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Education budget on deck in Alabama Senate; teacher pay raise 'going to be difficult' (al.com)

The Alabama Senate's education budget chairman said a 2 percent pay raise for teachers requested by the governor is in doubt.

Sen. Trip Pittman, R-Montrose, plans to move a proposed budget out of the committee Wednesday. Senate President Pro Tem Del Marsh, R-Anniston, said the Senate could debate the spending plan on Thursday.

"It looks like it's going to be difficult to do a 2 percent pay raise," Pittman said Friday.

Henry Mabry, executive secretary of the Alabama Education Association, which represents teachers and school employees, said it would be "punitive" not to give educators a raise.

A 2 percent raise for teachers and support personnel in K-12 schools and two-year colleges would cost about \$76 million, according to the Legislative Fiscal office.

The Legislature is expected to have about \$135 million more to spend next year than in this year's \$5.8 billion budget. Pittman said demands for new money far exceed that amount.

The Public Employees' Health Insurance Plan faces a projected \$220 million shortfall next fiscal year, and part of that is expected to come from the education budget.

Among other new demands on ETF money are \$24 million for the Prepaid Affordable College Tuition plan, a requested \$14 million increase for the Department of Human Resources and a requested \$10 million increase for pre-kindergarten.

"So that's the hardest thing," Pittman said. "Choosing the priorities and how to allocate the priorities."

Next year, the state must finish repaying \$437 million borrowed from the rainy day account in the Alabama Trust Fund five years ago. How much that will cost is a moving target. Gov. Robert Bentley's budget calls for \$27 million next year, but Pittman said it could take closer to \$62 million. It depends on how much the state can repay this year.

"That's the great uncertainty. We're passing a budget that doesn't start until Oct. 1," Pittman said.

The AEA's Mabry said there should be no uncertainty about a raise. Teachers and support personnel received a 2 percent pay raise this fiscal year, their first since 2007.

"The governor said there is money for a raise," Mabry said. "The budget office said there was money for a raise. There should be absolutely no problem in providing a raise for teachers, education support workers and retirees.

"If they don't give educators a raise and retirees a COLA, they're just being punitive. That would be the same song, fourth verse from this crowd."

The AEA has clashed repeatedly with the Republican-led Legislature since the GOP took control of the State House in 2010.

The AEA is calling for a 6 percent raise for teachers and support workers and a 6 percent cost of living adjustment for retirees.

In 2011, the Legislature passed the Rolling Reserve Act, which caps spending from the ETF each year based on revenues of the previous 15 years. The law is intended to prevent overly optimistic budgets that lead to mid-year proration and to build a reserve.

Bentley proposed to fund the teacher pay raise next year by going around the Rolling Reserve cap. He proposed spending \$92 million in sales tax revenues without first putting it in the ETF.

Republican leaders in the Senate have not said they would go along with the governor's move. That's another issue that could be hashed out next week.

<u>This week in the Legislature: Budgets in the spotlight for both houses (Montgomery Advertiser)</u>

A look ahead at the Alabama Legislature's agenda this week. All events subject to change.

House of Representatives

The House is scheduled to return at 1 p.m. Tuesday. House Speaker Mike Hubbard, R-Auburn, said the plan is to take up the General Fund budget in session on Wednesday. Budgets were passed out to House members Thursday so they have a chance to look at the budget and ask questions before it goes to the floor for discussion.

"The goal is to have both budgets done (early) to send them to the governor," Hubbard said. He said he didn't want representatives to be in a position where they have to make a last-minute vote on the budget.

In committee:

The House Health Committee meets at 11 a.m. Tuesday and is expected to discuss and possibly vote on the four abortion-related bills that were discussed in public hearings, including one that would ban abortion after the fetal heartbeat is detected, which can be as early as six weeks into the pregnancy.

The House Education Policy Committee meets at 3 p.m. Wednesday and is expected to discuss a bill that would make it mandatory for 18-year-olds to attend school unless they've already graduated.

Senate

The Senate is scheduled to return at 2 p.m. Senate President Pro Tem Del Marsh, R-Anniston said the Education Trust Fund budget — scheduled to appear in committee Wednesday — could come up for a vote on the Senate floor Thursday. Marsh also said there would be an attempt to bring back the Taxpayers' Bill of Rights, which was carried over last week.

"All parties that had interest ... have a piece of legislation that we think will work," Marsh said.

In committee:

The Senate Finance and Taxation Education Committee meets at 10:30 a.m. Wednesday. Besides the budget, the committee is also scheduled to take up legislation that would phase out the state sales tax

on groceries, and a bill that would allow school districts to set the beginning and ending dates of their school year, repealing a 2012 law.

The Senate Judiciary Committee meets at 1 p.m. Wednesday. The committee is scheduled to take up legislation that would allow individuals to carry concealed weapons, and a bill to increase the penalties for certain gambling crimes.

The Senate's Agriculture, Conservation and Forestry Committee meets at 2 p.m. Wednesday. Among other bills, it will take up legislation to decriminalize the sale of animals between sunset and sunrise.

Quiet looms at State House: Controversy avoided in regular session's first half, but several challenges lie ahead (Montgomery Advertiser)

Elections aren't known for having any calming effects on politicians.

But at the midway point of the 2014 Regular Session — and with Alabama's primaries a little over three months away — state lawmakers have thus far avoided the bruising fights of recent years.

Republican leadership in both chambers has, to this point, kept controversial issues on the sidelines, while minority Democrats have, for the most part, stayed away from filibusters. Senate President Pro Tem Del Marsh, R-Anniston, said Thursday he "hopes to continue on that track" as the Legislature begins the second half of the session.

"I want to try to get through the session a little earlier to allow people to get back to their districts and campaign this election year," he said. "But I think we're going to have a very productive election year."

Democrats and Republicans say the session this year has been less contentious than previous years, when lawmakers clashed and, in a few instances, screamed over bills prioritized by the GOP's commanding majority in both chambers.

"We are communicating better," said Senate Minority Leader Vivian Figures, D-Mobile. "The times where there was miscommunication, we got a little rattled, but we managed to bring things back. And I think that's because of the level of respect between Sen. Marsh and myself."

Rep. Greg Wren, R-Montgomery, said there aren't as many "big picture" bills in this current session.

"I think the Legislature has (passed) so many significant policy initiatives the last three regular sessions that it appears most folks are delighted about taking a deep breath and dealing with more mundane issues," Wren said.

Bumps ahead?

Lawmakers also acknowledged that the fragile peace could shatter in the second half, as the budgets and potentially controversial legislation emerges from committee and hits the floor.

The General Fund budget, which moved out of House committee last week, still has some unsettled issues, including funding for the Department of Corrections. The major question on the Education Trust Fund budget, scheduled to appear in Senate committee Wednesday, is the size and scope of a potential pay raise for teachers.

This week, the House Health Committee passed four controversial abortion bills that may cause some delays in passage on the floor. Two other bills dealing with religion in school — one that would reenforce students' rights to free expression and another that would force public teachers to read prayers verbatim — may also cause delays.

House Minority Leader Craig Ford, D-Gadsden, said many of the bills are likely to be challenged in court.

"State government can't supersede the federal government, and they're just passing election-year bills," Ford said. "They know they're unconstitutional. There are a lot of Democrats that are pro-life, but we also don't want to waste taxpayers' dollars defending these bills."

House Speaker Mike Hubbard, R-Auburn, said Republicans have taken on tough issues over the past four years, and they're not going to stop because it's an election year.

"If you didn't pass a bill because you were afraid it was going to be challenged in court, you wouldn't pass a bill," Hubbard said. "We obviously don't want to waste money. (But) they're going to be challenged, and there's no doubt about that."

The Senate, which featured a shouting match between lawmakers last year over the Alabama Accountability Act, has been more or less functional after a filibuster on the first day by Sen. Rodger Smitherman, D-Birmingham. Smitherman has slowed business down over opposition to a bill that would expand membership on the Birmingham Water Works Board, but the chamber has been able to move legislation through without major fights.

"We haven't had major, major bills that deal with major issues pushed down our throats, as we have in the past," Figures said. "So I'm grateful for that."

