



Office of Senate President Pro Tempore Del Marsh
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[Sen. Beason introduces compromise bill targeting common core education standards \(al.com\)](#)

Sen. Scott Beason, R-Gardendale, has introduced a new bill dealing with Alabama's common core issue.

Beason's Senate Bill 443, filed Tuesday night, would give local school boards the right to opt out, add to or alter the common core standards adopted by the Alabama State Board of Education in 2010 for math and English.

Academic standards, which tell teachers what concepts students should master by each grade, are currently set by the state board only in Alabama.

[Related: Keep your hands off our common core standards, readers tell legislature (poll)]

The bill would allow local school systems to implement their own academic standards for English and math, so long as the local standards satisfy the curriculum standards in place before the common core took effect.

That's a step back from Beason's earlier bill that would repeal the standards statewide, overruling the state board without giving local board the option to keep the standards if they chose.

The new bill is co-sponsored by Senate President Pro Tempore Del Marsh, who had previously said that no common core bill would reach the Senate floor this session because he did not want to rush the matter.

[Related: Education budget would block expansion of common core in Alabama schools]

Beason said today he still believes the common core should be repealed entirely because the standards are "an untested experiment," but the giving local school boards the option might face easier path the passage.

"There are states that have much more autonomous local school systems, and they're still good," he said.

Alabama GRIT, a pro-common core group composed of business leaders, education groups and civic organizations, is already criticizing the new bill, saying it would bypass the elected state board's authority.

[Related: Who supports the common core? Business, education leaders ask Alabama Legislature to ignore repeal bill]

They also said it would create a chaotic patchwork of education standards and derail the state school system's school accountability programs.

"What Alabama students are expected to learn should not be dependent upon their zip code," said Alabama GRIT Executive Director Jessica Hammonds.

Created at the behest of state leaders through an ad hoc organization known as the Common Core State Standards Initiative, the standards are a response to a report from the American Diploma Project that said 28 percent of high school graduates nationwide were not prepared for college math or English.

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

Meant to instill more rigorous math and English standards in public schools the standards were adopted quickly by 45 states, the District of Columbia and four U.S. territories.

But the standards have come under fire from Tea Party groups and the Republican National Committee who say the standards are a federal attempt to seize control of state-run education.

That distrust has been fueled by the fact that the Obama administration may have lured some states to the standards by making adoption a condition on certain Race to the Top education grants.

Alabama applied for one of those grants, but was not selected. The state implemented the common core standards for math in 2012 and for English this school year.

[Marijuana derivative bill stalls in Alabama Senate \(Montgomery Advertiser\)](#)

Carly Chandler cannot walk or talk, has multiple disabilities and suffers from seizures due to a rare genetic disorder. Her father Dustin, a police officer, says they've tried every possible prescription to help her.

"My daughter takes a drug that's not recommended for children under 17," he said Thursday. "My daughter's 3. I mean, where is the logic in that to a dad?"

Dustin Chandler and other advocates are hoping to try another promising drug, known as cannabidiol (CBD), an extract of the marijuana plant. CBD, which does not get users high and has shown promise for treating seizures. But possession of marijuana in the state remains a crime.

A bill sponsored by Sen. Paul Sanford, R-Huntsville, would effectively permit the possession of CBD, often distributed as oil, for those with debilitating medical conditions, like Carly's. The legislation, supporters are quick to point out, would not legalize general recreational or medicinal marijuana use in the state; it would specifically allow use of CBD for those with debilitating medical conditions.

The bill was on the Senate's agenda Thursday, but lawmakers voted to adjourn before taking up the bill. The legislation could come back to the Senate on Tuesday afternoon.

Sanford was sharply critical of the adjournment Thursday, noting that Chandler and other parents had brought their families to the State House on Thursday — some missing treatment appointments — to see the bill come up. He said he believed the votes for passage "are there," but was afraid some lawmakers might worry about attack ads if they vote for the bill.

"There are too many people afraid for political reasons rather than moral reasons to allow families to seek CBD oil," he said.

CBD is separate from the THC part of the marijuana plant, and lacks psychoactive properties. Research has shown potential for CBD to control seizures, and supporters cite the case of Charlotte Figi, a Colorado child who at one point had 300 seizures a week. After taking CBD, the seizures dropped to about two a day.

Chandler said he hoped bringing his daughter's seizures under control would help her grow cognitively.

"We're of the firm belief that if we can get treatment for these kids and give them relief from the seizures, a lot of these kids are young enough to start catching skills," he said. "I want to hear my daughter say 'Daddy.' "

Senate President Pro Tem Del Marsh, R-Anniston, said he believed the Senate would pass the bill if it comes to a vote.

"I think there's discussion to be had, (and) still some concerns, but I think the mood is there to pass the bill," he said.

Chandler said he wasn't certain that CBD could help his daughter, but he at least wanted the chance to see.

"All these kids that we're fighting for have treatment-resistant epilepsy," he said. "We have tried everything they've asked us to try ... We're at the end of our rope."

[This 3-year-old is doing the unthinkable: bringing the Ala. legislature together \(Yellowhammer News\)](#)

Carly Chandler is a 3-year-old from Birmingham who suffers from an extremely rare neurological disorder called CDKL5 that causes her to have daily seizures. There are believed to be less than 700 people in the world with the disorder, and there are only a couple hundred known cases in the United States.

Carly's seizures are particularly difficult to control. Individuals with CDKL5 often do not see the frequency of their seizures decrease with traditional medical treatments. However, a significant percentage of CDKL5 patients who take marijuana-derived cannabidiol, also known as CBD, experience drastic improvement. CBD comes in oil form and has none of the intoxicating effects of marijuana that might make legalization susceptible to abuse.

