



Office of Senate President Pro Tempore Del Marsh
Press Clips
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[Senate passes expanded lobbying bill amid clashes between Democrats and Republicans \(Montgomery Advertiser\)](#)

It started as a bill to close a lobbying loophole. But it came out of the Senate on Tuesday as a sweeping piece of legislation addressing everything from the Governor's activities after leaving office to obtaining tickets to Alabama and Auburn football games.

But the 33 to 0 approval came after the sponsor warned that the changes could undermine the bill's original intent, and that he may seek changes in the House, where the legislation now goes.

The bill, sponsored by Senate President Pro Tem Del Marsh, R-Anniston, initially would have banned lawmakers from lobbying either chamber of the Legislature for two years after they leave.

The ethics law currently bans former lawmakers from lobbying their former chamber, but as interpreted, the lawmaker can lobby the other one. The issue flared up last summer, as three lawmakers left the Legislature for jobs that would at least in part involve lobbying.

But the Senate approved an amendment offered by Sen. Hank Sanders, D-Selma, that significantly expanded the scope of the legislation.

Among other items, the bill now bans lobbying by the governor or family members for four years after the state's chief executive leaves office; tightens restrictions on lawmakers receiving tickets to sporting events; extends the ban on "double-dipping" to family members of lawmakers; and prohibits the employers of state officials from contributing to their employees' campaigns.

Both Marsh's bill and Sanders' amendment had broad support in the chamber and had been worked on for the previous few weeks. However, Marsh and other Republicans said that Sanders' amendment

was not germane to Marsh's original legislation, and expressed concerns that it would jeopardize the bill's original goal.

"If we don't get this right, someone will challenge it," Marsh said after the vote. "I want to get this right. I want it to go into law."

Democrats, in turn, said they wanted to address every aspect of ethics law that they could, and that the amendment process was the only way the minority party could get a vote on the proposals.

"I don't think a bill I introduce on these issues would get a vote in committee, much less get out on the floor," Sanders told Marsh at the podium.

Marsh initially told Sanders and Democrats on the floor Tuesday that he would allow an up-or-down vote on the amendment, after the Senate disposed of sunset legislation in the afternoon. However, after the Senate did so, Marsh called for Ivey to rule on whether the amendment was germane. Marsh said that those issues had been raised during consultations over the bill with the Alabama Ethics Commission and the Alabama Law Institute. Initially, he said, he believed the issues had been resolved Tuesday.

"I thought they had been resolved in the amendment when they came back, but when we looked at them, they had not been," he said.

Ivey first ruled the amendment was not germane, but Sanders appealed the ruling to the full Senate. The chamber voted 15 to 13 to sustain Ivey; however, 18 votes are needed to uphold the decision.

Marsh then moved to have the amendment tabled, and Ivey initially called the motion, provoking anger from Democrats who said Ivey was ignoring them. Senate Minority Leader Vivian Davis Figures, D-Mobile, and Sen. Roger Bedford, D-Russellville, both said there was an "understanding" that Marsh would allow a straight up-or-down vote on the measure.

"I think your abuse of power, by saying it was not germane, is what caused it to happen," Bedford told Ivey. "It is clearly germane, because they have been working on this amendment for a week now."

Ivey said after the vote that the amendment addressed sections of the state code that were not in the original bill and were not germane.

Marsh ultimately withdrew his tabling motion, and the Senate voted to adopt the Sanders amendment 33 to 0. However, the Senate President Pro Tem said he would seek changes to the bill in the House if necessary.

"We all think what he had was good," he said. "We just don't think it fits the legislation."

Sen. Cam Ward, R-Alabaster — who, like 32 of his colleagues, voted for the Sanders amendment and the full bill — accused Democrats of loading provisions onto the bill "to make it collapse of its own weight."

"It's interesting he had that sweeping amendment, but in the last four years, that has never been offered as bill in the four years I've been here," he said. "Where's the bill been at?"

Democrats insisted that they were trying to strengthen the bill. Sanders said killing the bill "was not the intent at all," and suggested Republicans tried to kill the legislation via procedural maneuvering.

"It says, 'Let's not play around with ethics,' " Sanders said. "It says, 'Let's have everybody operating on the same playing field, on a level playing field.' "

Figures also said that Republicans had passed a number of pieces of legislation that had landed the state in court, including the immigration law from 2011 and last year's Alabama Accountability Act.

"It was an attempt to make the bill better and to make it that all elected officials were included, not just state legislators, from the Governor on down to state legislators," Figures said.

Marsh said he "hoped" the intent was not to kill the bill. "I do think there was an attempt to get people on a bad vote," he said. "I do believe that. But at the end of the day, I believe everyone understands the importance of this legislation and wants it passed.

Alabama Senate to consider state retiree bonus (AP)

MONTGOMERY, Ala. (AP) — A state Senate committee is slated to consider legislation giving a one-time pension bonus to retired state employees.

The bill sponsored by Senate President Pro Tem Del Marsh, R-Anniston, is on the agenda Wednesday for the Senate Finance and Taxation-General Fund Committee.

Retired state employees would get a one-time lump sum payment in October of \$2 per month for each year of state service. A retiree with 25 years of service would get \$600. There would be a minimum payment to retirees of \$300. The one-time bonus would cost the state about \$5 million.

The legislation is being supported by the Alabama Retired State Employees Association.

[House Republicans tout \\$10 million scholarship plan to expand career-tech dual enrollment program \(al.com\)](#)

Wesley Persons is still in high school but is already working toward his goal of becoming an aviation mechanic.

It's a goal Persons didn't have until he signed up for the aviation program at Calhoun Community College through a dual enrollment plan that allows him to attend the college and Decatur High School at the same time. Before that, the 18-year-old senior wasn't sure what career he wanted to pursue.

"The first time I sat in the cockpit of a plane, I just completely fell in love with it," Persons said.

Republican lawmakers in the Alabama House of Representatives want more students to take part in career-tech, dual enrollment programs. Today they introduced legislation, HB 384 by Rep. Mac Buttram, R-Cullman, to authorize up to \$10 million in scholarships for students to take advantage of dual enrollment.

