



Office of Senate President Pro Tempore Del Marsh
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Tuesday, July 08, 2014

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[State Republicans claim victory in Hobby Lobby ruling \(Montgomery Advertiser\)](#)

Alabama Republicans engaged in a virtual crossfire of celebratory statements after Monday's Supreme Court decision that companies owned by five or fewer individuals did not have to provide insurance coverage for birth control methods if they had religious objections to the procedures.

House Speaker Mike Hubbard, R-Auburn, tweeted that he "stood with Hobby Lobby," while Alabama Republican Party chairman Bill Armistead said Hobby Lobby demonstrated that the nation is "the home of the brave."

"I am thankful for companies like Hobby Lobby who run their business based on biblical truths," he said. "It is gratifying to see that the Supreme Court upheld this truth. America continues to be 'the land of the free,' and as Hobby Lobby has demonstrated, it is also 'the home of the brave'.

"This issue was not just about the morality of birth control and its use, it was a reiteration that Americans do not surrender their religious freedom when they open a family business. The constitutional right to religious freedom does not stop at the church doors. I thank God for this victory and pray that it becomes the first step in restoring our constitution that President Obama has trampled time and again."

Rep. Mike Rogers, R-Saks, also proclaimed it a victory for the religious rights of business owners.

"I was pleased today to see the highest court in the land uphold our religious freedoms and values," Rogers said. "Business owners should not be forced to compromise their beliefs for an overreaching government program like Obamacare, and I am relieved to see this strong affirmation for some of our nation's most important principles."

U.S. Rep. Martha Roby, R-Montgomery, said it was a ruling against Obama and that she hoped it was the first of many.

"I hope this ruling helps correct the Administration's bad habit of using agency-level rule-making to interpret laws in such a way that fits its own pet policies," Roby said. "This time they ran square into the First Amendment's very clear protection of Americans' free exercise of religion.

"However, there are many more instances in which the Obama Administration has attempted to accomplish through executive fiat what it could not enact legislatively. I hope we will see more willingness from the Judicial Branch to affirm the separation of powers that is so fundamental to our government."

Democrats were largely silent on the decision. A spokesman for House Minority Leader Craig Ford, D-Gadsden, said Ford would not have any comment.

But other groups were critical.

"Although religious freedom is a fundamental right, it does not include the right to impose your beliefs on others," said Susan Watson, executive director of ACLU of Alabama, in a statement. "Today's Supreme Court ruling is totally unprecedented, and the majority got it wrong."

Because the decision was specifically tailored to "closely held" companies with five or fewer owners, it was unclear what immediate impact it could have in the region.

Chick-fil-A, a company that reflects its owners' strong Christian beliefs, fits the definition of a closely held firm and operates five outlets in the Montgomery region. But a spokeswoman for Chick-fil-A declined comment on the case Monday.

Baptist Health released a statement that did not indicate whether the ruling would have any effect on its insurance coverage for employees.

"While we do not openly discuss our employee benefit plans as we feel that is an agreement between employee and employer, Baptist Health evaluates employee benefit plans annually in accordance with the law," a hospital release said.

Asked if this meant Baptist Health would consider coverage of certain contraceptives, Baptist South Public Relations Manager Merrill South responded "It means Baptist Health does not discuss our employee benefit plans publicly."

[With clear opportunities for improvement' Birmingham Water Works gets mostly good marks in latest report \(AL.com\)](#)

Birmingham Water Works Board members are applauding a new assessment of the utility that gives the operation mostly good marks for operation.

The market study and organizational assessment from Segal Waters Consulting concluded that the Water Works is functioning at a reasonable level, considering financial and other challenges.

Segal evaluated the utility's operating data and compared it to comparable organizations.

However, the utility compares less favorably when it comes to leak repairs. Segal reviewed data from 2010 to 2013.

"Productivity within the leak repair group has declined," according to the report. "The work hours per leak work order have steadily increased each year since 2010."

The report ranks the Water Works on a green, yellow and red scale, with green being the most favorable. Birmingham only has a few red marks, most notably when it comes to repairs.

The report also notes that the Water Works lacks a centralized call center to report customer problems and leaks. That absence hurts efficiency in reporting and completing repairs, evaluators said.