Epilepsy Foundation President and CEO Philip M. Gattone and Epilepsy Foundation Board of Directors Chairman Warren Lammert released a joint statement several weeks ago saying "nothing should stand in the way of patients gaining access to this potentially life-saving treatment."

Right now, Alabama law is standing in the way. But that may change soon if "Carly's Law" is passed by the legislature sometime during the final 7 days of the 2014 session.

While Carly has been the face of the movement to pass the bill, it is her parents who have been the driving force behind the scenes.

Carly's father, Dustin, recently sent an email to members of the Alabama House and Senate, and it quickly became one of the most-discussed issues among members of both parties. Here's an excerpt from the email:

Since we don't know how long she will be with us, my wife Amy and I said we were going to give Carly the best quality of life we could possibly give her no matter what. Giving Carly the best quality of life is what led me to this journey.

Carly has tried over 8 Anti-Epileptic Drugs or AED's and none of them have stopped her seizures. All the AED's that she has been given have had bad side effects with some of them possibly being fatal.

As we looked for answers we heard about a specific strain of Marijuana that was high in CBD and low in THC called Charlotte's Web. Charlotte's Web comes in an oil form and is given orally. Since there are no psychoactive properties there is no way to get "stoned" by taking it. It has shown to be 80-85% effective in children in not only stopping seizures, but also improving cognitive abilities... But, as you know, it is illegal in the state of Alabama.

Since then, Carly's law has overcome the knee-jerk reactions to "marijuana legalization" (which we have established this is not) and is now on the verge of coming up for a vote in the senate.

Supporters of Carly's law flocked to the state house this week in hopes of witnessing their bill's passage. But it was too far down the senate's agenda. The body adjourned for the week without getting to the bill, but a spokesman for Senate President Pro Tem Del Marsh said they plan to bring the bill up for a vote this coming Tuesday.

When they do, there's a good chance we'll witness something we haven't seen very much this sessions — Republicans and Democrats coming together to pass a bill that will have a profound and direct impact on Alabamians' lives.

We'll have a beautiful 3-year-old girl and her persistent parents to thank when that happens.

Here are the faces of a few other Alabamians who would be directly affected by this legislation:

Alabama Senate approves bill authorizing up to \$100 million in bond sales for conversion to digital textbooks (AP)

MONTGOMERY, Alabama — The Alabama Senate is trying to provide schools with up to \$100 million to convert from paper textbooks to digital textbooks.

The Senate voted 19-11 Thursday for a bill by Republican Sen. Gerald Dial of Lineville that would allow the state to borrow up to \$100 million through bond sales to provide money to schools for laptops, tablets and electronic versions of textbooks. Dial's bill goes to the House, where similar legislation died last year.

Dial says digital textbooks are cheaper than paper textbooks, and the savings should cover the cost of the 20-year bond issue. He says schools that have already converted to tablets, such as Huntsville and Jasper, could seek reimbursement through the bond issue.

Opponents questioned the wisdom of a bond issue lasting longer than the tablets.

Ala. Senator pushing to make State Supt. an elected position (WSFA)

MONTGOMERY, AL (WBRC) -

A state lawmaker is taking his fight against Common Core to the state school superintendent's office.

Gardendale Senator Scott Beason has introduced a bill to make Alabama's School Superintendent an elected position. At this time the superintendent is selected by the state school board. Beason opposes Common Core which are standards set for education.

The Gardendale Republican and others believe the curriculum could lower standards in Alabama. Superintendent Tommy Bice has told opponents the Alabama State Department of Education controls their standards. Beason said Bice's support for Common Core is a part of his push for an elected superintendent.

"I think it's one of those things the people of Alabama are seeing more and more people oppose core and the state superintendent act like that doesn't exist. I believe the people of the state should have a say," Beason said.

There are just seven meeting days left in the session Beason wants a discussion on both Common Core and the elected superintendent.

Ala. senator gets second shot at liquor tastings (AP)

MONTGOMERY, Ala. (AP) — State Sen. Billy Beasley is getting a second shot at passing his bill to allow liquor and wine tastings in state-run liquor stores.

The Senate initially voted down his bill 14-17 Thursday. But then the Senate agreed to reconsider the bill and let Beasley try to pass it again next week.

Beasley says distillers want to do the tastings to market their products. The Clayton Democrat says they would conduct the tastings under the supervision of the Alabama Alcoholic Beverage Control Board. His bill limits the tastings to small amounts of two liquors or four wines.

Opposition came from some senators concerned about the promotion of alcohol and from others concerned that the bill didn't cover Alabama's privately run liquor stores.

ASU students, staff rally against proposed budget cuts (Montgomery Advertiser)

Students, administrators and supporters of Alabama State University rallied on the steps of the State House on Thursday morning, urging lawmakers to reverse a proposed 26 percent cut to the university's budget.

"Our message is clear," ASU president Gwendolyn Boyd told a crowd of students under a cold rain. "We will not be silent. We will not be quiet. We will not allow you to do this to us."

The rally took place even though legislators, at Gov. Robert Bentley's urging, have said they will restore the funds.

The Senate last week approved a \$5.9 billion Education Trust Fund budget that would cut the university's budget from \$41.5 million in the current fiscal year to \$31.5 million, a cut of about \$10.8 million. But the budget includes a \$10 million first-priority conditional that would allow Bentley to release the funds back to ASU at his discretion.

The Senate Finance and Taxation Education chairman Trip Pittman, R-Daphne, said last week he made the move to give Boyd leverage to make changes at the school, currently undergoing a forensic audit over allegations of fiscal mismanagement. Bentley says he did not seek the cut and does not support it.

Pittman said last week that he would work with House Ways and Means Education Committee chairman Bill Poole, R-Tuscaloosa to restore the funding to ASU. Lawmakers indicated at a House hearing Wednesday they also supported restoring the cuts.