The scholarships would be funded by donations. Individuals and businesses could receive a tax credit of 50 percent of their contributions. Total tax credits would be capped at \$5 million a year.

Buttram said the community college system would set eligibility rules for the scholarships. He said he thought those would include minimum grade point averages but not income levels.

The dual enrollment programs can be tailored for specific employers with input from regional workforce development councils and others to determine whether that's justified, Buttram said.

Willie LaFavor, president of Contractor Service and Fabrication Inc. in Decatur, spoke in support of the program, saying there is a shortage of qualified craftsman, including pipefitters/welders and electrical technicians. His company does industrial maintenance and projects at industrial plants. LaFavor said certified welders generally make about \$25 an hour.

LaFavor said companies often have to provide additional training for workers and there is a demand for more craftsman who have come through a certified, formal program like the dual enrollment.

House Speaker Mike Hubbard, R-Auburn, said the scholarship plan can be a “historic, game-changer” for Alabama’s industrial recruitment efforts by helping the state build a workforce ready to take high-skilled jobs.

Hubbard said expanding dual enrollment will help reduce the state's dropout rate by giving some students a reason to stick with school.

"This will allow students now dropping out to develop their hidden, untapped potential and become productive members of society," Hubbard said.

Business Council of Alabama President and CEO William Canary issued a statement in support of the program.

"Through career-technical dual enrollment, students are ready to transition seamlessly into Alabama's workforce in a high-paying, high-demand job – in less than two years," Canary said. "Creating a scholarship program to increase the number of Alabama students who can participate in dual enrollment is a no-brainer."

Tax credits for those who donate to the program would be limited to 50 percent of a taxpayers' liability up to a cap of \$500,000 a year.

Up to 80 percent of a contribution can be directed by a donor to a specific career tech dual enrollment program at any two-year college. The Department of Postsecondary Education would allocate the remainder to dual enrollment programs.

[Republicans roll out plan to boost Alabama career-tech dual enrollment programs \(Yellowhammer News\)](#)

Alabama House Speaker Mike Hubbard, R-Auburn and several other Republican legislators today unveiled the 'Alabama Future Workforce Initiative,' a bill aimed at boosting the number of high school students participating in career-tech dual enrollment programs around the state.

The initiative creates a \$10 million scholarship program for high school students participating in the programs. With the cost of tax credits reaching no more than \$5 million annually, Republicans say the bill results in a "2 to 1 return on investment for the state."

Here's what you need to know about the initiative:

- Individuals and businesses that donate to the scholarship program will receive a state income tax credit of up to 50% of their total contribution.
- The tax credit cannot exceed 50% of the contributor's total Alabama income tax liability and cannot be more than \$500,000 per tax year.
- Up to 80% of any contribution can be directed by a donor to a specific career-technical dual enrollment program or course at any 2-year institution.
- The remaining 20% can be allocated at the discretion of the Department of Postsecondary Education, as long as the funds are directly related to career-technical dual enrollment program costs to students, which Republicans say ensures that all dual-enrollment students benefit from the Initiative.

Only 2,100 students participated in Alabama's career-tech dual enrollment scholarship program last year. That amounted to 6.7% of the 31,500 eligible students. Republicans believe the additional \$10 million in scholarship funds would allow 9,542 new students to participate in the program.

"It's no secret that Alabama is on its way to being the most business friendly state in the nation," House Speaker Mike Hubbard said in a statement. "Our hard work over the past three years has yielded tremendous results when it comes to recruiting new industries and helping existing industries to expand. If our job creation success is going to continue, we must ensure that our students graduate with the skills to fill the high-paying, 21st century jobs that we are working to recruit."

Rep. Mac Buttram, R-Cullman, the bill's sponsor, said he believes the initiative is important because it will help prepare students to go to work for Alabama businesses that are currently having a hard time finding qualified workers.

"It is a fact that there are high-paying, highly skilled jobs available in our state that businesses are unable to find qualified workers to fill," said Buttram. "The Alabama Future Workforce Initiative is an investment in our workforce, an investment in our economic development efforts, and an investment in the young men and women of today who will comprise our future workforce of tomorrow."

The Alabama Future Workforce Initiative will be up for debate in the House Education Budget Committee Wednesday morning.

Are your tax dollars going to help fund a wind farm in Alabama? (Yellowhammer News)

A wind energy company called Pioneer Green recently announced plans to build eight wind turbines in Cherokee County, Ala. at a new facility called the Shinbone Wind Energy Center. But Pioneer Green is meeting fierce resistance from local citizens and conservative legislators who say they are just another taxpayer subsidized green energy company that won't be able to deliver on big promises of jobs and increased local tax revenue.

Alabama State Sen. Phil Williams, R-Rainbow City, said he believes the "driving force behind the introduction of wind energy in Alabama is once again the free-flow of taxpayer funds used to prop up each windmill."

Williams said the people of Etowah and Cherokee Counties have already heard Pioneer Green touting the massive influx of jobs and tax revenue they will bring with them.

Pioneer Green said in a press release announcing their plan to come to Alabama that "These projects are expected to increase tax revenues and create jobs locally and throughout the state, as well as stimulate new economic activity and spur tourism."

But Williams said those same promises have proven to be "illusory" in other parts of the country.

"In 2011, the Oregonian newspaper conducted a study to ascertain the validity of similar claims," he explained. "The combination of state and federal subsidies for the Horizon Wind project in Oregon exceeded \$11 million and resulted in just thirty-six jobs – meaning that each job cost the taxpayers of Oregon over \$305,000. Other green-energy projects that also received millions of Oregon taxpayer funds were found to have resulted in little to no jobs because the projects failed altogether."

Williams also expressed concerns that the State of Alabama does not have regulations in place to protect his constituents from the potential dangers that come along with wind farms.

"[T]here is absolutely no regulatory authority in Alabama to protect Alabama citizens and Alabama communities from the proven dangers that can exist in the construction and operation of a wind farm that sprawls for miles with 500-foot towers," Williams said. "Nothing exists in this state to protect adjacent land owners, to prevent abandonment of these wind sites, to insure liabilities are insured — nothing."