The one exception to the relative harmony was passage of a bill known as the Revolving Door Act, sponsored by Marsh. The legislation, designed to prevent lawmakers from lobbying either chamber of the Legislature for two years after they leave, had broad support, but Democrats on Feb. 4 managed to push through an amendment sponsored by Sen. Hank Sanders, D-Selma, that significantly broadened the scope of the bill to include other ethical issues.

"That was an effort to kill the bill rather than pass it," said Sen. Dick Brewbaker, R-Montgomery.

"Other than that, both sides have tried to stay toward the middle, and that's a good thing, rather than the political gotcha-ism that characterized their legislative initiatives in the past."

Marsh said he expects the legislation to come back to the Senate in its original form, though he acknowledged getting it through could be a challenge.

"Quite honestly, if Sen. Sanders wants to deal with those issues, let him get into his own bill," he said.
"I'm not going to jeopardize my bill, which was intended to do one thing."

Settling raises

In his State of the State address on Jan. 14, Gov. Robert Bentley called for a 2 percent pay raise for teachers, an idea that was met with caution from a number of legislators. Lawmakers have said that a raise for teachers is more likely than one for state employees, but Marsh said he had "no idea" where they were on the possibility of a wage increase.

Teachers and education employees received a 2 percent cost-of-living adjustment in the budget approved last year, but state employees have not seen a similar adjustment in years.

Hubbard said the goal is to get the budgets in order early enough to give time for lawmakers to review the documents and share their thoughts.

"We want everyone to have input and know exactly what they're voting on," he said.

Sen. Quinton Ross, D-Montgomery, remained optimistic that state employees would get a pay raise.

"Anything can happen," he said. "It's an election year. Some of those people who are Republicans who say it can't happen, they will have to face their voters at the polls should it not happen."

But lawmakers were working on the General Fund "completely without a net," Brewbaker said.

"We've got to get it right or we'll move into proration, and nobody wants that," he said. "That's why I don't think you hear criticism from the other side about bringing the budgets forward. Because they're on the committees, too, and they know there's not an easy (solution)."

Beyond the budgets, there was a general hope that the Legislature would finish its work without major controversy.

"It's an election year, and that means everyone wants to keep things on an even keel," Ross said.
"You don't want anything to jump up and bite you after you go back to your district in an election year."

<u>Bentley: Online retailers should collect sales taxes</u> (Montgomery Advertiser)

WASHINGTON — Gov. Robert Bentley said Saturday that Congress should pass legislation to make online retailers start collecting sales taxes but without an exemption for small businesses.

Bentley, like many of the state leaders gathered in Washington for the National Governors Association meeting, said the Marketplace Fairness Act will level the playing field between brick-and-mortar retailers, who already collect and remit sales taxes, and their online-only competition.

But for Bentley, the issue is about more than fairness. He estimates Alabama's cash-strapped General Fund budget would gain \$140 million to \$150 million a year if online retailers were required to hand over the sales taxes when their customers buy something and have it delivered to their house or business in Alabama. Under current law, the burden to pay the sales tax is on the customer, but it rarely happens and is not enforced.

"That tax is already owed. Even if it's a small business, you have to pay it, by law," Bentley said. "This is not a new tax."

The Senate passed the online tax bill last year, but it exempted businesses with less than \$1 million in annual revenue out of concerns that it would be a costly administrative burden for small companies.

But House Republicans, including Rep. Spencer Bachus, R-Vestavia Hills, are working on a version that may not include such an exemption. House Judiciary Committee chairman Rep. Bob Goodlatte, R-Va., and Bachus said recently that a key principle should be that complying with the online sales tax collection law should be so simple and cheap that small businesses wouldn't need an exemption.

Bachus is chair of the subcommittee that deals with Internet tax issues.

Bentley said the Marketplace Fairness Act would protect jobs in Alabama.

"Local businesses in Alabama are put at a 10 percent disadvantage when they compete with online sales," Bentley said. Alabama's state sales tax is 4 cents, but many cities and counties levy their own sales taxes of 4, 5 or 6 cents.

In Alabama, 75 percent of the online sales tax goes to the state's General Fund, which pays for prisons, Medicaid, public safety and other non-education agencies. Without the \$140 million or \$150 million that would be generated under the proposed federal law, Bentley said problems such as overcrowded prisons would worsen.

"Everything that is dependent on the General Fund will be hurt, and we'll have to find some other revenue source," Bentley said. "I wish I could tell you exactly where we're going to find the revenue sources."

Americans for Tax Reform, a conservative group that opposes tax increases, said the Marketplace Fairness Act would hurt online businesses based in Alabama.

"If Alabama wants to bolster revenue, it needs to keep the tax system fair, competitive and simple to encourage innovation and growth, not encroach on state sovereignty and put online retailers out of business," according to a Feb. 18 statement from Americans for Tax Reform.

A new law in Alabama would give online retailers the ability to submit one single payment to the state, according to the Alabama Retail Federation, which supports the legislation.

Bentley flew to Washington on the state plane Friday, with staff, to attend the National Governors Association meeting.

On Saturday, he attended a Republican Governors Association breakfast and chaired a NGA panel discussion on transportation issues. Today, Alabama's commissioner of the Department of Children's Affairs will discuss the state's pre-K program at a governors' panel about early childhood education, and Bentley will talk to the NGA health committee about combating prescription drug abuse.

Bentley and his wife will join the governors at a black-tie event at the White House tonight, and the governors will meet with President Barack Obama on Monday morning.

Who supports the common core? Business, education leaders ask Alabama Legislature to ignore repeal bill (al.com)

A coalition of educators, business leaders and civic organizations is asking the Alabama Legislature to ignore a bill that would repeal the state's controversial common core education standards.

"Under our old academic standards, too many graduates have been required to take remedial classes before starting college or a career," said Jessica Hammonds, executive director of Alabama GRIT.

"Alabamians believe this is a conversation for the State Board of Education, and we encourage our state senators and representatives to allow that conversation to continue."

[Related: Sen. Scott Beason, R-Gardendale, introduces bill to repeal common core]

GRIT, which stands for Graduate Ready Impact Tomorrow, is an ad hoc group formed to fight attempts to repeal the common core standards adopted in 2010 by the Alabama State Board of Education.

Its members include the following:

A+ Education Partnership,

Alabama Alliance for Arts Education,

Alabama Association of School Boards,

Alabama Association of School Business Officials,

Alabama ASCD,

Alabama Council of Teachers of Mathematics,

Alabama Literacy Alliance,

Alabama Mathematics, Science, Technology Education Coalition,

Alabama National Board Certified Teachers Network,

Alabama PTA,

Alabama School Library Association,

Alabama State Council on the Arts, Alabama State Department of Education, Birmingham Business Alliance, Birmingham Education Foundation, Black Belt Education Coalition, Business Council of Alabama, Chamber of Commerce Association of Alabama, Community Foundation of Greater Birmingham, Council for Leaders in Alabama Schools, Greater Birmingham Math Partnership, Huntsville Council of PTAs, Huntsville/Madison County Chamber of Commerce, The Literacy Council of Central Alabama, Manufacture Alabama, Mike and Gillian Goodrich Foundation, Military Child Education Coalition, Mobile Area Chamber of Commerce, Mobile Area Education Foundation, Montgomery Education Foundation, The Schools Foundation of Madison County,

School Superintendents of Alabama, and

VOICES for Alabama's Children.

Adopted by 45 states, the District of Columbia and four U.S. territories, the common core is a set of standards developed through the Common Core State Standards Initiative, a cooperative initiative of the Council of Chief State School Officers and the National Governors Association with funding from the Bill and Melinda Gates Foundation and others.

The initiative came as a response to a report from the American Diploma Project that said 28 percent of high school graduates nationwide were not prepared for college math or English.

[Related: Early data shows fewer Alabama students test proficient than under old standards and tests]

Eduction standards are intended to tell schools and teachers what students should learn in each grade in order to be prepared for college or career upon graduation.

The common core standards apply only to math and English. Alabama implemented the standards for math in 2012 and for English this school year.