Still, consultant Paul Reagan tempered his delivery of negative news to the board, saying the report should be look at holistically.

"This is a plan to begin reporting and work from here into the future," Reagan told the board.

Water Works General Manager Mac Underwood noted that repair statistics could improve through increased preventative maintenance. But doing so would require changed budgeting priorities, he said.

"We're seeing an organization that's operating with a number of constraints, not the least of these financial," Reagan said. "Yes, there are clear opportunities for improvement. We think it's well run, given the constraints under which you are operating."

The Segal report was commissioned by the Water Works in late 2012 for \$200,000.

The report's release comes after a much more negative assessment of the agency from Michael Mason of Forensic CPAs. Mason's report, which was an internal investigation of the agency for potential fraud and fraud risks, concluded there were numerous problems at the utility.

Segal's report dealt with the organizational structure of the agency, while Mason was hired to assess weaknesses and fraud potential.

Mason was hired after a complex overtime scheme was discovered in the distribution department. His report, released in February, concluded that problems at the utility made it prime for fraud.

The Water Works Board last week quietly approved payment of two additional invoices from Mason, ending a longstanding disagreement over his fees which totaled \$127,700.

Harri Anne Smith granted ballot access (Dothan Eagle)

The Alabama Secretary of State's office has notified Sen. Harri Anne Smith, I-Slocomb, that she garnered enough signatures to gain ballot access in November.

Alabama law requires independent party candidates to submit signatures from three percent of voters who cast votes in the most recent gubernatorial election in order to gain ballot access. Smith needed less than 2,000 signatures to gain access. Her campaign said Monday that more than 13,000 local residents supported the petition.

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"I am so thankful for the people who took the time to sign the petition to make sure they have a choice in November," Smith said in a written release.

Smith is expected to make an official campaign announcement later this summer. She faces Republican nominee Melinda McClendon, currently the District 4 Houston County Commissioner, in the November general election.

Smith was denied ballot access in 2010 by the State Republican Executive Committee for her public endorsement of Democrat Congressional Candidate Bobby Bright during the 2008 election cycle, which is against party rules.

Smith gathered the necessary signatures in 2010 to gain ballot access as an independent and was re-elected.

State law provides no automatic ballot access for independents, even if the candidate is an incumbent.

Grants up dual-enrollment opportunities (Decatur Daily)

Two 21st Century Workforce grants are expanding dual enrollment opportunities for local high school students.

Decatur City Schools received a \$357,000 grant to establish a cyber security dual enrollment program with Calhoun Community College and Athens State University.

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The grant will allow students from the six school systems in Lawrence, Limestone and Morgan counties to participate. The program is not expected to begin until 2015.

The goal is to put students on track so when they graduate high school, they will be ready to obtain a bachelor's degree in cyber security from Athens State, Decatur curriculum supervisor Dee Dee Jones said.

Bethany Shockney, Calhoun dean of technology and workforce development, said students will start with the basics and take primarily 300-level college classes as seniors.

State Superintendent Tommy Bice said DCS can use the grant funding to purchase equipment "directly related" to implementing the program.

Jones said the funding will go to purchase software, servers, work stations and routers so classes can be offered online at Decatur's Entrepreneurial Center on Fourth Avenue Southeast.

Athens State will offer a class at the university for Athens High students, said Ronnie Knox, ASU development director.

Jones said sophomore and junior students will be restricted to Level 1 and 2 classes offered through Calhoun Community College.

Nick Agrawal, chairman of Calhoun's Computer Information Systems and Business Department, on the Huntsville campus, announced in March that the college is seeking state approval to offer a two-year associate degree in cyber security.

Classes would be taught on the Decatur and Huntsville campuses and the goal is to offer the degree starting in spring 2015.

The average starting salary for the Decatur area is \$40,000 to \$60,000 annually, Agrawal said.

Jones said the \$357,000 grant was the second for DCS from the state's 21st Century Workforce bond issue.

In January, Decatur received a \$500,000 grant to expand the dual-enrollment welding program at Calhoun by purchasing portable welding stations and a virtual welder that will introduce students to the program.

A recent workforce study for Region 2, which includes Morgan and six other counties, identified 155 job openings for welders, with an average starting pay of \$28 per hour.

Because of limited space, Decatur schools had 25 to 27 students in Calhoun's introductory welding class last year.