Williams is advancing legislation this session to address that issue by subjecting so-called green energy companies to the same stringent standards as non-renewables, such as coal. Williams would also like to prevent them from receiving state taxpayer funded subsidies to prop up their operation — forcing them to compete in the free market on the state level.

But Williams cannot do anything about the federal subsidies the Obama Administration is doling out to favored energy producers.

Solyndra, a California-based solar panel manufacturer, in 2011 became the poster company for the Obama Administration's green energy policies gone wrong. When the company filed for bankruptcy, it cost the taxpayers upwards of \$500 million and over 1,100 employees were laid off. And Solyndra is far from the only one. The Daily Caller reported in 2012 that as many as 50 Obama-backed green energy companies had already gone bankrupt or were in serious trouble.

Pioneer Green's president, Andy Bowman, has carefully positioned his company to receive favorable treatment from the Obama Administration as well.

Campaign finance disclosures show that Bowman gave the maximum allowed donation to President Obama's re-election campaign in 2011.

POLITICO identified Bowman as a not only a major donor to the Obama campaign, but also someone close enough to the president's inner circle that he was allowed to attend the president's 50th birthday party.

Andy Bowman, the founder and president of Pioneer Green Energy, an Austin, Texas-based wind and solar project development company, donated \$5,000 to Obama's campaign last summer while attending the president's 50th birthday party in Chicago.

"I don't have a lot of confidence that there'd be a clear vision about the roles that renewables are going to play; I certainly haven't heard that from Romney," Bowman said.

In other words, Solyndra would not have been possible in a Romney Administration. And perhaps Pioneer Green would not have been possible either.

The Production Tax Credit is a federal subsidy that gives a big tax break to companies like Pioneer Green that produce wind energy. Mitt Romney referred to it as a "stimulus boondoggle" and said he would get rid of it. President Obama stood behind it 100 percent.

As Bowman sweated out the 2012 presidential election and the future of his cherished taxpayer-funded subsidies, he noted that "All the projects we've been working on for the last three years are hanging in the balance."

But his bet on Obama paid off. And he has since then set his sites on coming Alabama, where a growing number of green energy groups have started working to push non-renewable sources of energy out.

"Alabamians should not be expected to ignore the negative experiences of our sister states," Sen. Williams said in conclusion. "Asking the citizens of this state to self-fund the opportunity to be guinea pigs in a green energy experiment is not reasonable."

Advocates for payday and title loan caps rally at State House (Montgomery Advertiser)

Pamela Tarver says she turned to title loans because she fell behind on her rent. Nearly four years later, Tarver said she has paid more than \$14,000 in interest.

"My first initial loan was \$700 to catch up on my rent," Tarver, a Montgomery resident, told a crowd of about 40 people outside the State House Tuesday. Eventually, she said, she began paying \$380 a month, just to cover interest payments — difficult to match, she said, on a minimum wage job.

"If I saved that money, I probably could have bought a BMW," she said.

Those attending the rally hoped to prevent situations like Tarver's in the future with bipartisan legislation that would cap interest rates charged by payday and title loan providers and establish a central database to enforce limits on the number of loans individuals can take out each year.

The loans, short-term financial transactions that last between two weeks and 30 days, have interest rates not typically associated with other loans. Payday lenders can charge interest rates of up to 456 percent APR; title lenders can charge rates of up to 300 percent APR. Critics call the rates usury that trap customers in a cycle of debt.

"All they need is a gun," said Rep. Rod Scott, D-Fairfield, whose bill addresses title-loan lending, "because at those rates, it's like a gun is being held to their head."

The legislation from Scott and Rep. Patricia Todd, D-Birmingham, would cap interest rates at 36 percent.

The legislation has bipartisan support from lawmakers and groups ranging from Alabama Arise to the Alabama Federation of Republican Women.

Payday and title loan operators, who hired a platoon of lobbyists to kill similar efforts last year, argue that they provide a service traditional lenders do not. Buck Wilson, president of the Modern Financial Services Association of Alabama, representing payday lenders, said the lenders cannot operate under the proposed cap.

"When there's fair market economy, it drives the prevailing rate down, so consumers don't necessarily pay the high percentage points that I read about," he said. "But because of operating expenses, our losses and expenses can be substantial at times. It would be virtually impossible to operate a payday front with that cap."

Legislative leaders have expressed sympathy with the goals of the legislation, but caution toward the bills themselves.

House Speaker Mike Hubbard, R-Auburn, said last week he hoped to find a "happy medium" between the industry and reform advocates, and expected a vigorous debate. Senate President Pro Tem Del Marsh, R-Anniston, said he was doubtful about passage of such changes this year, but did express hope that the State Banking Department would prevail in its attempts to establish its own central database for lenders. Industry representatives have sued to block the database.

"The rumor is that the leadership will not allow any bill out of committee that is in any way controversial," Todd said at the rally. "When the Republican women and I agree on a bill, you should take note: There must be something good about it."

The 40 people who attended the rally lobbied lawmakers after the rally. Stephen Stetson, a policy analyst with Alabama Arise, urged people to emphasize accomplishment with legislators.

"If you want to go home and get re-elected, you need to go home and have something to brag about," he said. "This is something to brag about."

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

MONTGOMERY, Alabama --- A summary of action in the Alabama Legislature on Tuesday, the 10th meeting day of the regular session:

HOUSE:

—Approved a bill to end the requirement to publish lists of registered voters in newspapers and instead publish the list on the county's website. Goes to Senate.

—Approved a bill to authorize warrantless arrests under certain conditions for trespassing on the property of an education institution. Goes to Senate.

—Approved a bill to require animal shelter directors and owners to publish a monthly report of the number of animals that entered the shelter and list what happened to them. Goes to Senate.

SENATE:

—Approved a bill to add new restrictions to the state ethics law. Goes to House.

AGENDA:

— House Judiciary Committee meets at 1:30 Wednesday in room 123 of the Statehouse to consider a bill regarding grandparents' visitation rights.

—House Ways and Means-Education Committee meets at 9 a.m. Wednesday in room 617 to consider a scholarship program for dual enrollment in high school and two-year colleges.

— House Ethics and Campaign Finance Committee meets at 10:30 a.m. Wednesday in room 622 to consider changes to the Open Meetings Act.