The state has not adopted the standardized Common Core assessments offered by the initiative, instead opting for an ACT product aligned with the new standards.

The first test results under the new standards will not be available until this fall at the earliest, according to school officials.

The standards have been criticized as a federal intrusion into state-run education since the Obama administration announced in 2009 that states seeking certain education grants would be scored in part on whether they had adopted the common core.

They have also criticized the standards as an untested experiment.

State superintendent fears 'far-reaching and negative potential impact' of common core repeal (al.com)

Out of town on business Thursday, State Education Superintendent Tommy Bice had relatively little to say about the latest attempt by state Republicans to repeal Alabama's controversial common core education standards.

"I am reviewing the bill and gathering facts as to its far-reaching and negative potential impact on not only K-12 public education and the students we serve, but our current alignment with Alabama's community colleges, institutions of higher education and business and industry," Bice said in his only public statement.

[Related: See what common core detractors have to say about Alabama's new policy governing the use of student data]

Sen. Scott Beason, R-Gardendale, who is running for U.S. Congress this year, proposed the repeal filing Senate Bill 380 on Thursday.

If approved, it would repeal the standards adopted in 2010 by the state board of education, reinstating the standards in place before that.

Beason said the repeal would give the state time to see if the standards, adopted in 45 other states, worked there before implementing them in Alabama.

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

However, education officials point out the standards in place before 2010 had not been updated since the mid 2000s, making them grossly out of date.

Even then, the standards in place immediately before the 2010 change were so similar to the common core, the state would have to repeal math standards back to the 1999 level to effectively get rid of the common core standards.

[Related: State education board alters common core standards in response to crtiticism]
The future of Beason's bill, the first attempt by state Republicans this year to repeal the controversial standards -- after multiple failures in 2013 -- remains uncertain.

State Sen. Del Marsh, R-Anniston, the president pro tempore of the Senate, halted efforts last year, saying the issue was too important to rush.

Before the start of the 2014 session, he said any attempt to repeal the common core this year would be unlikely to reach the Senate floor for a vote.

[Related: Find out why this prominent conservative supports the common core]

The 2014 repeal attempt, Senate Bill 280, has 14 Republican cosponsors, including Sen. Dick Brewbaker, R-Pike Road, who led the attempt to repeal the standards in 2013.

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

Eduction standards are intended to tell schools and teachers what students should learn in each grade in order to be prepared for college or career upon graduation.

Adopted by the Alabama State Board of Education in 2010, joining 44 other states, the standards cover math and English Language Arts.

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The state has not adopted the standardized Common Core assessments offered by the initiative, instead opting for an ACT product aligned with the new standards.

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[Related: Early data shows fewer Alabama students test proficient than under old standards and tests]

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<u>Fact is, Alabama remains firmly in control of our public</u> <u>schools (Opinion from State School Superintendent Tommy Bice)</u>

By Tommy Bice

John Adams, second President of the United States, is attributed with the following quote, "Facts are stubborn things: whatever may be your wishes, our inclinations, or the dictates of our passion, they cannot alter the state of facts and evidence."

This quote seems most appropriate in the midst of the ever-increasing amount of misinformation circulating throughout our state regarding the "Common Core." The term "Common Core" has come to stand for all that is perceived as evil regarding the federal government and almost anything else that can remotely be attached to "it" politically. In a recent Alabama State Board of Education meeting "it" was credited with things as obscure as retinal scans being conducted on students to measure their emotions and reported to the federal government to removing classical literature from Alabama classrooms – both simply false.

However, the members of the Alabama State Board of Education and I take our responsibility seriously and have listened to each and every concern, even those without any basis or evidence and, as a result, have taken the following actions:

Strategically chose to not participate in either of the federally funded Race to the Top Common Core Assessment Consortia but rather followed the recommendation of the Alabama Assessment and Accountability Taskforce to adopt the ACT and its related assessments for Alabama as it creates an aligned assessment system for K-12, our two- and four-year colleges, and business and industry.

Strategically deferred from applying for a federally funded Longitudinal Data System Grant to ensure state control of our student data system. The result is a state-developed and state-owned student data system managed through the Alabama Supercomputer Authority.

Adopted a Statewide Data Use and Governance Policy to ensure that not only our internal data system remains secure and meets all FERPA requirements, but that all contracts and agreements with third-party vendors or service providers meet those same privacy expectations.

Appointed a State Data Privacy Officer to oversee our internal data system, review all contracts and agreements that include student data, and provide guidance and training to our local school systems on the development of their data use and governance policies.

Rescinded the original Memorandum of Agreement between the Council of Chief State School Officers and the National Governors Association executed for the development of a set of Common Core State Standards. This was the only signed agreement associated with the Common Core State Standards, but it had no binding authority past the development process, yet the State Board felt it important to rescind it in good faith to those concerned that it had governance authority.

Conducted a mid-implementation review of Alabama College- and Career-Ready Standards based on input from Alabama teachers, leaders, and others. This review was conducted by the same group of Alabama professionals who made the original recommendation for adoption in 2010. Their recommended changes to the standards were completed and adopted by the Alabama State Board of Education in January of 2014 with no permission sought nor needed from any outside entity.

Removed, as part of the standards revision process, Appendix B from the English/Language Arts Course of Study that included exemplars incorrectly referred to as a required Common Core reading list. These decisions rest at the local level as one part of the local curriculum and instructional resources development process.

At no time throughout this years-long process of work did the Alabama State Board of Education or the Alabama State Department of Education seek or require approval from the United States

Department of Education, the Office of the President of the United States, or any other professional organization or philanthropic foundation. Each and every decision by the State Board was based on

recommendations from Alabama teachers, administrators, and professors who are experts in their individual fields of academia.

So it should be no surprise that I continue to be perplexed about this continual debate about federal overreach, indoctrination, data mining, etc., based on the facts that I have just presented that state otherwise. I am equally as perplexed that in recent forums conducted around the state "experts" who have spoken against our work here in Alabama were all from outside our state and have never spent one second in an Alabama classroom, yet they had much to share about what our teachers and leaders were doing?

And, finally, I am most perplexed because the facts as they apply to the state of Alabama are clear – we have not relinquished state control of our public education system to anyone but rather on three occasions adopted a resolution affirming the Alabama State Board of Education as the "sole and exclusive entity vested with the authority, without restriction, to adopt or revoke all academic standards in all subjects for students in the public schools of Alabama, without direct or indirect pressure or coercion by the United States government or any of its subdivisions." I am not sure how much more direct that could be stated!

Facts are stubborn things and there you have them.

Lawmakers calling for prayer study in schools (AP)

MONTGOMERY — Alabama lawmakers are proposing a multitude of school prayer and religious expression bills this session. Legislators said the bills are an effort to push back against efforts to squash all vestiges of religion from the public square. Opponents called the bills election-year pandering, and said the proposals are either unnecessary or unconstitutional.

"I think there is frustration on the constant restrictions that have been coming. I remember when I was in first and second grade you could have prayer in school. All of the sudden you couldn't do those things," said Joe Godfrey, executive director of the church-based Alabama Citizens Action Program. Susan Watson, executive director of the American Civil Liberties Union of Alabama, sees it differently. "I think it's an election year and legislators are doing everything they can to speak to their base. I think they are trying to garner votes," Watson said.

Rep. Steve Hurst, R-Munford, has proposed to set aside up to 15 minutes at the start of each school day to study the procedures of Congress, including having teachers give a verbatim reading of a congressional opening prayer.

Hurst said he thought of the idea after thinking about how Congress and the Alabama Legislature begin their days with prayer, but schools can't.

"If you are reading the prayer verbatim that was entered into the Congressional record, then how can this be unconstitutional?" Hurst said.

Hurst said he thought the time could be educational and teachers might pick prayers that relate to the day's lesson. He said that might include the assassination of President John F. Kennedy or the lean times of the Great Depression. He said students could be excused if they didn't want to hear the prayer part of the lesson.

"Nobody has to pray," Hurst said.

Watson called the bill a "cunning" attempt to get prayer back in school, but said it was also "clearly unconstitutional."

