



Office of Senate President Pro Tempore Del Marsh
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Senate approves bill authorizing use of marijuana derivative in UAB study (Montgomery Advertiser)

The Alabama Senate Tuesday voted 34 to 0 to approve a bill that would allow chronically ill patients to use cannabidiol, a marijuana derivative that may be effective in preventing seizures.

The vote came after the University of Alabama at Birmingham agreed to conduct a study on the effects of cannabidiol (CBD) on patients, which a number of lawmakers said lifted their objections to the legislation.

The bill, known as Carly's Law, would authorize UAB to study the effects of CBD on chronically ill patients for up to five years. UAB would control and dispense the drug to participants in the study. Sen. Paul Sanford, R-Huntsville, the sponsor of the bill, said the Education Trust Fund budget would include a \$1 million appropriation to fund the study in the coming year.

Sanford said after passage he was "ecstatic."

"I'm just glad for the families who showed the patience to endure the process," he said.

CBD does not have any of the psychoactive properties commonly associated with marijuana, and is believed to have promise in helping control seizures otherwise untreatable by medicine. Dr. David Standaert, professor and chairman UAB's Department of Neurology, said in a statement that there was "growing evidence" at the efficacy of the drug, and that they hoped the study would end up providing relief to families.

"In some cases, seizures can be controlled with other medications, and some patients are candidates for curative surgery, but there are still cases that are difficult to control by any existing therapy," the statement said. "UAB will undertake research into the mechanisms underlying cannabidiol, to learn more about its function and effect on seizures. This research will be invaluable in the search for ways to prevent seizures, or minimize their effects."

Standaert said in a follow-up statement Tuesday evening that it would be "difficult to pinpoint specific at this point regarding the details and scope of this study."

Senate leaders said the bill could be in House committee next week.

The bill is named after Carly Chandler, a three-year-old who suffers from a rare genetic disorder that has led to uncontrollable seizures and affected her developmental ability. Her father Dustin, a Pelham

police officer and one of the driving forces behind the bill, says other medicines have not helped his daughter and that they want an option for CBD.

CBD is available in Colorado, and Sanford said during a brief debate that some families had moved from Alabama to Colorado to take advantage of it. Amy Chandler, Carly's mother, said after the vote Tuesday night that they have caretakers, physicians and other support in Alabama, making relocation difficult

"People ask us, 'Why don't you move here, why don't you move there?' she said. "It's not that easy."

Robin Pass of Prattville, whose two-year-old son Gabriel suffers from seizures, welcomed the news. Pass said her son can only consume Ketocal, and has suffered developmentally from the seizures and the medicine used to control them.

"The first three years are a time when your brain starts making connections," he said. "The first three years, he's been doped up. CBD doesn't have dope."

Over the weekend, Sanford said Senate leadership contacted UAB and worked with Ball and Rep. Allan Farley, R-McCalla, a co-sponsor of the House bill. Farley noted that Chandler, Ball and himself all come from law enforcement backgrounds.

"Who in their wildest imagination could have thought a veteran assistant sheriff (Farley), a police officer from city of Pelham (Chandler) and a retired ABI investigator with the state troopers (Ball) would be called on to work with Sen. Paul Sanford to bring about a bill that would have anything to do with the term marijuana?" he asked.

The bill does not legalize medical or recreational marijuana, something that Sanford said he was "not a proponent of." The funding for the study would have to be revisited by budget makers next year; Sanford he hoped that the study would bear fruit within the year, which could encourage future funding of the study.

Lawmakers passed the bill with little debate and much praise for the families. Sen. Roger Bedford, D-Russellville, recalled his own battle with cancer in 1989, and how he was unable to get a life-saving bone marrow transplant in Alabama. The senator said he had to travel to Houston for the surgery.

"We got another option," he said. "Today, that's what the parents and grandparents here are asking for: another option."