— House Boards, Agencies and Commissions Committee meets at 10:30 a.m. Wednesday in room 428 to consider a bill regarding spay/neuter clinic

—Senate Finance and Taxation-General Fund Committee meets at 9:30 a.m. Wednesday in room 727 to consider a one-time pension bonus for retired state employees.

—Senate Finance and Taxation-Education Committee meets at 10 a.m. Wednesday in room 727 to consider coastal insurance legislation.

—Senate Health Committee meets a noon Wednesday in room 304 to consider a bill regulating tanning salons.

—Senate Judiciary Committee meets at 1 p.m. Wednesday in room 325 to consider medical marijuana legislation.

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

Gov. Robert Bentley: Alabama's job-creation structure is in place, will pay off when economy improves (al.com)

HOOVER, Alabama -- Alabama has a structure in place to create and maintain jobs, and as the economy improves, that organization will pay off for residents across the state, Gov. Robert Bentley said today.

Speaking at the Economic Development Association of Alabama's Winter Conference in Hoover, the governor touted the state's unemployment rate, which fell to 6.1 percent in December.

That's down from more than 9 percent when he took office in 2011, after running on a pledge that he would not take a paycheck until unemployment drops to 5.2 percent.

Part of the decline, however, is due to a shrinking civilian labor force. In December, for example, unemployment fell despite the economy losing 1,400 jobs.

But Bentley says his administration has made progress, both in adding jobs and an organization to support those efforts.

He cited the state's strategic plan for economic development, called Accelerate Alabama, that targets specific areas for growth. There's also the new College and Career Ready Task Force that aims to bring together representatives of schools and businesses to better prepare students for the workforce.

"We have the organizational structure in place that once this economy does turn around, I think Alabama is going to do fantastic," he said.

Bentley, echoing comments made during his State of the State address last month, tied the jobs initiatives to Alabama's struggle with poverty.

"I do believe the way we fight poverty in this state is we educate our people and give them an opportunity for a job," he said.

Also, since small businesses account for about half of the state's jobs, Bentley said he is setting up an advisory council to bring more structure to small business resources across the state.

Bentley also took questions from the audience and addressed other issues:

On the biggest challenge for small businesses: It used to be capital and not being able to borrow money to initiate new projects or expansions, Bentley said. But now, it's the Affordable Care Act.

"When there's uncertainty in the economy -- and Obamacare has created uncertainty -- when there's uncertainty, then the economy stays really stymied," he said.

On rural economic development: The governor said the state must focus on disadvantaged areas when it comes to job creation.

He cited the new 500-job Golden Dragon Copper Tubing plant in Wilcox County but said smaller projects are critical, too.

"Fifty jobs in a small town is just as important as an Airbus in Mobile," he said.

National study faults Alabama's fiscal planning (AP)

MONTGOMERY, Ala. — A new study ranks Alabama 44th among the states in long-range budgeting.

The study was released Tuesday by the nonpartisan Center for Budget and Policy Priorities in Washington. It said Alabama needs to look beyond one-year budgets and consider multi-year revenue forecasts and the costs of programs over several years. The report complimented Alabama for having adequate pension funding, a Legislative Fiscal Office to analyze spending, and a well-designed rainy day fund.

In response to the report, House Speaker Mike Hubbard, R-Auburn, said Republicans inherited the budget problems when they took control of the Legislature in 2010, and that's why they have tried to put better policies in place. That includes legislation limiting how much growth they can project in the state education budget from year to year and trimming retirement costs for state employees in future years.

"We're looking ahead and looking down the road, and that's what you have to do," Hubbard said.

A spokeswoman for Republican Gov. Robert Bentley said he's still reviewing the report and had no immediate comment.

The head of the group that lobbies on behalf of Alabama's poor said better long-term planning would help strengthen the state's economy. "People across the political spectrum can agree that adopting tools to help our leaders make good long-term decisions about our state's future is in everyone's best interest," said Kimble Forrister, executive director of the Arise Citizens' Policy Project.

The national study ranked Connecticut as the top state and South Dakota as the worst state. Alabama's four neighboring states ranked ahead of it in the study, with Tennessee finishing third.

Alabama should not authorize the practice of midwifery (Opinion by Dr. Michael Flanagan)

by Michael Flanagan

Next week, a bill will be presented before the Alabama Senate Judiciary Committee to legalize the dangerous practice of "lay midwifery." This bill would allow non-nurses and non-physicians to oversee planned home births. These unlicensed practitioners have little or no formal training apart from attending births with another lay midwife.

Although this practice may seem benign, unexpected emergencies can arise during labor that requires immediate intervention to save the life of the mother or baby. Physicians and nurses acknowledge the absolute safest place to give birth is a facility with the latest lifesaving equipment and properly trained personnel. This environment allows professional health care providers to deliver immediate and appropriate care should something go wrong. Hence, excluding emergency situations, neither physicians nor nurses participate in the delivery of babies outside a hospital setting.

Complications of labor can include, but are not limited to, a baby getting stuck in the birth canal, tangling of the umbilical cord around the baby's neck, bleeding, infection, or even unexpected immaturity of the newborn's lungs. These dangers are possible even in the most state-of-the-art facility, but at least the infant and mother have the best possible chance of survival. I have personally participated in urgent and emergent care that required quick decisions by the physicians and nurses to save the life of the unborn child and mother. The same cannot be said for a birth that is planned for the home and attended by a lay midwife. Instead, you will have a well-meaning, but woefully undertrained and underprepared individual and a false sense of security for the parents. When a planned home birth takes a turn for the worse, the time spent in an ambulance ride to the ER can mean the difference between life and death.

There will always be babies born spontaneously in elevators, taxi cabs and parking lots. Most of these deliveries will likely be fine, given the law of averages. However, if the State of Alabama passes a law legalizing lay midwifery, it sends a message to the public that this practice is safe. This idea could not be farther from the truth.

I cannot speak for other states that have unfortunately legalized this dangerous practice. Perhaps no one spoke up against it. This issue is not about access to care, but it is a safety issue. Often crises can arise in minutes, are unexpected, and can have devastating complications if not treated immediately. It is unacceptable to put even one baby or mother's life at risk through this legislation.