"It's prayer dressed up like a civics lesson," Watson said.

The Alabama House of Representatives on Thursday approved a proposed constitutional amendment that would allow the display of the Ten Commandments in schools and other public buildings. The copy of the Ten Commandments would have to be mingled with other historic documents, according to the legislation.

"Sometimes we forget that separation of church and state was not to make sure we don't have any references, because the Founding Fathers clearly did that, it just means that there cannot be a state-sponsored religion and you can't force a religion on anyone," said Speaker of the House Mike Hubbard, R-Auburn.

Rob Boston, director of communications for the Washington D.C.-based Americans United for Separation of Church and State, said the state was inviting lawsuits if it approved either bill. "This is a matter that the Supreme Court dealt with some years ago. The court made it clear that public schools can't display the Ten Commandments," Boston said

The Alabama Senate earlier this session approved a "Merry Christmas" bill that would write into state law that teachers could offer traditional holiday greetings and schools could have holiday symbols, such as a Christmas tree or a menorah. The displays would have to either show the symbols of more than one religion or include a mixture of religious and secular symbols.

Another bill would put in state law that the students have the right to initiate prayer in school and express their religious views in their writings and artwork for class. Sponsor Rep. Mack Butler, R-Rainbow City, said teachers are scared about what is legal and what's not. He said putting it in state law would give them some guidance.

Watson said both bills are unnecessary, and students already have a right to prayer guaranteed by the U.S. Constitution.

"Teachers and student can already say Merry Christmas and Happy Hanukkah," Watson said.

State retirement includes lobbying groups (Dothan Eagle)

Alabama is one of 20 states that allow professional, athletic and municipal organizations that engage in lobbying their legislatures to participate in the state retirement system. According to the Associated Press , other states are moving to exclude these groups from state retirement. No legislation is currently pending to do the same here, but the day Alabama lawmakers take up the issue may not be too far in the future.

State Rep. Paul Lee, R-Dothan, said participation in the state retirement system should be limited to state employees and governmental organizations such as municipal governments. Outside organizations, including those involved in lobbying the Legislature, shouldn't be in the system, Lee said.

"If we're going to let AEA or any nongovernmental organization be in it, why not let the local auto dealership be in it?" he said. "Where's the line?"

A look at state records found that at least 10 professional, athletic and municipal organizations that engage in lobbying the Legislature participate in the state retirement system. Alabama's retirement system is split into a retirement system for teachers, state employees and judicial employees. The groups are either in the teacher's retirement system or the state employees' retirement system and each is represented in Montgomery by a registered lobbyist.

The groups include the Alabama High School Athletic Association, Alabama Association of School Boards, Council for Leaders in Alabama Schools, Alabama Education Association, Alabama State Employees Association, Alabama State Retired Employees Association, School Superintendents of Alabama, Association of County Commissions, Alabama League of Municipalities and Electric Cities of Alabama.

About 330,000 active and retired individuals participate in the state's retirement system. The 10 organizations represent about 253 people, hardly a drop in the bucket.

Don Yancey, director of retirement benefits for the state retirement system, said the inclusion of employees from the organizations is a wash for the state retirement system in terms of costs, as the organizations fund the employer's contribution to the state retirement system – that is the amount Alabama would pay into the system for each employee if they worked for the state government instead.

Keith Brainard, research director for the National Association of State Retirement Administrators, said that although the organizations are paying their own way, they represent increased risk to the state retirement system, particularly if they are compensated more than state employees.

"They may be paying their own freight, but every employee does pose potential risk to the pool," Brainard.

Sally Howell, executive director of the Alabama Association of School Boards, said organizations like hers advance the public interest. The AASB is funded by dues paid by school boards throughout the state.

"It's quasi-governmental work in that sense," she said. "The school boards and the state own us."

Howell said being able to offer state pensions allow organizations like hers to recruit and retain quality employees.

The state retirement system is funded by contributions by state employees and the state and the contributions of the other organizations and their employees who participate in the program, as well as returns on the investment of these funds.

Yancey said the typical Alabama state retiree has about 25 years in the system and draws half their maximum salary in retirement.

Alabama's contributions on behalf of its employees makes up a large part of the state's spending – about \$1 billion. For the 2014 fiscal year, the state contributed \$748.4 million to the state employee's retirement system, \$169.5 million for the teacher's retirement system and \$16 million to the judicial retirement system. An increase in the percentage of the salaries state employees pay into the system helped to reduce the amount the state has to contribute, but the number is beginning to rise again. "It's the elephant in the room," Lee said.

Lee said rising retirement costs would cut into the state's ability to fund other, worthwhile programs. According to Lee, part of the problem with the state retirement system is weak performance of its investments. Lee said the system has had two good years recently, but fared poorly during the Great Recession. Lee said the system has also had a history of underperformance in terms of investment returns.

The system is currently about 65-percent funded, meaning that if the state had to pay out all its obligations today, it could cover 65 percent of them. Around 2000, the system was about 100-percent funded.

Yancey said increasing the amount the system is funded for is an important priority, but is no reason to begin sounding alarm bells. Yancey said the retirement system has enough money to handle its obligations to retirees.

"It's as if you own a house and you're making payments on it and right now you've got 60 percent paid off," he said.

Gov. Robert Bentley plans to sign legislation restricting teens' use of tanning salons (AP)

Alabama's physician governor plans to sign legislation to put Alabama among a growing number of states that places restrictions on teenagers using tanning salons.

The Legislature gave final approval to a bill Thursday that sets the limits. The bill's sponsor, Republican Rep. Ron Johnson of Sylacauga, said it is the result of dermatologists seeing a growing number of teenagers with melanoma from excessive using of tanning beds.

"Most young people want to be with the 'in crowd,' and they don't realize the danger it presents to them," Johnson said in an interview Friday.

Gov. Robert Bentley practiced dermatology in Tuscaloosa prior to running for governor in 2010. He plans to sign the bill into law, his communications director, Jennfer Ardis said Friday. "The governor knows the danger that tanning beds pose and certainly supports the bill," she said.

Johnson's bill prohibits anyone 14 and younger from using a tanning bed at a salon without a doctor's prescription. Fifteen-year-olds can use them if a parent is present and gives written approval. Teens 16 and 17 could use them with written approval from a parent.

The permission form that parents must sign includes several warnings, including, "Repeated exposure my cause premature aging of the skin and skin cancer." Johnson said the warnings are to make sure parents are making an informed decision.

The bill does not regulate tanning beds in homes or teens getting spray tans at salons. The bill will take affect about six months after the governor signs it.

The American Suntanning Association, a national association of tanning salons, worked with Johnson on the legislation. "It will cause very little change because parental consent has been the standard," said Joseph Levy, scientific adviser to the association.

The Alabama Retail Association, which represents some large salons in the state, also worked with Johnson and supported the bill, President Rick Brown said Friday.

Many states have considered tanning regulations since a New Jersey woman was accused of taking her 5-year-old daughter into a tanning booth in 2012. The deeply tanned woman, who became known as the Tanning Mom, was charged with child endangerment, but a grand jury refused to indict her. More than 30 states now regulate minors' use of tanning salons. California and Vermont have bans, but most states use a minimum age and parental consent like the Alabama legislation.

The president of the Medical Association of the State of Alabama said the regulations are important because skin cancer is the most common type of cancer. "With indoor tanning bed use on the rise, this is a responsible approach to ensure parents are involved in an important decision affecting their children's health," Dr. Michael Flanagan said.

Jim Mercer, spokesman for the states Dermatological Society, said the legislation is a common sense balance between public health concerns for children and the right of businesses to provide a legal service without excessive governmental regulation.

The Centers for Disease Control and Prevention found in a 2011 survey that about 13 percent of high school students use tanning salons, including 32 percent of female 12th-graders.

Levy said the restrictions on teens don't have much impact on tanning salons' business. "The teen market is about 2 percent of tanning facilities' business," he said.

3 Bentley opponents backing state lottery (AP)

Three candidates for governor are running on state lottery platforms and gambling that Alabama voters have changed their views since rejecting Gov. Don Siegelman's lottery plan 15 years ago.