Jones said the portable welding stations at Calhoun will have 15 to 18 booths and a virtual welder.

This will allow 75 students from Decatur and Athens to take classes at Calhoun.

A class for 20 students in Hartselle will be established.

The Alabama Commission on Higher Education approved a for-credit welding program at Calhoun, which will start in the fall.

That means classes students take will count toward a degree if they decide to enroll at Calhoun or any Alabama college that offers welding as a degree program.

[Secretary of State Jim Bennett talks about featured extra role in 'Selma,' work as journalist during civil rights era \(AL.com\)](#)

MONTGOMERY, Alabama --- Alabama Secretary of State Jim Bennett played a reporter in a scene of the movie "Selma" shot in front of the State Capitol on Friday.

The role came naturally for Bennett, who was a 25-year-old capitol reporter for the Birmingham Post-Herald at the time of the voting rights march recreated in the movie.

Bennett did not cover the march when it arrived at the State Capitol on March 25, 1965. He was covering a special session of the Legislature inside the Capitol that day. (One of the bills lawmakers considered would have repealed the statewide poll tax; it did not pass).

But Bennett did cover the 1963 marches in Birmingham, where authorities turned fire hoses and German shepherds on demonstrators, the bombing of the Sixteenth Street Baptist Church that killed four girls and Gov. George Wallace's stand in the door at the University of Alabama.

"Sometimes I feel like Forrest Gump," said Bennett, who said it was not unusual for him to interview Wallace, Eugene "Bull" Connor and Martin Luther King Jr. on the same day.

jim bennett press pass.jpg

Secretary of State Jim Bennett's press badge issued in 1963, when he was a 23-year-old reporter for the Birmingham Post-Herald. (Mike Cason/mcason@al.com)

"Selma" stars David Oyelowo as King. It is about the march that helped spur Congress to pass the Voting Rights Act, which outlawed schemes used to keep blacks from registering to vote.

The movie will be released to a limited number of theaters on Christmas Day before opening nationwide on Jan. 9, 2015.

Bennett said the scene shot Friday, depicting the end of the march, when King addressed about 25,000 people at the foot of the Capitol steps, seemed realistic.

Bennett remembers looking out the window of the State Capitol that day 49 years ago and seeing the throng filling the upper part of Dexter Avenue.

He figures that had to make an impression on Wallace, who refused to meet with the march leaders that day.

"When you've got 25,000 people out your window it has to dawn on you that this was a movement that would not be stopped," Bennett said.

The night before, Bennett had gone to where the marchers camped in west Montgomery. He said it was "wall to wall people" and remembers seeing Joan Baez, Peter Paul and Mary and Tony Bennett perform.

Bennett said it was a great time to be a reporter because of the important stories. But it could be scary, too, because the threat of violence was real, whether you were a marcher, police officer or journalist.

"Reporters and photographers put themselves in harm's way to get the story," he said.

Wallace and Connor didn't make that any easier, he said. Bennett said Connor, the Birmingham public safety commissioner known for calling out the dogs and hoses, mockingly called him "the postman" because he worked for the Post-Herald and made negative remarks about him on a radio show.

"He didn't like anybody covering the marches or any of that," Bennett said. "I guess he thought newspapers should ignore what happened."

Bennett said it was not unusual for Wallace to point the reporters out to less-than-friendly crowds.

"He'd say, 'There they are, right there. Some of them are working for the New York Times,'" recalled Bennett, who did work as a stringer for the Times and for Newsday.

Bennett said he was never roughed up, though other journalists were. He said he got hate mail.

He remembers interviewing King at City Hall in Birmingham and asking him about rumors that there would be violence at an upcoming demonstration.

"We will not touch the hair of a white man's head," King told him.

Bennett said he and the other journalists of the time held to the rule of objectivity for the most part.

"They didn't go off on tangents," he said. "They reported what they saw."

The willingness of the Selma march leaders and their followers to put their lives on the line made their dedication clear, he said. Black voter registration was miniscule at the time in Black Belt counties with majority black populations.

"It's not like the people who had joined the march didn't have a cause," Bennett said. "They were indeed being denied the right to vote."

Bennett said he was paid \$64 for his role as a featured extra in "Selma." A featured extra is one who plays a specific character, as opposed to just a face in the crowd, he said.