Though this debate continues, for physicians, the only position we can take is one that provides our patients the best opportunities for health and safety. The Medical Association of the State of Alabama stands firmly with the Alabama Chapter of the American Academy of Pediatrics, the Alabama State Society of Anesthesiologists, the Alabama Chapter of the American College of Obstetricians and Gynecologists, the Alabama Chapter of the American College of Emergency Physicians, the Alabama Academy of Radiology and the Alabama Academy of Family Physicians in opposing any legislation authorizing lay midwifery in Alabama.

Michael Flanagan, MD is an Anesthesiologist and President of the Medical Association of the State of Alabama

[AEA fine-tuning proposed amendment to state ethics law \(al.com\)](http://al.com)

MONTGOMERY, Alabama -- An official with the Alabama Education Association teachers union said Tuesday that the AEA's legal team was reviewing and fine-tuning the first draft of proposed legislation to change the state ethics law that limits gifts to public officials.

Amy Marlowe, spokesperson for the AEA, said that the proposed legislation would seek to clarify exactly what's permissible and what isn't when anyone seeks to honor or reward a public official.

The issue came to the fore over the weekend, when David Clark, a Gulf Shores condominium manager, sought to offer two-night condo stays to thank teachers who stayed overnight with children who were stranded during last week's ice storm.

Clark emailed the Alabama Ethics Commission on Monday to find out if the giveaway would violate the ethics law, which stipulates that teacher gifts must have a value of \$25 or less, and that gifts may not exceed a total of \$50 for a full calendar year.

After reading the email, Hugh Evans, general counsel for the Ethics Commission, said he did not believe Clark's giveaway was a violation of the law. Evans said the condo stays should be considered as rewards rather than gifts, because the teachers' actions were "above and beyond the call of duty."

On Tuesday, Marlowe said that while the AEA appreciated Evans' comments, "we would just like to have it settled once and for all, so that everybody is on a level playing field and everybody knows exactly what the process is."

The proposed legislation, she said, would permit rewards for teachers "without having questions asked every time something like this is done."

The AEA's legal representatives plan to submit their proposal to members of the state House and Senate on Wednesday, she said.

[ALFA Endorses DeMarco's congressional bid in AL-06 \(Yellowhammer News\)](#)

The Alabama Farmers Federation, the state's largest farm organization with 365,000 member families, today endorsed State Rep. Paul DeMarco, R-Homewood, in his bid for United States Congress.

Federation President Jimmy Parnell said he believes DeMarco is a fiscal conservative who has worked to make government more efficient and transparent.

"Rep. DeMarco has a proven record of defending taxpayers and holding government accountable for spending," Parnell said. "In the Alabama Legislature, he supported stronger ethics laws, the taxpayer bill of rights and the article-by-article approach to constitutional revision.

DeMarco thanked Federation members for their endorsement and said they share the same goals.

"I am honored to receive the support of Alabama farmers," DeMarco said. "They share my goal to fix what is wrong in Washington. With their support and the help of the many people throughout the counties of the Sixth District, I will go to Washington to fight for our rights and values."

Since 2005, DeMarco represented portions of the Birmingham suburbs of Homewood, Hoover, Mountain Brook and Vestavia Hills in District 46 of the Alabama House of Representatives. He serves as chairman of the House Judiciary Committee, Joint Oversight Committee for the Alabama Homeland Security Agency and Co-Chair of the Jefferson County Delegation.

DeMarco is currently running in a crowded Republican primary against four other candidates. If elected to Congress, he would succeed longtime Rep. Spencer Bachus, R-Vestavia Hills, who announced last year that he would not seek a twelfth term.

"Rep. DeMarco shares the Federation's core values of faith, family, integrity, stewardship and citizenship," ALFA President Jimmy Parnell said in conclusion. "We are proud to support his candidacy and look forward to working with him in Congress."

[Party-switching former Congressman Parker Griffith mulls run for Alabama governor \(al.com\)](#)

Days after being welcomed back into the Democratic Party, former Congressman Parker Griffith of Huntsville is mulling a possible run for governor.

Griffith told AL.com Tuesday morning that his decision is tied to an announcement expected this week from another possible Democratic candidate for governor, state Sen. Billy Beasley of Barbour County. If Beasley runs, Griffith said he will likely remain on the sidelines for the 2014 election.

Friday is the deadline for candidates to qualify for the June 3 party primaries in Alabama.

"If Billy were to jump in, I'd probably decide not to go," Griffith said in an interview at his downtown Huntsville office. "I don't think it would be a smart move for us to primary one another. You've got limited resources, and you can't afford to spend them in a primary."

Beasley was not immediately available to comment on his election plans.

Kevin Bass, a former professional baseball player from Fayette, has already qualified to run for governor as a Democrat. The winner of the primary between Bass, Beasley and/or Griffith would likely face Gov. Robert Bentley in the November general election. Bentley has amassed nearly \$3 million in campaign funds and drawn a single primary challenger, former Morgan County Commissioner Stacy Lee George.

Griffith, 71, acknowledged that it will be difficult for any Democrat to unseat Bentley because they will not have the luxury of riding the coattails of the national Democratic Party.

"We have a very unpopular president in the White House and an incredibly dysfunctional Congress," he said, "so we're not going to be able to rely on the federal government. We're going to have to rely on ourselves."

If Griffith runs for governor, the retired oncologist said a major campaign issue will be Bentley's refusal to expand Medicaid in Alabama. Under the Affordable Care Act, the federal government promises to pay 100 percent of the cost of Medicaid expansion for the first three years and then 90 percent after that.

Griffith said studies have shown a beefed-up Medicaid program in Alabama would create a minimum of 12,000 new jobs while helping reduce diabetes, hypertension and other chronic health problems.

"It's an issue that needs to be forced into the open," said Griffith. "I think Gov. Bentley is a nice person. He and I just have a different vision for where Alabama needs to be."

Griffith was elected to Congress' 5th District seat as a Democrat in November 2008, but he switched to the Republican Party barely a year into his freshman term. Explaining his decision at the time, Griffith said there appeared to be no place in the national Democratic Party for a "pro-business, pro-life, pro-Second Amendment" congressman such as himself, so he was aligning with a party that is "more in tune with my beliefs and convictions."

