whose hourly earnings fall within a \$4.25 range — a wide swath of people. In California, however, the range of workers affected by 2016 falls within a \$0.15 range — a narrow slice of earners.

State policies on their own have direct effects on the lives of residents, but they also interact with federal policy. A worker earning \$10.25 in California might not be affected by a \$10.10 federal minimum wage — perhaps because the ripple effect would already be absorbed by hikes to the state minimum wage. But someone earning the same amount in neighboring Arizona might see pay bumped up thanks to the interactive effect of state and federal policies.