That feeling was echoed by lawmakers who attended the rally Thursday. Sen. Quinton Ross, D-Montgomery, an alumni of Alabama State University, urged students to push lawmakers to restore the cut.

"It's not over, and if any of you know the song, it's not over," he said. "Alabama State University cannot sustain a \$10 million cut. Alabama State cannot sustain a \$1 million cut. We will not stop until they restore the \$10 million that was taken away."

Rep. John Knight, D-Montgomery, who serves as executive vice president and chief operating officer of the school, said they would do all they could to "get the money back in the budget."

Boyd said ASU students and faculty would "continue to fight for their institution."

"It is a great institution," she said. "It is a marvelous institution. It is an institution that produces greatness, and we will continue to produce greatness in each and every one of you, and for generations yet unborn."

[Senate kills Doublehead alcohol bill \(TimesDaily\)](#)

MONTGOMERY — Legislation that would have allowed alcohol sales at Doublehead Lodge in Lawrence County was defeated in the Alabama Senate on Thursday.

The bill from Roger Bedford, D-Russellville, would have let the resort become an economic development district and sell alcohol to patrons.

Bedford said the bank that owns the lodge asked him and Sen. Paul Bussman, R-Cullman, for the legislation in order to become more economically viable.

Bedford said on the Senate floor Thursday that about 50 jobs were at stake.

"I'm very disappointed that it happened this way ... those jobs are needed in Lawrence County," he said after the vote.

Melissa Bunnell, director of operations at Doublehead, said Thursday she has 22 employees and doesn't know how many more the change would have meant.

"We would have to hire more folks, but as far as how many, I don't know," she said.

The resort wants to serve alcohol at weddings and corporate retreats, she said.

Alcohol would have only been at the resort, not the surrounding area, according to the legislation. The lodge has tried for several years to get permission to sell alcohol in the predominately dry county.

But Bussman, R-Cullman, who actually represents the area, was adamant on the Senate floor that the decision should be up to the voters in his area and he said they were opposed to it.

Bussman said it was a "hypocritical bill that runs over the people of my district."

"The people of that community do not want alcohol," he said. "They've made that clear."

Lawrence County Commissioner Mose Jones said Thursday he was disappointed Bedford's measure had failed. He said Bussman is wrong about people not wanting alcohol.

"The people in Lawrence County will support alcohol, they did in Town Creek and Moulton," Jones said. "I'm very disappointed that (Bussman) did not support that bill. I hate that it failed, I support Doublehead and I hope we can get a referendum going."

The portion of Lawrence County that includes Doublehead will be in Bedford's district starting later this year when new district lines go into effect. Bussman said Bedford should bring his bill back then. He said the issue should be up to the local community, not lawmakers.

"If they want to vote it, if they want to put it on a referendum and let the people decide what they want to do with their communities, I'm OK with that," he said. "But we as a state delegation don't need to determine that for them."

Death penalty secrecy bill passes the Alabama House (Anniston Star)

by Tim Lockette

MONTGOMERY — The names of people who participate in state executions, and the names of companies that supply drugs for lethal injection, would become a state secret under a bill passed by the Alabama House of Representatives Thursday.

The bill's sponsor, Rep. Lynn Greer, R-Rogersville, said it would protect the state's ability to buy the ingredients of the state's lethal injection cocktail.

"We're having a terrible time getting the drugs," Greer said.

The House voted 77-19 in favor of a bill, HB379, which would make the names of anyone who manufactures or administers drugs in a lethal injection execution "confidential, not subject to disclosure, and ... not admissible as evidence or discoverable in any action in any kind of court."

Greer said the Alabama Department of Corrections asked him to file the bill to head off potential legal challenges to the state's lethal injection process.

States have been tweaking their lethal injection cocktails since in recent years, after a European Union ban on the shipment of death penalty drugs to the U.S began to take effect. The new drug combinations have led to court challenges from death penalty opponents, who argue that experimental or faulty drug combinations have turned lethal injection into a cruel and unusual form of punishment, which would violate the Eighth Amendment.

"The people who make the drugs are subject to lawsuits and harassment," Greer said "It gets to the point where nobody wants to make the drug."

Greer said the bill was also needed to protect prison employees from harassment if their identities are revealed. Critics of the bill challenged Greer to provide evidence that prison officials are actually being harassed.

Rep. Laura Hall, D-Huntsville, said people have always known that the warden of Holman Prison, where Alabama's death row is located, was involved in executions.

"Where does it cause a problem?" she asked.

Greer said he'd heard of examples of harassment in other states.

"There are many, many groups in this country who oppose any execution," Greer said. "And that's their right. But they can harass."

'Telegraphing to the world'

House members repeatedly asked Greer if the information banned in the bill is available to the public now.

"Yes, it would be public record," Greer said.

The Department of Corrections, however, has long kept much of that information confidential as "a matter of policy," according to one department spokesman.

The Star asked Department of Corrections spokesman Brian Corbett last month for information on the drugs used in executions and their manufacturers. Corbett acknowledged Wednesday that the state still uses the same combination of drugs — pentobarbital, pancuronium bromide and potassium chloride — that were named in a lawsuit in 2011.

The department has yet to reveal the names of drug manufacturers, or to comply with The Star's request, made last week, for receipts for the purchase of drugs used in lethal injection.

Birmingham lawyer Richard Jaffe, who defends people accused of capital crimes, said attempts to keep the information secret "telegraph to the world that we have something to hide."

"I find it to be rather appalling that in the era of openness and transparency, anyone would want to keep secret the poisons used to kill someone, even if they've been convicted of capital murder," he said.