Lawmakers take Carly's Law to next level, announce research partnership with UAB (Yellowhammer News)

FIVE FACTS:

An updated version of "Carly's Law" would legalize the use of cannabidiol (CBD) to treat neurological and epileptic disorders and fund research at UAB.

CBD is an oil derived from marijuana that has no ability to get anyone "high"

CBD has proven to be an effective treatment to control epilepsy and other neurological disorders

Carly's Law does not in any way legalize marijuana, even for medicinal purposes

Carly's Law is garnering bi-partisan support in Alabama's legislature

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

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

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

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

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

David Standaert, M.D., chair of the Department of Neurology says UAB maintains a leading role in safeguarding the public health of the residents of Alabama through a special responsibility to provide

access to cutting edge treatments and therapies that are not available elsewhere, and that UAB will continue to work in partnership with other neurologists across the state to provide the best possible medical care for all Alabamians.

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

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

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

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

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

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

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

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

Alabama Senate approves Carly's Law, authorizes study of marijuana-derived oil to treat epilepsy (al.com)

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

The vote was 34-0.

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

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

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

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

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

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

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

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

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

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

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

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

Alabama Senate approves bill changing Birmingham Water Works Board, effort moves to House (al.com)

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

The bill from Sen. Jabo Waggoner, R-Vestavia Hills, was approved on a 20-9 vote with one abstention. The vote this evening came after hours of debate between Waggoner, and Sen. Rodger Smitherman, D-Birmingham, and two tense votes to end debate and bring the issue up for a final vote.

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

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

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

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

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

Conversely, Smitherman said there was nothing to compromise on.

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

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

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

Waggoner said the issue has never been about water quality.

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

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

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

Conversely, Waggoner celebrated the win.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Robinson also took the lectern in defense of the utility.

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

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

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

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

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

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

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

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

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

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

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

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

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

Bill to limit Ala. legislator lobbying revised (AP)

MONTGOMERY, Ala. (AP) — A revision to a bill restricting lobbying by former legislators has nearly restored the proposal to its original form.

The bill by Senate President Pro Tem Del Marsh of Anniston started out limiting legislators from lobbying the Legislature for two years after leaving office.

The Senate passed the bill in February and expanded restrictions to all officials who leave any public office.

On Tuesday, a House committee revised the bill to restore most of Marsh's proposals. It would prohibit former legislators from lobbying both the House and Senate for two years after their term of office ends. It would also prohibit any legislator who resigns in the middle of the term from lobbying any branch of government for the remainder of that term.

The bill now goes to the House.

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

MONTGOMERY, AL (WSFA) -

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Common Core opt-outs argued (Montgomery Advertiser)

A public hearing over legislation that would allow local opt-outs from state Common Core standards Tuesday morning quickly turned into a debate over the merits of the Alabama versions of the standards.

Opponents of Common Core strongly objected to what they described variously as "socialistic" and anti-American textbooks and a loss of local control under the standards. Supporters were equally

strong in objecting to opt-out options, which they said would undermine education in the state and force Alabama schools to go back to earlier, inferior standards.

Audrianna Osborne, a senior at Montgomery's LAMP High School, said the standards, applying strictly to math and English, allow students to "use complex language and apply complex language to our increasingly complex world."

"If we deny students the option to be held to standards, to challenge themselves, to test their true potential, we rob (the state) of a capable and competent posterity," she said.

Becky Gerritson, president of the Wetumpka Tea Party, objected to what she described as a reading list that she branded "politically biased and obscene." She attempted to read a passage from "The Bluest Eye" by Toni Morrison, a book she said was on the reading list for the state, and managed to quote the "F-word" before Senate Education Policy chairman Dick Brewbaker, R-Montgomery, asked her to move on.

"Pass this bill; protect our children," Gerritson said in conclusion.

But the state has not adopted the reading list that included "The Bluest Eye." In fact, Alabama State Schools Superintendent Tommy Bice, who attended but did not speak at the two-hour hearing, said he was unaware of any district in the state that includes the book on its reading list.