Both Democratic candidates for governor, former U.S. Rep. Parker Griffith of Huntsville and Fayette businessman Kevin Bass, are proposing a lottery to pay for college scholarships, and one of the three Republican candidates, former Morgan County Commissioner Stacy Lee George, is proposing a lottery to pay for scholarships and several other programs.

They hope the lottery issue will make them stand out against a Republican incumbent with a \$3 million fundraising lead and a hands-off approach to a lottery.

"It's going to be very difficult," Griffith acknowledged in an interview.

Creating a lottery in Alabama requires an amendment to the Alabama Constitution. The Alabama House and Senate must approve it first, and the voters statewide must pass it.

Democrat Siegelman got elected governor in 1998 by promising to create a state lottery. He got his plan through the Legislature, but voters rejected it in a statewide referendum in 1999 after a campaign funded in part by out-of-state gambling interests trying to avoid competition.

Siegelman sought re-election in 2002 using the lottery as his issue and lost to Republican Bob Riley.

The Democratic nominee for governor in 2010, Ron Sparks, ran on a lottery platform and lost to Republican Robert Bentley.

In 2010 and again in 2014, Bentley said a lottery is not his issue.

"That is up to the Legislature. That's a constitutional amendment. I don't even sign a constitutional amendment," Bentley said.

Bentley said he wouldn't fight a lottery constitutional amendment in the Legislature.

"I always believe in the people's right to vote," he said.

But he said he would vote against it in a statewide referendum.

"I don't think gambling is the way to fund education," he said.

Siegelman is now in federal prison on a bribery conviction related to his lottery campaign, but candidates advocating a lottery say the public's views about a lottery have changed since Siegelman's times.

George said he joined many other citizens in voting against Siegelman's lottery because it lacked transparency, but he predicted a new lottery plan with plenty of public scrutiny would pass.

"The bottom line is folks, Alabama defeated the lottery 15 years ago, and it's time we voted on it again," George said.

Candidates also said Alabamians have had plenty of time to watch and play the lotteries in Florida, Georgia and Tennessee.

Bass said rising college costs and increasing college loan debt have fueled changes in public attitudes about lottery scholarships.

"They are seeing surrounding states have benefited from it," he said.

Griffith said the Alabama car tags at lottery outlets across the state line demonstrate that attitudes have changed since 1999.

"When you see the numbers of people going to the borders of Alabama spending their money on education lotteries in other states, we have no business without an education lottery," he said.

One candidate for governor has the opposite view.

Bob Starkey, a retired software developer from Scottsboro, said he's opposed to creating a lottery or expanding gambling in Alabama.

"It's an ideal place for more corruption, and you are taking money out of the pockets of people who can least afford it," he said.

<u>Alabama GOP removes three more from June primary</u> ballot (AP)

The Alabama Republican Party is removing three other candidates from its June primary ballot in addition to Baldwin County circuit judge candidate Ginger Poynter after finding them ineligible.

The state GOP announced the decision Friday following hearings by the party's candidate committee.

The committee voted to remove Jefferson County circuit judge candidate Jim McFerrin; state auditor candidate Ray Bryan; and party executive committee candidate Jamie Wilkins.

The committee will hear challenges to other candidates on Saturday.

Party Chairman Bill Armistead says challenges were filed against a total of 18 primary candidates. Armistead says challengers claimed candidates were ineligible for several reasons.

Some challenges involved claims that candidates supported Democrats in past general elections or took money from the Alabama Education Association.

The party isn't saying what led to the removal of the four candidates.

The Mobile County GOP may also remove a candidate for sheriff from the ballot.

Bryan out as GOP candidate for state auditor (Anniston Star)

by Tim Lockette

MONTGOMERY — Anniston lawyer Ray Bryan won't be on the ballot for state auditor as a Republican, the party's leadership announced Friday.

In an announcement emailed late Friday afternoon, the Alabama Republican Party headquarters announced that it "did not grant ballot access" to Bryan and three other Republicans — Baldwin County District Judge candidate Ginger Poynter, 10th Circuit judge candidate Jim McFerrin and state Republican committee candidate Jamie Wilkins.

Bryan was among 18 candidates whose status qualifications to run as Republicans were challenged after the sign-up period to run in the 2014 elections ended Feb. 7. Party chairman Bill Armistead told The Anniston Star earlier this week that all 18 were challenged by other party members, and that those challenges would be reviewed this weekend.

Party officials have never publicly stated what grounds any complainant had for challenging Bryan's candidacy. Armistead said earlier this week that challenges to the 18 candidates were due to a variety of issues, including questions about residency, technical or paperwork problems or doubts that the candidates were truly Republicans.

Attempts to reach Armistead and Bryan were not immediately successful Friday afternoon.

Bryan announced his candidacy last year, saying if elected, he hoped to work for an amendment to the 1901 Constitution to abolish the state auditor's office. The office keeps track of all personal property belonging to the state with a value of more than \$500. Bryan said the office should be placed under the Examiners of Public Accounts, the auditing agency of the legislative branch.

Four Republicans and one Democrat remain in the race for state auditor. Independent candidates have until June to qualify to for the election.

Mobile County GOP poised to boot 'Trojan elephant' from primary ballot in sheriff's race (al.com)

The Mobile County Republican Party is poised to remove a "Trojan elephant" candidate for sheriff with a history of support for the Democratic Party, according to the local GOP chairwoman.

The chairwoman, Terry Lathan, said a party subcommittee recommended last week that the full Republican Party Steering Committee review the case and give candidate Matt Tew a chance to present his defense. That meeting will take place Monday evening.

She said several subcommittee members strongly recommended removing Tew from the GOP primary ballot. She said it is important for the party to prevent interlopers from trying to take advantage of the Republican label as a matter of political expediency.

"With Republicans being so dominant, we're seeing Trojan horses. Maybe I should say Trojan elephants," she said, alluding to the party's symbol.

Tew, who unsuccessfully ran for sheriff as a Democrat in 2006, said much of the case against him came down to his friends on Facebook.

"They said I still had Democratic friends," he said. "I'm not going to deny my friends."

Party loyalty has become a big issue in Republican circles this year. The state party this week is hearing challenges to 18 candidates for legislative, judicial and statewide offices. On Friday, the party removed a Baldwin County candidate for District Court judge but allowed a state legislative candidate to remain on the ballot in Baldwin. The state party removed three others, as well.

Lathan said the subcommittee voted 14-0 to have the 18-member Steering Committee hear the case. She acknowledged that social media played a role in the allegations but said it was more involved than simply Tew's roster of friends.

"What people say on their Facebook and Twitter pages can come back to haunt them, per se," she said.

Lathan said the Republican Party remains welcoming to new converts - as long as they are genuine.

"That is not to say we don't open the door to Democrats to be Republicans. We absolutely do," she said. "But there's a right way and a wrong way to do it."

Folks making genuine break from the Democratic Party usually contribute to Republicans, attend party functions, make public statements in support of the GOP and "get out of the wagon and help pull," she said.

But Lathan said Tew did none of that.

"There has to be a path of breadcrumbs we can follow," she said.

Tew said he has supported Republican candidates, adding that he contributed money to failed Mobile County Commission candidate John Graham. He said he considers himself more Republican than Democrat, but added that the sheriff has a responsibility to all citizens.

"I feel the sheriff shouldn't necessarily be partisan, shouldn't really have ties to any party," he said.

"The sheriff is there to protect the people – all the people."

Tew said he wants to run in order to campaign on a platform of taking proactive steps to prevent crime and improve management of Mobile County Metro Jail.

In 2006, Tew finished third in the Democratic primary but became the nominee through a series of challenges. Second-place finisher Clint Ulmer successfully challenged DaVon Grey's victory in court on grounds that he failed to turn in necessary paperwork.

But the Mobile County Democratic Executive Committee removed Ulmer after determining that he failed to file a campaign finance report on time. Tew got the nomination but went on to lose to Sam Cochran, who is seeking a third term this year.