Greer's bill has yet to pass the Senate, and it's not clear whether Gov. Robert Bentley would sign it. Attempts to reach Bentley's spokeswoman, Jennifer Ardis, for comment were not successful Thursday.

If the bill does become law, it's not clear whether the Department of Corrections would honor public records requests made before the bill's passage.

"You're asking me a question about a hypothetical, and that's something I can't answer," Corbett said.

Shortages

Manufacturers of two of the drugs in Alabama's cocktail — injectable pancuronium bromide and injectable potassium chloride — have reported shortages of the drugs, according to February reports in the Food and Drug Administration's Drug Shortage Index, which is available online.

The Star called each of the manufacturers of the two drugs listed in that index — Fresenius Kabi, B. Braun Medical, Baxter and Hospira — to ask if they supplied death penalty drugs to Alabama.

Most of the companies had not responded by Thursday afternoon. The drug company Baxter, in an email, didn't deny supplying drugs outright, but did say that "Baxter does not make vials of injectable drugs." Instead, the email said, the company makes dilute intravenous solutions typically used in a clinical setting.

Baxter spokeswoman Deborah Spak wrote that the company sells to large distributors and group purchasing organizations that supply hospitals. Unless an organization purchased through those buyers, she wrote, that organization "would have a difficult time obtaining our products."

Compounding solution

Some states seeking death penalty drugs have turned to compounding pharmacies, where pharmacists can create small batches of drugs that are not available in a mass-produced form.

Greer hinted at use of a compounding pharmacy in his remarks on the House floor.

"Let's say we had a druggist in Sylacauga, Ala., or Dothan, Ala., that agreed to work with the Department of Corrections and they compounded this drug, which you can do," Greer said. "And they supplied it to the State of Alabama. There's very little profit in it and it's just not worth the harassment that they can take plus the litigation that could follow."

Greer's examples in Sylacauga or Dothan seem to have been purely hypothetical.

"We don't do that," said Jared Johnson, pharmacist and co-owner of Marble City Pharmacy, a compounding pharmacy in Sylacauga. Johnson and other pharmacists told The Star that compounding for injection takes what is known as a "sterile compounding" facility.

"We do a lot of compounding, but we don't do that kind of compounding," he said.

Employees at Fort Williams pharmacy, another compounding pharmacy in Sylacauga, said they don't produce death penalty drugs either.

Dothan's biggest compounding pharmacy gave the same answer.

"We've never had a request for that, and I don't even know what they use," said Michelle Braswell, a pharmacist at Doctors Center Pharmacy in Dothan. Braswell said Doctors Center was likely the only pharmacy in Dothan equipped to do that sort of compounding.

Employees at Wellness Pharmacy in Birmingham, Compound Pharmaceutical in Daphne, Compound Care Plus in Loxley and Huntsville Compounding Pharmacy — all listed as sterile compounding pharmacies by the Pharmacy Compounding Accreditation Board — told The Star their businesses don't provide death penalty drugs.

One-word amendment

On the House floor, Greer introduced a single amendment to his bill, one that would change the word "including" to the word "and." He said the amendment was requested by the Alabama Press Association, a trade group representing state newspapers.

"The press supports this bill," Greer said on the House floor.

APA director Felicia Mason said the association dropped its objections to the bill after Greer agreed to take out a passage that would make all death penalty procedures exempt from the state's open records law.

"We're not opposed to the parts that make the names of the people involved in executions, or the people who supply the drugs, confidential," Mason said.

Greer's one-word amendment seems to have left intact wording that would make all death penalty procedures a secret. Mason said that was likely due to an error on Greer's part, not an attempt to slip the wording back in.

"We'll deal with it when it's in the Senate," she said.

Stone Brewing to Alabama? Legislators make play that could attract craft beer leader (al.com)

A leader in the craft brewing industry is looking to build a new facility in the eastern U.S., and Alabama legislators are working through a pair of bills that could help recruit that business to this state.

San Diego-based Stone Brewing Co. generated \$135 million in revenues in 2013, and brewed roughly 213,000 barrels of beer -- several times the amount of Alabama's combined statewide beer production.

The company is looking to expand again in the near future. According to a request for proposal published online, Stone is aiming to build a brewing, packaging, and distribution center occupying at least 130,000 square feet, and up to 220,000 square feet.

"Revenue projected from the facility will exceed \$100 million in year four," Stone claims in its RFP, "and grow over time into hundreds of millions annually."

In addition to the brewing facility, Stone says it plans to construct an adjoining retail operation called Stone World Bistro & Gardens, which would support tourism commerce and merchandising sales.

But that proposed adjoining facility is where things get complicated for Alabama.

In this state, brewers are not allowed to sell their products directly to consumers, and instead must go through what's known as a "three-tier" system of sales. A vestige of the end of Prohibition, the three-tier system makes it easier for governments to regulate the sale of alcohol.

To address that issue, a pair of bills have been filed in the Alabama Legislature -- HB 581 and SB 439 -- that would exempt brewers that produce at least 25,000 barrels of beer annually from some aspects of the existing law.

State Sen. Dick Brewbaker, R-Montgomery, is the primary sponsor of SB 439. Brewbaker would not confirm that he was targeting Stone Brewing Co. with his legislation, but did say that the economic

development operations of "five or six" Alabama counties had approached him about an opportunity in the brewing industry.

State Rep. April Weaver, R-Alabaster, the primary sponsor of HB 581, could not be reached for comment prior to publication.

Both bills were introduced on March 5, and have yet to be put up for a vote as of publication.

A spokesperson for Stone Brewing acknowledged that the company was seeking to expand into the eastern U.S., but would not confirm whether it had entered into any dialogue with Alabama.

"We have received interest from many East Coast cities and will be reviewing submissions in the near future," Stone's Sabrina LoPiccolo said.