Almost lost in the debate was the bill under discussion. The legislation, sponsored by Sen. Scott Beason, R-Gardendale, would allow local districts to adopt curricula developed under previous standards, provided they satisfy the minimum requirements of those standards.

Beason, citing opponents' arguments that such decisions are best left to the State Board of Education, said the bill would restore a certain level of local control.

"If we want to make the argument that those are duly elected people to make decisions for education, I would argue this allows the duly elected local school board members to decide what is best for their community," he said. "That is real power of this legislation."

Some parents who spoke for Beason's bill said their children were struggling to master subjects taught under the new standards. Julie Sabri of Vestavia, a dentist, said she had spent \$2,000 on tutors and eventually enrolled some of her children in a private school.

"The Common Core book we used jumped around quite a bit between subjects without enough time on skill mastery," she said.

Educators and opponents of the bill said the standards had boosted student achievement and helped cut drop dropout rates in schools. Denise Burkhalter, a spokeswoman for the Alabama Association of School Boards, which opposes Beason's bill, said her daughter was thriving under the curriculum developed under the standards.

"I asked my daughter last night what I should say to you," she said. "She said, 'Mama, tell them since last semester of eighth grade, I have worked my butt off. Before then, everything was easy.'"

Katy Campbell of the Macon County Board of Education said the standards met the needs of every student statewide to achieve.

"We have a state system of education, not a collection of one-room schoolhouses," she said. "Our State Board of Education sets standards. Our local school boards meet those standards."

Beason's bill also attracted opposition from business groups. Bill Canary, president of the Business Council of Alabama, said the standards would ensure that the state's workforce was ready for new challenges.

"Repealing Alabama's standards would damage our schools, our teachers and our students already two years into the implementation of Alabama's standards," he said. "It would damage our efforts to attract companies throughout the world."

The Senate Education Policy committee did not vote on the legislation Tuesday, but is scheduled to take up the bill again at a meeting this morning.

The Common Core Standards, which encompass math and English, were developed by the National Governors' Association in 2007 as a means of standardizing curricula and measurements of student progress around the nation. Alabama's standards, based on the Common Core, were developed in-state by the Alabama State Department of Education.

[Graphic material was not from common core textbook, but reading list \(al.com\)](#)

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

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

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

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

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

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

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

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

Senate panel considers Ala. Constitution changes (AP)

MONTGOMERHY, Ala. (AP) — A state Senate committee faces a key vote on whether to proceed with the Legislature's plan to rewrite the state Constitution article by article.

The Senate Constitution and Elections Committee is scheduled to consider revisions to four articles on Wednesday afternoon. They are the articles on impeachment of public officials, the legislative branch of government, the executive branch, and homestead exemptions for property taxes.

The committee's vote comes a week after two justices on the Alabama Supreme Court issued advisory opinions saying the Legislature's article-by-article approach is not authorized by the state Constitution.

That approach involves the Legislature rewriting an article and then submitting it to voters for approval in a statewide referendum.

Barbering regulations pulled back, as barbers give legislators an earful in their chairs (Anniston Star)

by Eddie Burkhalter

The four square feet of linoleum behind Calvin Lackey Sr.'s barber chair is a spot many a political lobbyist would envy.

That's where Sen. Del Marsh, R-Anniston, gets his hair cut.

It's also where Lackey voiced his opposition to a recent law meant to regulate his 17th Street Anniston barber shop and shops like it across the state.

The law, approved by the Legislature last May, puts barbering under the control of the state Board of Cosmetology and Barbering. It required barbers and barber shops to be licensed and called for inspections to ensure shops are sanitary.

Proponents of the law say it's needed to prevent unlicensed, untrained cosmetologists from obtaining barbering business licenses and offering services like chemical hair treatments and coloring.