But GOP voters never embraced Griffith as one of their own: He lost his bid for re-election in 2010, finishing more than 12,000 votes behind then-Madison County Commissioner Mo Brooks in the Republican primary.

He tried to reclaim the 5th District seat from Brooks in 2012 but fared even worse, despite pumping more than \$568,000 of his own money into the campaign.

Last fall, Griffith briefly explored the idea of challenging Brooks as an independent candidate. He has since rejoined the state Democratic Party and said most people have been "gracious" about his return.

"I've been somewhat surprised and happy about it," he said.

[Two new Republicans elected to Alabama House; general election set in Birmingham \(al.com\)](#)

Tuesday's special elections to fill three vacancies in the Alabama House of Representatives resulted in two new Republicans in districts previously held by the GOP.

Voters in Jefferson County, meanwhile, will have to wait until an April general election to fill their vacancy. The district leans Democratic.

In Mobile, taxicab owner Margie Wilcox defeated Democrat Stephen Carr by a 9-1 margin in heavily Republican District 104. Wilcox said she intends to take her place in the Legislature Wednesday and already has qualified to run for a full, four-year term this year.

The seat has been vacant since the August resignation of Rep. Jim Barton, R-Mobile, who became a Montgomery lobbyist.

In a Republican primary runoff for District 31, covering most of Elmore and Coosa counties, timber farmer and tea party activist Mike Holmes defeated Wetumpka car dealer Jimmy Collier with 57 percent of the vote.

With no Democratic opposition, Holmes automatically will become the district's next representative. The seat became vacant when Rep. Barry Mask, R-Wetumpka, resigned last year to become executive director of the Alabama Association of Realtors.

In a low-turnout Democratic primary runoff in Birmingham, Anthony "Alann" Johnson defeated lawyer Arthur Shores Lee in District 53 with about 56 percent of the vote, setting up an April 1 matchup with Republican Willie "W.A." Casey. The winner of that race replaces longtime Rep. Demetrius Newton Jr., who died in September.

The general election victor will represent the district for a few months. After the 2014 elections, though, the district will move to the Huntsville area. Johnson said Tuesday that he has not decided whether he will seek election in a new district.

Lee, though, said he plans to challenge state Rep. Juandalynn Givan, D-Birmingham.

[TVA looks to cut \\$500 million from operations, is waiting to see how many employees take severance offer \(al.com\)](#)

KNOXVILLE, Tenn. -- The Tennessee Valley Authority lost \$67 million in the first quarter of its fiscal year which ended in January, the utility reported today, but that was a sharp improvement over the same period last year which saw a loss of \$245 million.

The utility cited reduced operating expenses as a key contributor to the improved performance. During a conference call today to discuss the financial results TVA CEO Bill Johnson said TVA is looking to cut \$500 million in operations and maintenance costs over three years, by the latter part of 2015.

TVA reported operating revenues - mostly generated through electricity sales - of \$2.38 billion for the first quarter, down from \$2.58 billion for the first quarter last year.

The first quarter saw cuts of 12 percent, \$112 million, compared to the previous year. TVA said the "savings came from 'decrease in expenses from planned outages, projects and scheduled maintenance, and a reduction in contract labor through cost-saving initiatives.'"

TVA's expense-cutting plan has included voluntary reductions of 300 employees, primarily working in coal plants that TVA is phasing out and another cut of 400 contractors doing preparation work at the Bellefonte plant in Hollywood. TVA has scaled back Bellefonte operations and said it plans to revisit the still-uncompleted plant project after finishing a second nuclear reactor at Watts Bar in Tennessee.

The coal plant cuts have also been felt in North Alabama. More than 150 jobs were cut at two plants, including the plant in Tuscumbia and at the Widow's Creek plant near Stevenson.

The utility currently has extended voluntary "reduction in force" offers to all employees, excluding the nuclear power division, and that offer is on the table until late February. The offer includes a week's salary for every year worked for TVA, up to 30 years.

TVA spokesman Duncan Mansfield said nuclear operations employees were not included in the offer because TVA's new Chief Nuclear Officer Joseph Grimes is still reviewing those operations.

CEO Johnson said the effort to cut expenses implies a reduction in the TVA workforce, which stood at 12,612 as of Sept. 30, but he wants to wait to see how many take the severance offers before outlining how many additional cuts the utility will seek.

Johnson said the Obama Administration's 2013 proposal to consider the federal government's possible sale or partial sale of TVA is still being reviewed by government auditors. The analytical work is done and that process has been collaborative with those conducting review and TVA, Johnson said.

"I hope and expect some little while get to a conclusion, whether it's a report, recommendations, I don't know, how they will conclude the process they started," he said.

Johnson also discussed the need to see continued improvement in operations at TVA's nuclear plants. The Browns Ferry Nuclear Plant near Athens had a "red finding" removed by federal regulators last week. The red finding signaled an event of safety significance and the Nuclear Regulatory Commission said TVA had taken necessary steps to ensure the problems associated with a blocked line in a plant safety system vital to fire protection would not recur.

But Browns Ferry remains in the NRC's Column 4, one level above "unacceptable" due to two other problems identified at the plant and so the NRC's intensive inspection process will continue for at least the remainder of this year.

Johnson said TVA's performance in its nuclear operations has "not been as good as it should be the last couple of years." He said in response TVA has placed a lot of emphasis on those areas and invested a lot of money in the plants and they're showing improvement.

"We think we're in a pretty good spot," Johnson said. "We need to focus on our operational behavior, do the right work, the right way. We've seen commitment of the workforce to do exactly that: follow the standards of how we do the work. Have a good questioning attitude, keep safety first."

Johnson said TVA's nuclear plants responded well to the heavy power demands in the valley during the recent run of sub-freezing weather. TVA's goal is to be one of the better nuclear fleets in the country and that is done by "concentrating on the fundamental behaviors of operations.

"We're making progress, if you fix problems without regulatory help, the NRC has a little more confidence in you," Johnson said.

He said ensuring a long-term quality operation of its nuclear power plants is vital for TVA.