The deadline for submissions to Stone is March 15. The request for proposals was issued in late February.

Craft controversy

The Alabama Brewers Guild, which often represents many of the small craft breweries headquartered across the state on legal issues, says it opposes both SB 439 and HB 581 in their current forms.

"HB581 allows brewers to operate a restaurant and conduct direct retail sales, which is a goal of this organization. Unfortunately, as written those provisions would only apply to breweries who produce in excess of 25,000 barrels. This would effectively cut out all existing Alabama breweries in an effort to entice larger businesses into Alabama," an ABG statement read.

"We do not support a bill that would give a legal advantage to large, established, out-of-state breweries at the expense of local Alabama business," it added.

Dan Roberts, ABG's executive director, said changing the bill to include all breweries in Alabama would instantly change his organization's collective mind. "We support everything about this bill except that it excludes the existing breweries who have been building the craft beer industry in Alabama for years," he said.

The Brewers' Guild counts Avondale Brewing, Back Forty Beer Co., Yellowhammer Brewing, and Fairhope Brewing among its members.

Alvin Holmes makes national news with racial comments (Montgomery Advertiser)

Rep. Alvin Holmes made national news for the second time in the past month with racial comments made during debate about an abortion bill on the House floor Wednesday.

The bill, sponsored by Rep. Mary Sue McClurkin, R-Indian Springs, would ban abortion when the fetal heartbeat is detected, which is at about six weeks.

Debate about the legality of the bill raged on, but the discussion became contentious when McClurkin compared the bill to *Brown vs. Board of Education*, a 1954 U.S. Supreme Court ruling that overturned the *Plessy vs. Ferguson* "separate but equal" ruling 58 years earlier.

McClurkin said her bill was intended to challenge and possibly overturn *Roe v. Wade*, a 1973 decision that legalized abortion.

"That's just an example of a ruling that was overturned by the Supreme Court," she said. "That was my reasoning for bringing that up."

Several Democrats, including Reps. Juandalynn Givan, D-Birmingham, and Barbara Boyd, D-Anniston, scolded McClurkin for drawing such a comparison.

"I was really confused at first about their taking it as something racist because it certainly wasn't that at all," McClurkin said. "In the end, they realized I was using that as an example of a bad ruling that had been overturned for the good."

Rep. Alvin Holmes, D-Montgomery, made some controversial remarks about race and abortion, although it's unclear whether his comments were in response to the comparison. His comments caught the attention of national media, including the Huffington Post.

Holmes said 99 percent of the white legislators in the chamber would raise their hand to say they're against abortion, and that same 99 percent would make their daughters get an abortion if they were impregnated by a black man

"You ain't gonna have no little back baby if you got two other white children and then she's gonna have a little black baby running around there in the living room or in the den with the rest of them," he said. "They're not going to let that happen. You know that and I know that."

Holmes also said he'd mortgage his house and bring \$100,000 in cash – in a briefcase – tomorrow if anyone could show “a whole bunch of whites” who have adopted black children in Alabama.

Holmes asked McClurkin if she would let her daughter have a black baby, and when she said yes, asked what she'd do with it after it was born.

“Let it run around in my living room and enjoy it as my grandchild,” she said.

“With them other little blond children running around there?” Holmes said.

“That's right,” McClurkin said.

“Well I need to commend you then. It wouldn't be one out of 100,000 to do that,” Holmes said.

Later in the discussion, House Speaker Mike Hubbard said they'd identified more than 200 families who have adopted black children.

McClurkin said it's typical for Holmes to bring race into debates.

“We have just come to expect Alvin to say those kinds of things,” she said “That's the page he's on. He does that on almost issue. He's passionate about that still, so it's expected.”

Last month, Holmes called U.S. Supreme Court Justice Clarence Thomas an “Uncle Tom,” which caught the attention of national news outlets.

[Republican Jonathan Berryhill formally announces plans to seek state Senate District 1 seat \(al.com\)](#)

Huntsville business executive Jonathan Berryhill on Wednesday formally announced his intention to seek the District 1 seat in the state Senate.

Berryhill, who lives in Anderson in Lauderdale County, is part of a crowded field aiming to fill the seat currently held by Sen. Tammy Irons, D-Florence. Irons has announced she will not seek re-election. Republicans Tim Melson and Chris Seibert as well as Democrat Mike Curtis have also entered the race.

Berryhill is CEO of B&B Health Services in Huntsville. He is a veteran and a former Athens police officer.

"My children are the most important thing in my life," Berryhill said. "As a father of six, I am concerned about the direction of our state and our country. My children will be growing up here. I feel God has given me the opportunity to make a positive impact in our state, and I intend to take it."

District 1, which was redrawn after the 2010 elections, now stretches from the northwest corner of Alabama to Memorial Parkway in Huntsville. The district covers Lauderdale County as well as parts of Limestone and Madison counties.

PACs receive \$250,000 from Poarch Creeks, give equal amount to AG candidate Joe Hubbard (al.com)

MONTGOMERY, Alabama --- Three political action committees that received a total of \$250,000 from the Poarch Band of Creek Indians last week gave an equal amount to attorney general candidate Joe Hubbard the next day.

Hubbard, a Democrat and state representative from Montgomery, is challenging Republican Attorney General Luther Strange in the November general election.

Hubbard said he had not talked directly to the Poarch Creeks but said he has made it clear that he believes Alabama has no jurisdiction to interfere with their gambling operations.

"My understanding is they want somebody who is going to administer the law fairly and justly," Hubbard said.

Strange has tried several times, with no success, to stop the Poarch Creeks from using slot-machine-like electronic bingo machines at their three Alabama casinos.