But as the law was written, traditional barbers — who do not typically offer those services — would be regulated just the same.

That wasn't the aim, Marsh said by phone Tuesday, and just as Marsh did from Lackey, his fellow legislators quickly heard from their barbers just how unpopular the new law was.

Legislators on Thursday approved a bill by Marsh, the president pro tem of the state Senate, that will exempt barbers who have been cutting hair for at least 10 years from those new regulations. The bill is awaiting Gov. Robert Bentley's signature.

"Had they took a different approach to that, and left those that do traditional barbering like I do out, there would have been no squabbles," Lackey said, seated Tuesday in the only barber chair in his shop, upholstered in maroon vinyl with a white-porcelain base.

Lackey stopped short of taking full credit for influencing Marsh's bill, but said he believes the legislator listens to legitimate complaints from his constituents, and acts on them.

"I can't say enough about Del," Lackey said.

General Jackson, owner of Jackson's Unisex Barber Shop on West 15th Street, was appointed to the seven-member Board of Cosmetology and Barbering last year.

Jackson said by phone Tuesday that he approves of the new compromise, and said last year's law was never meant to harm anyone, barbers or cosmetologists.

Lackey told Marsh that most traditional barbers disapprove of the extra sanitation inspections and costly fees the new law would levy on them.

The new law would have required all barbers receive extra licensing. Every barber in the state would have had to purchase an \$80, two-year license, and every barber shop in Alabama would have been required to buy a two-year license for \$150.

"Of course, I wasn't the only one," Lackey said, speaking of the other barbers who gave their legislators an earful.

Lackey's shop is clean and quiet. A framed portrait of John Wayne hangs on a wall, and the lone barber chair sits centered in front of a wide mirror on the wall above the cabinet where Lackey keeps his clippers and combs.

Lackey has been barbering for nearly three decades. He learned the craft from his father, who learned it from his father.

Stepping into a barber shop is stepping out from the outside world into a different one, Lackey explained. It's a world where opinions and considerate conversations are welcomed, as long as it doesn't get too heated, he said.

"In this business you get to talk to people from all walks of life coming in all day every day," Jackson said, but some topics are best left alone.

"Religion is one and politics is the other," Jackson said.

Lackey agreed, saying "In this business you don't talk about those two. That's an old standing rule. Maybe not written, but applied nevertheless."

But there are often exceptions to every rule, and barbers sometimes have the rare opportunity to whisper into the ears of the powerful. Indeed, Marsh says he often uses barber shops to gauge how pending legislation is going over with voters.

"Quite often," Marsh said. "The barber shop is a pretty good way to go."

The idea of new regulations didn't sit well with 61-year-old Lackey, who said he had no intention of starting over this late in the day.

Retirement is on the horizon, he said, and he plans to "let someone else take up the cloth."

As he spoke, he brushed his hand over a barber's cape, draped across the arm of the only barber chair in his shop.

It's the chair he stands behind when the senator needs a haircut.

Bill backs daylight saving time all the time (Montgomery Advertiser)

A Montgomery lawmaker isn't saying he wants time to stand still, just to quit springing and falling.

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

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

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

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

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

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

"I can't find a single reason why we still do it," Wren said.

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

Summary of action in Alabama Legislature (AP)

MONTGOMERY, Ala. (AP) — A summary of action in the Alabama Legislature on Tuesday, the 23rd meeting day of the regular session:

HOUSE:

- Approved an amended a Senate bill to establish that private schools are not subject to regulation by the State Department of Education or the state superintendent. Goes back to Senate
- Approved a bill related to the regulation of preneed funeral sales. Goes to Senate

SENATE:

- Approved a bill to expand the Birmingham Water Works board to add members from outside Birmingham. Goes to House.
- Approved a research project at the University of Alabama at Birmingham to use a marijuana derivative to treat epileptic seizures. Goes to House.