"Our nuclear plants are going to be really important to our customers for decades to come," the CEO said. "So our commitment is to run them the best we can."

[Mercedes-Benz kicks off production of the new C-Class \(al.com\)](#)

Mercedes-Benz has officially launched production of the redesigned C-Class at its plant in Bremen, Germany, the automaker said today.

Production of the new sedan will begin at three other plants around the world within six months, including the company's Alabama plant.

It also will be built at Mercedes factories in South Africa and China.

The 12,700-employee Bremen plant is controlling all aspects of the C-Class launch, and employees from the other sites have been traveling there for training.

The new C-Class is larger yet lighter than its predecessor, with updated luxury appointments and safety systems that reflect its maturing role for the automaker.

Read more about the updated model.

In Alabama, Mercedes is adding 1,000 jobs tied to the C-Class, and it is spending an additional \$2 billion on its Tuscaloosa County operations for the sedan and other new models.

The C-Class, Mercedes' best-selling model series, is extending the reach of the Alabama operations, which currently produces only SUVs and crossovers.

It's official: Alabama Gulf Coast tourism broke record in 2013 for third year in row (al.com)

The numbers have been pointing to it since summertime with record amounts of tax revenue flowing into Gulf Shores and Orange Beach coffers and tourism officials have touted it, but now it's official: the Alabama Gulf Coast broke its tourism record for the third consecutive year in 2013.

According to Gulf Shores and Orange Beach Tourism, Baldwin's beach cities in 2013 generated \$343 million in taxable lodging rental and \$683 million in taxable retail sales for an average jump of about 6 percent overall.

Compared to 2010, after the BP oil spill, the 2013 lodging tax numbers are nearly 50 percent higher and retail sales are 30 percent more.

"To see back-to-back-to-back record years is unprecedented," Herb Malone, president and CEO of the tourism bureau, said in a news release, "especially when you consider that the first record came immediately after the 2010 Gulf oil spill. We continued the upward trend with 2012 and now 2013 thanks to the synergistic effort of our local and state governments and tourism businesses, who all partnered diligently to welcome these guests with Southern hospitality."

The revenue trend from 2010 to 2013 for the areas of Gulf Shores, Orange Beach and Fort Morgan is as follows:

Taxable retail sales

2010 -- \$475,720,367

2011 -- \$597,794,314

2012 -- \$642,112,978

2013 -- \$683,771,720

Taxable lodging rentals:

2010 -- \$176,792,806

2011 -- \$281,092,904

2012 -- \$324,638, 541

2013 -- \$343,826,442

In addition to the beach cities, according to the tourism bureau's year-end report, Foley also continues a record-breaking trend with retail sales topping \$605 million for a 5 percent increase over 2012, and lodging tax hit \$9.2 million for a 4 percent jump, which includes a lodging tax hike -- 4 to 7 percent -- that went into effect Oct. 1.

Farm bill divides Alabama delegation: 7 House members vote for bill; Shelby, Sessions vote no (Montgomery Advertiser)

WASHINGTON — Alabama's congressional delegation, normally a reliable group of pro-agriculture voters, was split over the farm bill that cleared Congress on Tuesday and now goes to President Barack Obama for signing.

All seven House members voted for the compromise last week, hailing it as an imperfect but long-overdue effort to give farmers some assurances about how their products will be valued over the next five years.

But both Alabama senators voted against it Tuesday, saying it spends too much money overall and doesn't cut enough from the Supplemental Nutrition Assistance Program, formerly known as food stamps.

The new law cuts \$8 billion from SNAP, well short of the \$40 billion that House Republicans originally proposed cutting.

"There are a great number of abuses in the program that have clearly been identified and should be fixed and haven't been sufficiently fixed," Sessions said about SNAP spending.

The bill passed the Senate 68-32 on Tuesday, with Sessions and Sen. Richard Shelby, both Republicans, voting no. The bill already had passed the House.

Shelby said 80 percent of spending in the bill is on "welfare programs, which are among our nation's fastest-growing entitlements."

"We need pro-growth policies that generate job creation, not more drastic expansion of the entitlement state," Shelby said.

Sessions, top Republican on the Senate Budget Committee, said the money the bill will spend in the first year breaks a limit set in a recent budget agreement and changes in Senate rules have made it harder for the minority GOP to block such extra spending.

"The danger is that we will certainly have spending increases in the short term, but we have only promises of spending limitations in the future," Sessions said.

The Alabama Farmers Federation endorsed the bill, which was negotiated over three years and derailed last summer when House Republicans insisted that agriculture policy be considered separately from SNAP aid.

Alabama farmers say the new bill provides protections against volatile prices, improves conservation programs, supports agriculture research and expands production of biofuels such as cellulosic ethanol.

Also important to Alabama is a provision making more Alabama farms eligible for federal grants to irrigate land, and requiring tighter inspections of catfish grown domestically and in other countries.

Advocates say the bill represents a huge shift away from direct payments to row crop farmers and toward crop insurance programs. Congressional analysts estimate that over 10 years, the bill will spend about \$1 trillion and save \$23 billion.

The 20-year-old direct-payment subsidy program for farmers, which doles out \$5 billion annually, regardless of need, will end, with some of the savings used to expand crop insurance programs helping farmers better manage their risk. An additional \$6 billion will be saved by combining 23 conservation programs into 13.

The opposition from Shelby and Sessions is noteworthy in part because agriculture is a major economic engine and political powerhouse in Alabama.

Before he announced his opposition, Sessions had lauded the bill as a way "to reduce, not grow, the involvement of the federal government in agriculture."

Alabama's six Republican House members and one Democrat supported the bill when it passed the House 251-166, an unusual display of unanimity on a major piece of legislation. GOP Reps. Martha Roby of Montgomery and Mike Rogers of Saks were on the conference committee that negotiated the compromise bill that passed Tuesday.

Although they wanted deeper cuts in SNAP, the bill's benefits for Alabama farmers carried more weight with the House Republicans.

"This new five-year farm bill is a win for Alabama farmers and foresters," Roby said. "It makes sure federal agriculture policy treats Alabama crops like peanuts and cotton fairly. It includes smart revisions to EPA rules that will help boost our forestry industry and improve irrigation in our state."