In 2011 and 2012, Strange asked the National Indian Gaming Commission to ban the machines. Last year, Strange sued in Elmore County to try to shut down the casinos.

Hubbard said Strange's moves against the Poarch Creeks were political pandering because the state has no jurisdiction on the tribal lands.

"The Poarch Creek Indian tribe is under federal jurisdiction," Hubbard said. "At the end of the day, if they are a federally recognized tribe, whatever we think about them here in Alabama, there's not a whole lot we can do about it."

Efforts to reach the Strange campaign and a spokeswoman for the Poarch Creeks were unsuccessful.

According to campaign finance reports filed with the secretary of state, the Poarch Creeks made these contributions on Feb. 26:

- \$83,000 to Speed PAC of Montgomery, operated by lobbyist John Teague.
- \$84,000 to T PAC of Montgomery, operated by Teague.
- \$83,000 to AL PAC of Montgomery, operated by Teague.

According to Hubbard's campaign finance report for February, his campaign received on Feb. 27:

- \$75,000 from Speed PAC.
- \$60,000 from T PAC.
- \$115,000 from AL PAC.

The three PACs also reported the contributions to Hubbard.

Indicted former Ala. senator cites AG's payments (AP)

FORT PAYNE, Ala. (AP) - An indicted former state senator accused of making improper payments to a campaign aide has filed court papers citing the attorney general's payments to a campaign staffer.

Former Democratic Sen. Lowell Barron filed the court papers in Fort Payne in advance of a court hearing Friday.

The papers stem from Attorney General Luther Strange fighting Barron's subpoena for him to testify at Barron's trial next month. Strange contends there is no compelling need for his testimony.

Barron's court papers Thursday cited \$354,548 in payments that Strange made to campaign aide Jessica Garrison or companies affiliated with her after his unsuccessful race for lieutenant governor in 2006 race and before and after his successful run for attorney general in 2010.

The attorney general's office got an indictment last year accusing Barron and former aide Rhonda Jill Johnson of improperly diverting \$58,000 in campaign funds and a campaign car to her use and to other non-campaign uses in the 2010 election.

In citing the attorney general's campaign expenses, Barron's attorney, Joe Espy, said, "Strange has personal knowledge of facts which may be admissible depending on the position of the prosecutors in this case."

Strange's office did not have any immediate comment.

Barron, a businessman from Fyffe, served in the Legislature from 1982 to 2010 and held leadership positions including Senate president pro tem and Senate Rules Committee chairman.

[Gov. Robert Bentley calls for 'zero-tolerance for sexual misconduct' at Tutwiler \(al.com\)](#)

MONTGOMERY, Alabama — Gov. Robert Bentley said the state is bringing in a nationally recognized consulting group to implement reforms at a state prison thrust into the national spotlight over accusations of widespread sexual harassment and abuse.

Bentley said the state is hiring The Moss Group, a Washington, D.C., firm that specializes in helping prisons and jails prevent sexual misconduct, to help make changes at Julia Tutwiler Prison for Women

"We're going to make sure our inmates are treated humanely, and we have zero-tolerance for sexual misconduct," Bentley said in an interview.

"If there have been problems in the past, or if there are problems today, we are going to get them solved as best as we possibly can and protect the individuals that are out there," Bentley said.

The U.S. Department of Justice in January accused Alabama of violating Tutwiler inmates' constitutional rights saying the prison had a "history of unabated staff-on-prisoner sexual abuse and harassment." The report alleged that corrections officers had assaulted inmates, coerced inmates into sex, inappropriately watched inmates in the showers and bathrooms and were verbally abusive to inmates.

[Related: What went wrong with Tutwiler and who's being held accountable for Alabama's prison problems? AL.com investigates]

The governor and First Lady Dianne Bentley visited Tutwiler prison Thursday morning. Bentley said he wanted to see Tutwiler for himself, the areas that have prompted concerns, and the status of changes ordered by the state prison commissioner.

"What I saw today primarily was the overcrowding aspect and the dated, aged building that was built in 1942," Bentley said.

The nonprofit Equal Justice Initiative first raised the alarm about Tutwiler, filing the complaint with the Department of Justice.

"We think it's great that the governor is getting personally involved," said Charlotte Morrison, a senior attorney with the nonprofit Equal Justice Initiative.

"We do think there are a lot of additional proactive steps that could be taken and have not been. We look forward to working with the governor's office on some of these interventions," Morrison said.

Morrison said The Moss Group is a nationally recognized firm.

The governor's office said The Moss Group will help with policy development, prison culture change, staffing assessments and training on internal investigations. The firm will also aid the state in complying with the federal Prison Rape Elimination Act. The governor declined to give a price tag for the contract, saying it was still being finalized.

One of the issues identified at Tutwiler is that the 1942 prison has few cameras and many unmonitored areas where officers and inmates could be alone unnoticed. Bentley said that Tutwiler should have a "good camera system" by July.

"It will eliminate those blind spots," Alabama Department of Corrections Commissioner Kim Thomas said.

Thomas said the department is trying to accelerate plans to move inmates into nearby facilities to alleviate overcrowding at Tutwiler. The department hopes to have a former sewing plant on prison grounds converted to a 60-bed intake facility for new inmates by Oct. 1, 2015. The building also will house a new infirmary.

Thomas said in early summer of 2015 the department hopes to have a former state institution for people with mental disabilities converted into a medium-security facility for inmates nearing their release date.

State officials have disagreed with the DOJ report, but have also acknowledged problems at Tutwiler.

Asked why Tutwiler got like it did, Thomas pointed to funding. He said the average national expenditure on inmate incarceration is \$60 per inmate per day, while Alabama spends a little over \$40.