COMMITTEES:

- Senate Education Committee held a public hearing, but did not vote, on a proposal to let local school systems opt out of the Common Core school standards.

AGENDA:

- House Ways and Means Education Committee meets at 9 a.m. Wednesday in room 617 of the Statehouse to consider the education budget.
- House Education Policy Committee meets at 3 p.m. Wednesday in room 418 to consider changes to the Alabama Accountability Act.
- House Health Committee meets at 9 a.m. Wednesday in the joint briefing room to consider a ban on smoking in many public places.
- House Internal Affairs Committee meets at 11 a.m. in room 410 to consider a legislative reorganization bill.
- House State Government Committee at 2:45 p.m. Wednesday in room 428 to consider a package of bills that put more requirements on welfare applicants.
- Senate Education Committee meets at 8:30 a.m. Wednesday in room 727 to consider a bill to let local school boards opt out of Common Core and use alternative curriculum.
- Senate Health Committee meets at noon Wednesday in room 304 to consider legislation setting new regulations on abortions.
- Senate Constitution and Elections Committee meets at 2 p.m. Wednesday to consider constitutional revision.
- Senate meets at 10 a.m. Thursday.

'If I'm reelected, we're going to have to build more prisons': Gov. Bentley addresses overcrowding, Tutwiler on radio show (al.com)

In a radio interview Tuesday morning, Gov. Robert Bentley said that, if he is re-elected, he and other state officials will have to seriously consider building more prisons to alleviate overcrowding.

"We are making significant strides," Bentley said on The Matt Murphy Show. "Now do we need more money? Yes. If I'm reelected to this job we're going to have to face that... and we're going to have to build some more prisons, and we're going to have to come up with money to do it."

[Listen to Matt Murphy's full interview with Bentley here.]

A Department of Justice report, released Jan. 17, outlined the findings of an April 2013 investigation and condemned the atmosphere of verbal abuse and forced sexual contact at Julia Tutwiler Prison for Women.

"Prison is not a vacation; however, all prisoners, regardless of what they did, should be treated humanely," Bentley said during the radio interview.

He attributed many issues at Tutwiler to overcrowding but lauded Alabama Department of Corrections Commissioner Kim Thomas for instituting dozens of changes, including starting the installation of new cameras and recruiting female guards.

Bentley also said moving Tutwiler inmates to the former Tarwater mental health facility is an option.

"We would do it very much like Columbiana, a center where we prepare people to get out, prepare them to get a job and become productive members of society," he said.

The Alabama Therapeutic Education Facility in Columbiana opened in 2008 to provide state prison inmates with six months of education, job training, counseling, substance abuse treatment and attitude-changing sessions.

Last August, Thomas told legislators that Tarwater has great potential for similar programs for inmates, though the campus needed \$6 million in renovations.

When Murphy asked about the threat of a federal takeover, Bentley said reforms are being implemented because "it's the right thing," not because of pressure from federal officials.

"As long as I'm governor and Kim Thomas is commissioner, we're not going to tolerate the things that have been going on," he said. "Whether the DOJ comes in, whether anyone sues us, that is not the reason we're doing this. We're not doing it out of fear of them. We're doing it because it's the right thing."

[Rep. Bradley Byrne co-sponsors bill to create independent 'watchdog' for Obamacare \(al.com\)](#)

U.S. Rep. Bradley Byrne, R-Fairhope, announced Tuesday that he has signed on to the latest effort to check Obamacare.

Byrne has become a co-sponsor of the Special Inspector General for Monitoring the Affordable Care Act, which would create an independent watchdog who would report to Congress within 120 days of his or her appointment.

The inspector general would have the power to issue subpoenas and would be responsible for examining all aspects of the Affordable Care Act.

"The Obamacare law has been fraught with problems from its inception," Byrne said in a prepared statement. "From massive website glitches, to dropped coverage, to skyrocketing premiums for families, there is no question this law has been a disaster. Yet this is likely only the tip of the iceberg. As Obamacare goes into effect, the American people deserve to have the full picture of this law's impact on our country."