If the party removes Tew from the ballot, it would leave Howard Waters and Cochran's only opponent.

Alabama law bars unauthorized surveillance in private places, public spaces fair game (al.com)

In a world where most phones double as cameras and people share the results of their latest doctor's visit on Facebook, is an expectation of privacy still possible?

Under Alabama law it is.

The state has laws against eavesdropping and surveillance, with the key elements being "trespassing" and "private place." For instance, the law bars someone from "intentionally" engaging in surveillance while trespassing in a private place.

Surveillance is the "secret observation" of a person's activities with the purpose of spying on and "invading the privacy" of the person under observation.

The law also lays out what it means by "private place."

"A place where one may reasonably expect to be safe from casual or hostile intrusion or surveillance, but such term does not include a place to which the public or a substantial group of the public has access," according to the Code of Alabama 13A-11-30.

Simply put, if you're out in public, there is no bar to your being watched in Alabama.

On the other hand, a neighbor is entitled to maintain a video camera that watches his porch, but he can't cross the imaginary line and point his camera at his neighbor's window, said Rex Reynolds, former Huntsville chief of police and public safety director.

Protection against being filmed also extends to a locker room or dressing room, Reynolds said.

"That's out of bounds," he said. "A dressing room, a locker room, there's an automatic expectation of privacy."

Huntsville YMCA CEO Scott Mounts said the YMCA has numerous cameras at its facilities but draws the line at areas where privacy is expected.

"We have a lot of security cameras throughout child care centers and throughout our facilities,"

Mounts said. "One thing we don't do is invade anybody's privacy by putting cameras in locker rooms, shower areas or bathrooms."

"It's just not done, it's not the right thing to do."

Mounts said the YMCA does have cameras strategically placed "just outside locker rooms" in case a theft is reported. He said employees can pull out the video from a designated time frame and identify who was coming in and out of the locker room.

Madison County District Attorney Rob Broussard said the expectation of privacy does not extend to public places or "what can be seen from a public place." Broussard said cameras mounted in public places are the equivalent of an officer on a stakeout and search warrants are not required.

"It's called the plain view doctrine," the DA said. "The requirements are if somebody is in a location they have the lawful right to be, or they are allowing the Huntsville Police Department to sit on their front porch, then they have a lawful right to be here. And if in plain view they are able to see something plainly illegal, it's a good search."

Broussard said he feels there is a distinction between an expectation of privacy and the idea of being watched the entire time you're out in public.

"Having cameras everywhere, strictly from a law enforcement point of view, having a tape of criminal wrongdoing in hopes of having a stronger case, it's a great thing," Broussard said.

"From an American citizen point of view, I fully understand it's a little bit unnerving to think more often than not I'm on a camera somewhere."

Gov. Robert Bentley named co-chair of Appalachian Regional Commission (al.com)

The Appalachian Regional Commission has named Alabama Gov. Robert Bentley as its co-chair for 2014.

Bentley co-chaired a meeting of the commission Sunday during the National Governors Association winter meeting in Washington, D.C., according to a news release from the governor's office.

The Appalachian Regional Commission is a partnership of federal, state and local government that promotes economic development and provides funding for several hundred projects every year.

Bentley's focus for 2014 will be helping victims of domestic abuse in Alabama's Appalachian region counties, the news release said. Thirty-seven Alabama counties are eligible for ARC funding.

The Alabama Department of Economic and Community Affairs coordinates the ARC program in Alabama. ADECA Director Jim Byard Jr. will serve as the governor's alternate to the commission.

Sexual abuse by guards at Tutwiler Prison for Women could lead to federal takeover, loss of some funding (al.com)

The state of Alabama risks losing some federal funding for prisons if it does not properly respond to questions about sexual abuse at its facilities, according to the U.S. Department of Justice.

The DOJ last week sent a letter to all state governors, including Gov. Robert Bentley, asking for confirmation that they are complying with the Prison Rape Elimination Act. The federal law, enacted in 2003, aims to eliminate sexual violence against inmates and details national standards and policies for curbing such abuse.

It is not – in a prison system that is projected to spend more than \$400 million next year – a substantial amount of money. Jennifer Ardis, spokeswoman for Bentley, said it amounts to \$219,700. She said the governors were all asked to declare whether their state was PREA-compliant, or whether they needed more time. They must respond by May 15 or risk losing the money.

"Prison rape and 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 will respond by the May 15 deadline."

Alabama, however, has faced other scrutiny about rape and sexual abuse in its prisons, particularly at its women's prison in Wetumpka.

A month has passed since U.S. officials declared the conditions to be unconstitutional at Julia Tutwiler Prison for Women. A DOJ report released Jan. 17 outlined allegations of prison guards demeaning, harassing and sexually abusing inmates for nearly two decades.

"Prison rape and abuse is unacceptable, and we are taking appropriate steps to make Alabama facilities safer." - governor's spokeswoman Jennifer Ardis

The 36-page report highlighted the findings of an April 2013 investigation and condemned the "toxic, sexualized environment" at Tutwiler. The violations range from verbal abuse and voyeurism to forced sexual contact between prisoners and Tutwiler staff members, according to the report.

Accompanying those issues, a review of Tutwiler statistics provided by the Alabama Department of Corrections shows that the facility is far above designed capacity and at slightly more than half its authorized staffing level. Those issues are not unique to Tutwiler, as statistics show corrections facilities throughout the state similarly overcrowded and understaffed.

The Department of Corrections is working to address the problems at Tutwiler, and the governor is urging changes, Ardis said.

Bentley has not visited the prison, but Ardis and other staff members have.

"After the original EJI complaint was filed, the department asked an independent agency, the National Institute of Corrections, to come in and look at the facility," she said. "The NIC issued a report last January that detailed 58 specific recommendations. To date, 57 of those recommendations have been implemented and the 58th is currently underway. The governor takes the allegations of sexual misconduct seriously, and it will not be tolerated in Alabama's prisons. We will continue to work to make the facility better for inmates and staff."

<u>Bice: Selma schools now under state control (Montgomery Advertiser)</u>

State education officials assumed control of Selma's troubled school system Friday.

If school officials cooperate in overcoming systemic problems in the schools, State School Superintendent Tommy Bice said the state could be out of the school system earlier than planned. If they don't cooperate, it's school officials who could be out of the system, he added.

The Alabama State Board of Education was authorized to assume control of the system for up to two years after a state investigation. The investigation found a variety of problems — from not properly investigating allegations of inappropriate sexual behavior to grade changing and not enforcing graduation requirements. And the state board found the Selma system's plan to resolve the problems unsatisfactory.

Bice said how long the state remains in control of the Selma school system depends on the Selma school system.

"It depends a lot on how cooperative (the Selma school board) is, and how cooperative the folks in the Selma school system are during this process," he said. "The board resolution said two years, but I would think we could be out much sooner than that."

If the needed cooperation is not forthcoming, it could be Selma school officials who are out of the Selma school system.

"Under our new intervention law, we can step into a system and remove the superintendent and board, set them aside and make all of the day-to-day decisions ourselves," he said. "We're choosing to include them because we want to build capacity.

"So we'll see how that goes. But we always have the option, if that does not go well, of setting the board aside, setting the superintendent aside and doing what we need to fix the problems that are problematic."

He is particularly bothered about the school system not adequately investigating allegations of inappropriate sexual behavior by school system employees.

"It's troubling ... that should be a primary focus of digging deep to find out what the facts are," he said. "That's one of the things they didn't do. We had to step in and do that."

Bice said beginning Friday something would be done about the people the state investigation identified as not necessarily being directly involved, but with having knowledge of it and responsibility for the supervision of the areas where it occurred.

"There needs to be disciplinary action," Bice said. "That's what we'll be doing today (Friday). We'll be doing some things that should have been done a long (time) ago."

He said some employees are being put on paid leave.

<u>Shelby says health care law is on minds of Alabama</u> <u>workers (Tuscaloosa News)</u>

By Patrick Rupinski

VANCE | U.S. Sen. Richard Shelby, R-Ala., said he hears a common worry as he travels across the state — concern about the federal Affordable Care Act.