"We spend the lowest amount of dollars in corrections. Obviously, we haven't built a prison since the late 1980s. Obviously, we have been forced by monetary appropriations to not have as many people as we need to. And you are working in a prison that was built in 1942," Thomas said.

Long-term Bentley said the state will have to find more money for corrections. However, the proposed General Fund budget being crafted in the Alabama Legislature does not give corrections an increase. Bentley and legislative budget chairmen have said they want to find additional funds.

"I'm of the belief we are going to have to have more money in our prison system. We've got to come up with a way of doing that," Bentley said.

[State hires consulting firm for Tutwiler; Gov. Robert Bentley visits troubled prison \(al.com\)](#)

MONTGOMERY, Alabama --- Gov. Robert Bentley visited Julia Tutwiler Prison for the first time today, and the state has hired a Washington, D.C.-based consulting firm to help address problems at the troubled prison for women.

The Department of Corrections hired The Moss Group, which has expertise in criminal justice management and sexual safety in confinement, according to the governor's office.

In a statement, Bentley said The Moss Group would help continue what he said have been significant improvements at Tutwiler.

"The issues at Tutwiler cannot be changed overnight, but with the reform efforts already underway combined with the technical assistance provided by the Moss Group, Tutwiler will be a better facility for the staff who work there and the inmates who are incarcerated there," the governor said.

A contract with TMG will be finalized over the next month, according to the governor's office.

In January, the Department of Justice issued a report saying that conditions at Tutwiler were unconstitutional because of what it described as "a history of unabated staff-on-prisoner sexual abuses and harassment."

Jennifer Ardis, spokeswoman for Bentley, said the governor got a full tour of the facility and met with the warden and two female corrections officers.

Ardis told AL.com last month that Bentley had not visited the prison, although members of his staff had.

"He felt like the facility he saw was not the facility described in some reports," Ardis said.

[In Birmingham speech, Democratic gubernatorial candidate Parker Griffith lashes out at Bentley, Koch Brothers, Troy Medicaid study \(al.com\)](#)

Politician and retired Huntsville oncologist Parker Griffith is a Democrat again, after initially switching to the Republican Party in 2009 while representing Alabama's Fifth congressional district in Congress. Some might see that party switcheroo as a pock mark on a political career, but, in speaking to the Downtown Democratic Club in Birmingham Thursday, Griffith spun his short ride in the Republican Party as an asset.

Perhaps his experience as a Republican is even the inspiration for his run - as a Democrat again - against Republican Gov. Robert Bentley.

"I understand [the Republican Party] better than you understand, because I've been in the circles, I've sat in the meetings, I've listened to the conversations," Griffith told a receptive crowd at the Downtown Democratic Club at the Harbert Center Thursday.

Club president Mike Miles introduced Griffith, and admitted that he felt some resistance to Griffith's return to the Democratic Party.

"When I heard last fall that he was going to run for governor, I confess to you that I had a sense of ambivalence about it, because of what had gone on in the past," Miles said. Miles said he overcame his ambivalence because the party needs a leader to unite it.

"I can't afford to be ambivalent anymore, I had to work through that," Miles told the room. "And I come today to tell you that I have."

"I feel like I've been to the principal's office," Griffith joked after Miles' introduction.

Three things

Griffith's campaign will focus tightly on three things, he said: job creation, education and the creation of an education lottery, and healthcare and expanding Medicaid.

"Those are the three things that we're going to win on," Griffith said. "Those are the three things that the mothers and dads that are looking across their kitchen table at their children want us to do."

Those three items are interlinked, according to Griffin.

"We can do a lottery by ourselves," Griffith continued. "The existing law says we can expand Medicaid by ourselves. And we know how to create jobs when we have a healthy citizenry and a well-educated citizenry. These are the things we know how to do, Alabama."

"We can stop spending our money in Tennessee, Mississippi, Georgia, and Florida to educate their children when we're not educating our own," Griffith said, referring to lotteries in states bordering Alabama.

Attacking Bentley on health care

Griffith attacked Bentley's decision to reject federal funding to expand Medicaid coverage to residents earning up to 138 percent of the federal poverty line. Congress included the expansion in the Affordable Care Act, but the Supreme Court ruled that states were not required to participate in the expansion.

A study from the University of Alabama at Birmingham found that expanding Medicaid in Alabama would eventually generate more than \$1.7 billion in new tax revenue for the state. A follow-up study

by the University of Alabama estimated that the influx of money and access to healthcare in Alabama would create tens of thousands of jobs in the state - 30,722 jobs was the UA study's middle estimate.

Another study released recently by Troy University's Manuel H. Johnson Center for Political Economy disputed those conclusions. The Troy study's authors found that in a best-case scenario, new tax revenue would exceed the costs of the Medicaid expansion only during the three years that the federal government picks up 100 percent of the costs.

Griffith disputed the Troy study on Thursday, and claimed it was politically motivated.

"The study done by the Troy University folks was designed to create confusion," Griffith said. "It came right out of the fevered imagination of the Koch brothers, two billionaires determined to control the government of Alabama and to use their power to deny healthcare to hundreds of thousands of people in Alabama."

The Koch brothers are David H. and Charles G. Koch, billionaire industrialists who are heavily involved in and financially supportive of conservative politics and a favorite target of the political left. The Koch brothers helped found the Johnson Center at Troy with a \$1.2 million grant. Troy University professor and Johnson Center Executive Director Scott Beaulier has disputed claims of political influence, saying his research is independent.

Griffith took issue with one particular line from the Troy study: "The only impact to the economy created by an additional Medicaid beneficiary occurs when the additional enrollee uses the system for health services."

"[The Troy study argues] that there will be no economic impact or job creation from the massive infusion of massive healthcare dollars, and that it might actually hurt the economy," Griffith said. "Do they really believe that if uninsured Alabamians have access to healthcare, they won't use it?"