If passed by the House of Representatives, the bill would face tough odds in the Democratic-controlled Senate, which has beaten back dozens of efforts to repeal or amend the sweeping health insurance overhaul known as Obamacare. Democrats argue that the latest bill is unnecessary since each federal agency that has a role in implementing the law has its own, independent inspector general already.

But Byrne stated that the Obama administration is too "deeply invested" in the law to be trusted to independently report problems.

The bill's lead sponsor, Illinois Republican Peter Roskam, made the same point in a statement on his website.

"From the time the bill was being drafted in secret in then-Speaker Nancy Pelosi's office to the healthcare law's current implementation, the public has been largely kept in the dark about a law that puts the federal government in charge of one sixth of the economy and is wreaking havoc on Americans' personal healthcare decisions," he said in the statement. "Congressional oversight of the law has been dogged, but the Administration has repeatedly stonewalled investigators and been less than forthcoming with the public."

Byrne criticized the administration for granting "another politically motivated grandfathering exception" this month for families who would have lost coverage under the original law. He suggested that President Barack Obama was motivated by politics – namely, the looming midterm elections in November in which the health care law figures to be a major issue.

Obama issued the initial delay in October, a one-year reprieve of the provision eliminating health plans deemed "substandard" under the new law. Some insurance companies, including Blue Cross and Blue Shield of Alabama, moved forward with the insurance changes anyway.

Affecting some 87,000 policyholders in Alabama, the company concluded the keeping the old plans would violate the law passed by Congress.

The impact on folks who had insurance on the individual market – as well as the law in general – has been hotly debated. Critics contend that the law violated the president’s pledge that people who liked their insurance could keep it and that new requirements that more medical services be covered has led to increased premiums. The nation’s largest health insurance broker, eHealth, reported last month that premiums were 39 percent higher on average than they were before the law took effect.

But Obamacare supporters note that many, if not most, of the people who lost insurance were eligible for subsidies and came away with better insurance at a lower price.

Byrne maintained that the bill he signed on to would improve transparency even if Congress does not junk the law altogether.

“If they refuse to work with Congress to repeal and replace the law with real solutions, they should at least be forced to report on its problems in a timely and transparent manner,” he said in his statement. “A Special Inspector General would display greater independence and be free of political considerations in examining the effects of this law, reporting directly to Congress and the American people.”

The deadline for enrolling in a health insurance plan is March 31. This afternoon, Health and Human Services Secretary Kathleen Sebelius will provide updated enrollment figures during a conference call with reporters.

[WSJ/NBC News Poll: Obama's Approval Rating Hits New Low \(Wall Street Journal\)](#)

President Barack Obama is struggling to overcome widespread pessimism about the economy and deep frustration with Washington, notching the lowest job-approval ratings of his presidency in a new Wall Street Journal/NBC News poll.

The results suggest Mr. Obama could weigh on fellow Democrats in midterm elections this fall, particularly in the conservative states that will play a large role in deciding whether his party retains its Senate majority.

Mr. Obama's job approval ticked down to 41% in March from 43% in January, marking a new low. Some 54% disapproved of the job he is doing, matching a previous high from December, when the

botched rollout of his signature health law played prominently in the news. The latest survey also showed the lowest-ever approval in Journal/NBC polling for Mr. Obama's handling of foreign policy.

The findings come amid dissatisfaction with all elected leaders in Washington and low regard for the Republican Party. Roughly a quarter of those polled view the GOP positively, with 45% harboring negative views, weaker numbers than for the Democratic Party.

While fortunes could change in the months before November, Mr. Obama's power to help his party's candidates appear limited, said Republican pollster Bill McInturff, who directs the Journal/NBC poll with Democrat Fred Yang.