"Everywhere I go, workers are bringing up the Obama health care law," Shelby said as he finished a tour Friday afternoon of the Mercedes-Benz U.S. International auto assembly plant.

Shelby, a Tuscaloosa resident, said he tries to visit work sites in every county in the state regularly to find out what lawmakers in Washington should or should not do to help businesses to create more jobs.

He said the controversial health care law will be a major campaign issue during the nation's mid-term elections this fall. Republicans will mention the problems the law is causing, he said.

In addition to the health care law, other issues in this fall's elections will be the size of the federal government, increased federal regulations and President Barack Obama's use of executive orders to bypass congressional action.

The GOP hopes to win a majority in the U.S. Senate in the November election. Democrats hold most of the 35 seats that will be on ballots across the country, he said.

U.S. Sen. Jeff Sessions, R-Mobile, is one of the senators up for re-election this year but has no Democratic opponent.

Shelby's fifth six-year Senate term will not expire until 2016. When asked if he would seek a sixth term in 2016, he replied that he probably would run again but noted that election is still 21/2 years off.

He said his membership on the Senate's banking and appropriations committees has allowed him to help the state economically and that he would like to continue to use his influence to aid the state.

The senator said it had been about four years since he last toured the Mercedes plant and that he was impressed by its expansion and its new production line, which will start making C-Class sedans this year.

"They have created a lot jobs and opportunities here," he said, noting the Southern auto industry has outperformed its Northern counterparts.

Shelby said he was glad workers at the Volkswagen auto plant in Chattanooga, Tenn., voted against joining the United Autoworkers Union last week and said he saw no benefit from having the union.

He said Alabama's growing auto industry has done well and has added more jobs and seen more investment by the auto industry because of its union-free environment.

The UAW currently has a campaign to try to unionize the Mercedes plant. The union has filed a National Labor Relation Board complaint against Mercedes' plant management, alleging they have tried to prevent workers from discussing a union.

A hearing on that complaint will be heard by the NLRB in April and the results of that hearing could influence what happens next with the organizing campaign at Mercedes.

Shelby said he is concerned about President Obma's attempt to put people on the NLRB without Senate confirmation.

"He is trying to illegally stack the NLRB. It is part of a political payback," he said, noting the courts will have to rule on the constitutionality of the latest appointments.

<u>Tim Cook -- Apple CEO and Robertsdale's favorite son -- still finds time to return to his Baldwin County roots</u> (al.com)

ROBERTSDALE, Alabama -- The man who runs the world's most famous computer company came home like always last Christmas, flying in through the Pensacola airport.

There were some sightings at local stores, but he mostly lounged around, spending hours with his parents, in the house and neighborhood where he grew up.

No one will say much more about the visit than that. When it comes to Tim Cook, Robertsdale wraps him in a protective hug and keeps strangers with their curious questions at arm's length.

But the people of Robertsdale are also very proud of the 53-year-old chief executive officer of the mighty Apple Inc., no one more so than his parents, Geraldine and Don Cook. Recently, Geraldine shared a bit of Tim's story, as did some others from Robertsdale.

It is a small window from which to know him better, but offers some insight into how Robertsdale became his home, how it shaped him and why he is drawn back.

ROOTS IN ROBERTSDALE

If you grew up in Robertsdale, you might remember Tim Cook's brothers, Gerald and Michael.

Gerald, 56, worked for the Internal Revenue Service after high school for five years, then went on to Auburn University. He works now as an analyst for a company in North Carolina, said his mother, Geraldine.

Michael, 47, joined the Air Force after high school. He works now in the maritime industry, following in the steps of his father, Don.

It was in 1971 when Geraldine and Don Cook found good cause to settle down with their three sons in Robertsdale, a place of 2,300 residents and endless miles of the rich, green farmland that was always Baldwin County's pride.

They chose Robertsdale because they wanted their growing boys to be able to go to the same school. That hadn't been possible in Pensacola, or in Mobile, where they'd lived for short spells.

Robertsdale, said Geraldine, "was just a little hole in the ground." But it was cozy, and they were glad to be there. The family house, a split-level place, was one of the few on East Silverhill Avenue.

The older boy was Gerald. Youngest was Michael. Tim was in the middle, born in Mobile 11 years earlier.

Don and Geraldine Cook both hailed from rural Alabama. She was from a country town outside of Greenville in Butler County; he was from neighboring Crenshaw County.

Don served as a foreman for Alabama Dry Dock and Shipbuilding, the largest employer in Mobile at the time, building and repairing ships for the military on Pinto Island. Geraldine worked at Robertsdale's Lee Drug Store, one of the only pharmacies around.

Robertsdale, riding on a farm economy and the dollars from tourists passing to and fro to the beaches at Gulf Shores 40 minutes away, ranged over only about five square miles, so folks generally had an idea about who was who.

All three of the Cook boys worked part-time jobs when they were old enough to shoulder some responsibility. Tim's first job was delivering newspapers, his mother said. He later worked at a restaurant and then at the drugstore with his mom.

'Always meticulous'

Tim possessed a studious nature that was apparent as early as the eighth grade.

"He is the pride and joy of our town," said Susie Kendrick Vivar, a former classmate who still makes her home in Robertsdale. "We're all very proud to say that he lived here."

Teachers describe a friendly, diligent, long-limbed teenager who played trombone in the band and served on the yearbook staff.

"You didn't go around calling him a nerd," said Barbara Davis, who taught Cook math. "He was just the kind of person you liked to be around." She added, "He was a reliable kid. He was always meticulous with his work, so I knew it would be done right."

The Robertsdale school yearbook staff started its tasks very early, in the summer months. In his senior year, Cook was the staff's business manager, keeping the books and reeling in the ads. He was, said Davis, "the kind of person you need" for such a job.

Selecting a college was, much as like it is today, demarcated between Auburn and Alabama, although there were plenty of students who went to local colleges or straight to the workforce.

Cook's mind had long been made up. "Ever since he was in the seventh grade he said, 'I want to go to Auburn some way or another," his mother said.

In a 2010 commencement speech at the university, Cook famously said, "Some decisions are pretty obvious."

The only student smarter than Cook in his Class of 1978, at least according to the grading sheets, was Teresa Prochaska Huntsman, who became their class valedictorian. Cook would be salutatorian.

In their senior year, Huntsman said, she and Cook both began to worry that they weren't "learning enough" from their chemistry teacher. The teacher, she said, seemed focused on giving quick notes, then dismissing everyone to gym.

According to Huntsman, she and Cook, fearing that they'd be lost in college chemistry in a year or two, went to their counselor, asking to be placed in a tougher class. The counselor told them – the two highest achieving seniors – not to worry.

Both students went on to study industrial engineering at Auburn. Huntsman now works as an application developer analyst in Boise, Idaho.

"He wasn't one-dimensional," Huntsman said, reflecting on their school days. "I didn't know anybody who didn't like him. He had a great personality."

'The human side'

Cook's life, after Robertsdale and Auburn, is relatively well publicized.

After college, he joined IBM, where he worked until 1994, picking up a master's degree from Duke

University. He spent a few years at Intelligent Electronics, also in North Carolina, before moving on to

Compaq. Then the call from Steve Jobs came.

Cook is known to be an exceptionally private man; other than that he likes to go to the gym, and that

he follows Auburn football, not much else has been written that's definitive in any way.

In December, Cook spoke at an event hosted by Auburn in New York at the United Nations

headquarters. The College Of Human Sciences honored Cook, alongside Howard Buffett, son of

billionaire investor, Warren Buffett, at a black-tie gala, where Cook received Auburn's International

Quality of Life Award.

The ballroom floor overflowed with guests. Behind the lectern, Cook read aloud a speech that was

much less formulaic than usual, more relaxed even, and veered away from the latest technology at

Apple.

He chose the moment to divulge more about his world view and his own thoughts about his Southern

roots. His remarks touched on racism, gay rights and immigration reform.

"Growing up in Alabama in the 1960s, I saw the devastating impacts of discrimination," Cook said as

he began.