Sessions: A tea partyer before the tea party was cool (Washington Times)

Long before there was a Sen. Ted Cruz filibustering Obamacare on the Senate floor or a Sen. Rand Paul demanding answers on government drone policy, Sen. Jeff Sessions was holding the Senate floor for hours on end, espousing classic tea party stances against higher spending and expanding presidential powers long before the tea party movement existed.

From judicial nominees to spending to last year's immigration bill, the Alabama Republican has led the opposition to some of the big-ticket items on President Obama's domestic agenda — though he has done it without the kind of presidential campaign speculation that many of his colleagues face.

"Sens. Ted Cruz and Rand Paul may get all the national media attention, but for better or worse, Sen. Sessions day in and day out has been the most vocal critic of the president and his policies," said Jim Manley, a longtime aide to top Senate Democrats. "He spends hours on the floor criticizing the president on a whole host of issues."

Mr. Sessions, who is favored to win a fourth Senate term in November, also has been a roadblock for some fellow Republicans, particularly on immigration reform, and in clashes pitting the interests of Main Street against those of the business class — a key distinction that sets the tea party aside from other conservative movements.

"It is time for the Republican Party to understand that it represents all people in America, in particular working people who have not done well enough in recent years," Mr. Sessions told The Washington Times. "It is not enough to talk about entrepreneurs and job creators because most Americans work for somebody."

His willingness to take on all comers has won Mr. Sessions a deep pool of admirers.

"Jeff Sessions is, without question, the most solid conservative senator," said Mike McKenna, a Republican strategist. "He is always, always, always doing the right thing, riding to the sound of the guns, and making trouble for the bad guys."

Mr. Sessions shows no signs of slowing down: Last week, he was actively lobbying House Republicans at their retreat in Cambridge, Md., against a statement of principles on immigration policy that included legal status for illegal immigrants and a path to citizenship for younger illegals brought to the United States by their parents.

The irony is that if it were not for Democrats, Mr. Sessions probably never would have made it to the Senate.

In 1986, President Reagan nominated Mr. Sessions to be a federal district court judge in Alabama. But Senate Democrats — led by Sen. Edward M. Kennedy of Massachusetts and current Judiciary Committee Chairman Patrick J. Leahy of Vermont — cast Mr. Sessions as a relic of the racist Jim Crow South and blocked his confirmation.

Mr. Sessions went on to become Alabama's state attorney general and won his Senate seat in 1996, succeeding retiring Democrat Howard Heflin. He won his 2008 race comfortably, with 63 percent of the vote.

No hard feelings

Mr. Manley, a longtime aide to Mr. Kennedy, said Mr. Sessions never showed any ill will toward his boss when he arrived in Washington.

"The first time Sen. Kennedy introduced me to Sen. Sessions, we were in a members-only elevator and he couldn't be more gracious," Mr. Manley said.

Mr. Sessions told The Times that Democrats leveled bogus accusations against him, but he harbored no hard feelings.

"There is no advantage going around holding grudges," he said.

Even as he separates the personal and political, Mr. Sessions is a fierce critic of Democratic policies. His initial speech on the Senate floor in 1997 was to call for a balanced budget amendment to the Constitution.

"Washington cannot be trusted to keep its financial house in order," he said at the time. "Americans know the burdens of Washington's excesses are going to fall primarily on their children, a result which is unjust and unconscionable."

He has served as the top Republican on the Judiciary Committee, where he led opposition to Mr. Obama's two Supreme Court nominees, and now is the ranking Republican on the Budget Committee, where he opposed last month's bipartisan budget deal, which he warned would clear the way for increased spending this year and next.

He also has criticized the way Senate Democrats changed filibuster rules that reduced the number of voters needed to confirm most presidential appointees from a three-fifths supermajority to a simple majority.

"The Democrats, they have a very short memory," Mr. Sessions said, alluding to Democrats' use of the filibuster against President George W. Bush's nominees when they were in the minority party. "They take a position one year and the next they take a completely different one without the slightest concern over their inconsistencies."

'Dependable conservative'

Tea party activists and other conservative groups that have grown frustrated with many in the Republican Party establishment have soft spots for Mr. Sessions. Unlike a number of senior Republican senators, Mr. Sessions is not facing a strong conservative primary challenge in his re-election race, and political forecasters say his seat is safe in the general election.

"Jeff is one of those guys who may not have the flash of Ted Cruz and he may not be considered Ted Cruz's sidekick, like Mike Lee [of Utah], but I think that Jeff has really begun to prove himself over this last year as a pretty dependable conservative," said Drew Ryan, political director of the Madison Project PAC, which is targeting a number of Republican incumbents in primary races, including Senate Minority Leader Mitch McConnell of Kentucky and Sen. Thad Cochran in Mississippi. "For the conservative movement, is he going to be a Ted Cruz or a Mike Lee? No. But when they go into the fight, is Jeff Sessions going to be with them eight, nine times out of 10? Yes."

Judson Phillips, founder of Tea Party Nation, said Mr. Sessions has been "one of the strongest voices against Obamacare and for smaller government."

"He's clearly a Republican who understands the issues and understands the fight to reduce government," Mr. Phillips said.

Mr. Sessions does have some blemishes on his record in the eyes of conservatives, including his support for Mr. Bush's No Child Left Behind education law, which the Senate passed by a 87-10 vote, and for Mr. Bush's Medicare Part D prescription drug program, which critics say added a massive entitlement program to the government.

Democrats say Mr. Sessions supports spending cuts that would tear apart the social safety net programs that help low-income Americans.

Mr. Sessions has a 94 percent lifetime rating with the American Conservative Union and has received an 86 percent lifetime rating from the Club for Growth.

The track record has helped him stay out of the cross hairs of the ultra-conservative wing of his party, which is looking to knock off some of his fellow Republicans this year in primary contests.

Asked about the primary challenges, Mr. Sessions said the tea party sometimes can overlook the complexities of legislating and misjudge the values of some of his colleagues.

But he said he is a "big defender" of the grass-roots movement and shares its frustration with Washington's inability to confront the soaring national debt.

"Why shouldn't they be upset?" Mr. Sessions said. "They are just tired of hearing excuses."