"The president is being taken off the field as a Democratic positive," Mr. McInturff said. "These numbers would suggest that, beyond his behind-the-scenes fundraising, it's hard to imagine the president on the road and hard to imagine where he would campaign."

For Democrats, agreed Mr. Yang, "the wind is in our faces."

Americans surveyed in the poll said they were less inclined to support a candidate if the person had been endorsed by Mr. Obama or was a "solid supporter" of his administration. Approval of Mr. Obama is particularly weak in the South and Midwest, regions where Democrats could have a tough time defending Senate seats.

Dissatisfaction with all incumbents remains high. Only 34% in the poll of 1,000 adults, conducted March 5-9, said their member of Congress deserved another term, compared with 55% who said they would rather give someone else a chance. Fifty-four percent said they would vote to replace every member of Congress, including their own representative, if ballots included that option.

Unease over the economy continues to drive these concerns. Sixty-five percent of those polled said the country is on the wrong track, compared with the 26% who said it was on the right one, a wider spread than in the midterm-election years of 2006 and 2010. Roughly one-quarter of the respondents think the economy will improve over the next year, while 57% believe the U.S. is still in a recession, despite years of modest economic growth and robust stock-market gains.

Mr. Obama's weakening position is due in part to slippage within his own party. The poll tallied his highest-ever disapproval rating from fellow Democrats, at 20%, a cause for concern for the party heading into midterm elections that often are defined by which side turns out its base. In particular, Mr. Obama's support is softening among blacks, Hispanics and women.

Despite those signs of erosion for the president, Mr. Obama still doesn't engender the same levels of disapproval that his predecessor, George W. Bush, garnered at this point in his presidency. And Mr. Obama's support among women, particularly white women, as of now is strong enough to create a bulwark against GOP gains in the midterms.

Despite the headwinds, Democrats have a potentially winning issue in pushing to increase the federal minimum wage to \$10.10 an hour from \$7.25. That was one of the most popular suggested attributes of a candidate tested in the poll, with 58% saying they were more likely to support someone who backs the increase and 29% saying they would oppose that person.

Respondents in the poll also said they were likely to favor candidates who say they are committed to cutting federal spending, a potential aid to Republicans. But with equal force, respondents said they would be less likely to support a candidate who backs reductions in Social Security and Medicare to address the budget deficit, a position most often identified with Republicans.

The 2010 health law remains more unpopular than popular, but the lines blur when it comes to which changes Americans prefer. Those polled were as likely to support a Republican candidate who wants to repeal the law entirely as a Democrat who wants to fix it.

One area of agreement among respondents of either party was on whether the U.S. should reassert itself on the world stage. Adults surveyed were less likely to support a candidate who wants to see the U.S. assume an expanded role in policing foreign conflicts and more likely to support one who doesn't. Republicans, Democrats and independents showed more agreement on those questions than many others.

Republicans and Democrats also tended to agree that the U.S. should only involve itself in the brewing conflict between Russia and Ukraine if other nations take part, or that it should let Europeans handle the matter on their own. A mere 5% said the U.S. should take action by itself.

"The time and the place for the United States to become the world's policeman has come and gone," said poll respondent David Anderson, a 74-year-old independent from Monroe, Wash. "Let the world fight amongst themselves."

The Wall Street Journal/NBC News poll was based on nationwide telephone interviews with 1,000 adults, including a sample of 300 who use only a cellphone. It was conducted March 5 to 9 by the polling organizations of Bill McInturff at Public Opinion Strategies and Fred Yang at Hart Research Associates.

Individuals were selected proportionate to the nation's population in accordance with a probability sample design that gives all landline phone numbers, listed and unlisted, an equal chance to be included.

Adults age 18 or over were selected by a procedure to provide a balance of respondents by sex. The cellphone sample was drawn from a list of cellphone users nationally, and respondents were screened to ensure that their cellphone is their only phone.

The data's margin of error is plus or minus 3.1 percentage points. Sample tolerances for subgroups are larger.