Griffith saved some ire for the Republican-controlled Alabama Legislature, but primarily targeted Gov. Bentley, whose administration he described as "aimless, even pointless."

"Alabama is in in trouble, and it is in trouble because it's caused by the Tea Party, the Koch brothers, and a lackluster governor who's afraid to stand up for what he knows to be right," Griffith said. "With your help and the help of many others in Alabama, I intend to drive Robert Bentley from office, and the Koch brothers back to the state line."

Towards the end of his speech, Griffith seemed to acknowledge the precarious position the Democratic Party is in in Alabama, with no Democrats in statewide elected positions and Republicans controlling both houses of the Legislature.

"We've got our work cut out for us. We're climbing an ice mountain with our tennis shoes on," Griffith said.

"Failure is a teacher. It's a way for you to reach down inside yourself and say, enough is enough, we're not going to allow this here."

[Alabama attorney general joins lawsuit to stop California from imposing humane-treatment restrictions on local egg farmers \(al.com\)](#)

Alabama Attorney General Luther Strange has joined a lawsuit to block California from requiring all eggs sold within its borders come from farms that use larger-than-normal cages for the humane treatment of the birds.

In a press release, Strange's office said the suit would "stop California from imposing on Alabama and other states its own standards requiring that eggs be sold only from chickens that live in roomy, larger-than-normal cages."

"In Alabama, consumers are free to make their own choice of which eggs to buy at their grocery stores, and it is preposterous and quite simply wrong for California to tell Alabama how we must produce eggs," Strange said in a statement.

"This is not an animal-welfare issue; it is about California's attempt to protect its economy from its own job-killing laws by extending those laws to everyone else in the country."

The suit challenges California's 2008 Prevention of Farm Animal Cruelty Act, which applies to chickens and other livestock and requires caged egg-laying hens to be confined only in a manner that enables them to lie down, stand up, fully extend their limbs and turn around freely.

Initially, the law only applied to California farmers, but provisions were added making it apply to all eggs imported into the state in order to protect California egg producers from having an unfair disadvantage against out-of-state producers.

Since the California law exceeds the industry standard in Alabama and other states, it could close the comparatively large California economy to egg farmers from Alabama and other states.

It could also change the industry standard, forcing egg farmers nationwide to make significant investments upgrading their operations to comply with the California standard.

Alabama is the 15th largest egg producers in the nation, with production totaling 2.14 million eggs in 2012.

States filing the suit, which include Missouri, Nebraska, Oklahoma, and Iowa, are asking the U.S. District Court for the Eastern District of California to declare the law invalid and stop its enforcement, which is set to take effect Jan. 1, 2015.

Longtime Democratic D.A. Valeska switching to GOP (WSFA)

DOTHAN, Ala. (AP) -

A longtime prosecutor in southeast Alabama says he's leaving the Democratic Party to become a Republican.

District Attorney Doug Valeska has won five terms as a Democrat in Houston and Henry counties, but he says he's now jumping to the GOP.

The 62-year-old Valeska last won a six-year term in 2010, and he says he will seek re-election in 2016 as a Republican.

Valeska says the Democratic Party was much more conservative when he won his first term in 1986, and the GOP now fits his beliefs more closely.

The prosecutor describes himself as being against abortion and for the death penalty.

Booted from Republican ballot, Baldwin lawyer announces independent candidacy for judge (al.com)

DAPHNE, Alabama – Responding to a decision to bar her from the Republican primary ballot because of past support for a Democrat, Baldwin County lawyer Ginger Poynter said Wednesday that she will continue her judicial race as an independent.

The state party last month upheld a challenge to Poynter's candidacy by the vice chairman of the Baldwin County Republican Executive Committee. Poynter had wanted to challenge Baldwin County District Judge Michelle Thomason in the June GOP primary, but the Republican candidate committee determined that she had violated party rules by publicly supporting the Democratic opponent of Roy Moore in the 2012 race for Alabama Supreme Court chief justice.

Poynter, who contributed money to Jefferson County Circuit Judge Robert Vance and made anti-Moore statements on her Facebook page, said she could not in good conscious support a judge who had violated his oath by refusing a federal court order to remove a Ten Commandments monument he had erected in the state judicial building.

The party removed several other candidates on similar grounds, prompting debate over what it means to be a Republican in 2014.

Poynter said she mulled appealing the ruling to court but determined that she would not have a case.

"Legally, they can do whatever they want, but I think the citizens had a right to have another choice," she said.

Poynter said she has received words of support from party and public officials. "This has upset a lot of people," she said.

Thomason has served on the bench since 2006. In addition to her regular duties in District Court, she sits as a special circuit judge, hearing divorce cases, child custody issues and other family law disputes.

Poynter said she decided to run after hearing complaints from law enforcement officers that Thomason has a tendency to take the bench late on some mornings. Poynter also said she would crack down on the practice of granting bail to people who have violated bond conditions in previous cases – another complaint she said she has heard from police.

“They’re tired of the revolving door at the jail,” she said. “Police officers are sitting in there twiddling their thumbs when they should be out protecting and service.”

Poytner said she has a solid background for the job, having been a prosecutor and criminal defense lawyer. She said she also practices family law.

Taking on an incumbent judge is a daunting task under normal circumstances. Running against an incumbent as an independent, without a political party as a base, makes Poynter a decided long shot in November. But she is undeterred.

“I may lose. That’s always a possibility,” she said. “But the people should have a choice.”

[An Alabamian leads the way as GOP increases outreach to black voters \(al.com\)](#)

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

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

“My family has been Republican since emancipation,” she replies.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Black folks are traditionally very conservative," she said.

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

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

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

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

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

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

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

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