"It just showed the human side of Tim Cook that I think so many folks wanted to know about," said

B.T. Roberts, of Mobile, who attended the event and serves on the university's board of trustees. "I

thought it was very well received."

And on the same gala evening, officials back in little Robertsdale arranged for Cook to receive a

proclamation naming Dec. 10 "Mr. Timothy D. Cook Day" in the town.

Said Mayor Charles Murphy, "He's a product of the area. To be the CEO of one of the major companies

in the world is a big deal."

Colorado governor urges other states to 'be cautious' about pot legalization (Washington Post)

By Dan Balz, Updated: February 21 at 3:45 pm

Gov. John Hickenlooper (D-Colo.) has some advice for other governors about legalization of the recreational use of marijuana. Be cautious and go slow.

"When governors have asked me, and several have, I say that we don't have the facts," Hickenlooper said at a lunch with reporters Friday as the National Governors Association met in Washington, D.C. "We don't know what the unintended consequences are going to be and we're going to regulate it every way we can. What I do is urge caution. Make sure you look at it very thoroughly."

Colorado is the first state to begin sales of marijuana for recreational use and the first reports back show that the revenues produced for the state were higher than estimated. Hickenlooper, who opposed the initiative that was approved by Colorado voters, said pursuit of revenue should not be a factor in any state's decision to move ahead to legalize the drug.

Arguing that the war on drugs had been a major failure, "a disaster," Hickenlooper said of legalization of marijuana, "This is going to be one of the great social experiments of the 21st century. But going out and getting tax revenue is absolutely the wrong reason to even think about legalizing recreational marijuana."

Marijuana, he said, "doesn't make people smarter, doesn't make people healthier," and puts young people especially at risk. He said the state would use the first \$40 million in revenue from the sales of the drug for school construction, but after that the money will be used to study the effects and protect young people who may be harmed by the use of marijuana.

"We're going to not use this as a source of revenue to help education or expanding health care," he said. "We're going to use it in health care where it will relate to marijuana activity ... I don't think governors should be the position of promoting things that are inherently not good for people."

Hickenlooper said he has talked regularly, as recently as Friday, with Gov. Jay Inslee (D-Wash), whose state is next to begin sales of marijuana. Half a dozen governors, he said, have inquired about Colorado's program. He said that some of those governors had indicated "that this was a wave in their state that was going to come."

<u>Powerball, Mega Millions lottery ticket purchases lift state</u> <u>budgets (AP)</u>

IOWA CITY, Iowa — The scores of losing players in last week's \$425 million Powerball jackpot did more than take an extremely long shot at getting rich. Their ticket purchases also helped fund a small but increasingly important part of their states' budgets.

Changes in the nationwide Powerball and Mega Millions games have led to some of the world's largest jackpots in the last two years, boosting player interest and sales. Fueled by the growth of those games and the steady expansion of other offerings, many state lotteries last year reported record revenues and transfers to the state budgets and programs they helped fund.

For every \$2 ticket, 50 cents or more might end up paying for police officers in Massachusetts, services for the elderly in Pennsylvania, or education in rural school districts in Idaho, lottery directors say. In all, about \$20 billion out of the roughly \$70 billion in overall annual lottery revenues is used by states after prize money, retailer commissions, advertising and administrative expenses are taken out. Most states target their lottery revenue to specific causes, with education being the most popular.

Texas Lottery Commission executive director Gary Grief said Powerball sales in his state multiply several times as the jackpots rise, from a normal range of about \$3 million per week all the way up to 10 or 15 times that amount. That means millions more dollars for public education in Texas, the lottery's beneficiary, he said.

"That's a very small piece of a big pie, but every dollar counts," he said. "It helps alleviate the drain on other revenue sources for state government."

He and other lottery directors say that revenue from jackpot games still make up a small fraction of overall sales — instant scratch tickets remain their bread and butter.

Overall, state budget experts say lottery revenue typically represents a single-digit percentage of overall state budgets. That means a momentary sales frenzy for Powerball has little impact in the big picture, other than helping the lottery become a dependable and incrementally growing funding source.

"In the big scheme of things, we have a \$16 billion budget in Oregon," said that state's chief financial officer, George Naughton. "The individual sales, the individual jackpots, do have an upward tick but it's probably not going to change from a revenue perspective the decisions that elected officials are going to make down the road."

Naughton said the lottery generates roughly \$1 billion over two years to help fund education and other programs.

Critics say lotteries are a terrible way to fund state services. They argue that lottery tickets are heavily taxed since only a fraction of the money goes to payouts and winnings are taxed again. And they say the poor are more likely to play more often, making it a regressive funding source.

"This is going to help the states big time. There's no denying that," said Dawn Nettles, a lottery critic from Texas who runs lotteryreport.com, which tracks the industry. "But how many people are going to max out their credit cards?"

Supporters such as Grief say the lottery is voluntary, gives everyone a chance to dream big and avoids the need for tax increases.

Critics admit they have mostly lost the argument. Lawmakers across the country over the last three decades have opened and expanded lotteries. Forty-three states now operate them, while organized political opposition has largely vanished.

"The notion that any state would eliminate their lottery is just absurd," said Patrick Pierce, a political scientist at St. Mary's College and co-author of "Gambling Politics: State Government and the Business of Betting."

"States are looking for some quick money to stop the bleeding right now," Pierce said.

Increases in lottery revenues have helped maintain services in recent years during a tough time for state budgets, said David Gale, executive director of the North American Association of State and Provincial Lotteries. He said overall lottery revenues likely increased one or two percent in the budget year that ended last July, above the \$68.7 billion of the previous year.

In Massachusetts, cities and towns benefit when sales spike because lottery revenues are among the state's "single largest source of unrestricted local aid," said Beth Bresnahan, executive director of the state's lottery. The money is divvied up based on a formula set by state lawmakers and used for everything from police officers to transportation, she said.

She said that during a December frenzy over the last large Mega Millions jackpot, retailers were selling \$11,000 in tickets per minute — "and this was in a statewide snow emergency."

"When we see a surge in sales, it does impact the bottom line," she said, "regardless of the smaller amount of overall play it represents in our portfolio."

<u>Proposed budget will reportedly shrink Army to pre-WWII numbers (Fox News)</u>

Defense Secretary Chuck Hagel will reportedly propose a Pentagon budget that will shrink the U.S. Army to its smallest number since 1940 and eliminate an entire class of Air Force attack jets.

The New York Times reported late Sunday that Hagel's proposal, which will be released to lawmakers and the public on Monday, will call for a reduction in size of the military that will leave it capable of waging war, but unable to carry out protracted occupations of foreign territory, as in Afghanistan and Iraq.

Under Hagel's plan, the number of troops in the Army will drop to between 440,000 and 450,000, a reduction of at least 120,000 soldiers from its post-Sept.11 peak.

Officials told the Times that Hagel's plan has been endorsed by the Joint Chiefs of Staff and protects funding for Special Operations forces and cyberwarfare. It also calls for the Navy to maintain all eleven of its aircraft carriers currently in operation. However, the budget proposal mandates the elimination of the entire fleet of Air Force A-10 attack aircraft, as well as the retiring of the U-2 spy plane, a stalwart of Cold War operations.

The budget plan does keep money for the F-35 warplane, a project which has been beset by delays and criticism over design flaws.

Other characteristics of the budget will likely draw further ire from veterans groups and members of Congress. The Wall Street Journal reported Friday that Hagel would recommend a limit on military pay raises, higher fees for health-care benefits, less generous housing allowances, and a one-year freeze on raises for top military brass.

"Personnel costs reflect some 50% of the Pentagon budget and cannot be exempted in the context of the significant cuts the department is facing," Defense Department spokesman Adm. John Kirby told the Journal. "Secretary Hagel has been clear that, while we do not want to, we ultimately must slow the growth of military pay and compensation."

"This is a real uphill battle with Congress," Mieke Eoyang, director of the National Security Program at Third Way, a centrist think tank in Washington, told the Journal

"God bless [Hagel] for trying to get a handle on these costs," she said. "But in this political environment, in an election year, it's going to be hard for members of Congress to accept anything that's viewed as taking benefits away from troops."