It's not Bennett's first time on a movie set. He's appeared in seven other movies, with speaking roles in two, including an appearance as an apartment manager in "The Prince," a Bruce Willis film scheduled that Bennett said is scheduled for a September release.

Three of five abortion clinics in Alabama plan to operate; law taking effect today sets stricter standards (AP)

Alabama will have half the abortion clinics it did two years ago, with three still planning to operate when a new state law kicks in today that sets stricter building standards for clinics.

In 2012, Alabama had six clinics licensed by the state Department of Public Health. The three remaining are in Tuscaloosa, Montgomery and Mobile, health department attorney Brian Hale said Monday.

The number started dwindling when New Woman All Women Health Care in Birmingham surrendered its license to the health department in May 2012 after two patients had to be rushed to a hospital by ambulance. A doctor started performing abortions again at the facility without a state license, but the health department got a court order closing it in August 2013.

Huntsville's one abortion clinic closed Friday because it is going to have to move to a new location to meet the new building requirements, which include wider halls and doorways to accommodate gurneys and improved fire safety measures. Hale said that will require the clinic to get a new state license, and there is no timetable of how long that will take. He said the operator has submitted building plans for the new facility, but its architect has not yet responded to questions the health department had about the plans.

Birmingham's clinic, operated by Planned Parenthood Southeast, closed in January after firing two staff members for selling an abortion medication to a person in the clinic's parking lot. Nikema Williams, vice president of Planned Parenthood Southeast, said the clinic has kept its state license while closed, and it has met all the new building requirements. She said the clinic has hired new staff and is training them in anticipation of getting approval from the health department to resume services within a few weeks.

The building requirements are part of a law the Legislature passed in 2013. The law also requires doctors at abortion clinics to have approval to admit patients to nearby hospitals. That part of the law is on hold while the American Civil Liberties Union of Alabama and others challenge it in court.

Susan Watson, executive director of the ACLU of Alabama, said the restrictions and other abortion-related laws passed by the Legislature are designed to limit access to safe abortions.

"Alabama's Legislature, like many states in the South, believes that it must be involved in a woman's most personal health choice decisions and has its sights set on chipping away at her rights to make her own choices," Watson said.

The Rev. James Henderson, executive director of the Christian Coalition of Alabama, said Huntsville had three clinics 20 years ago when he and others started organizing sidewalk protests, and now there are none. He attributed it to prayer and by exposing conditions in the clinics.

"We don't feel jubilation. We feel sadness for the 30,000 lives lost here in Huntsville," he said. Henderson and others are planning a memorial service today outside the closed clinic. They are also trying to keep the new location from opening because of its closeness to a middle school.

In 2012 when Alabama had six clinics, the health department reported there were 9,076 abortions performed in Alabama. The six clinics accounted for 9,009 and hospitals did the rest. West Alabama Women's Center in Tuscaloosa was the largest clinic, performing 3,503 abortions. The now-closed Huntsville clinic, All Women's Center for Reproductive Alternatives, was second with 1,451.

The closed Planned Parenthood clinic in Birmingham was third with 1,342. Planned Parenthood's clinic in Mobile was just behind at 1,275. Montgomery's Reproductive Health Services had 968 and the now-closed New Woman All Women Health Care in Birmingham had 470 in a partial year of operation.

Clinic numbers are not yet available for 2013, but the total number of abortions recorded by the health department declined in 2013 to at 8,485.

[School boards worried about nutrition standards \(Montgomery Advertiser\)](#)

WASHINGTON – Alabama school administrators want more time and flexibility to meet new federal nutrition standards, Macon County school board member Katy Campbell said Monday.

Congress, reacting to complaints from local school systems, is considering legislation to give some schools an extra year to comply with new rules requiring school meals to contain less fat, sugar and sodium and more whole grains, fruits, vegetables and proteins.

On Monday, the National School Boards Association said the 6-cent-per-meal reimbursement for school districts to meet the new standards isn't enough and some schools are losing money.

"In areas such as Alabama, with high poverty areas, we're going to have some problems with the finances," Campbell, president of the Alabama Association of School Boards, told reporters Monday.

About 90 percent of school districts are successfully implementing the new rules, more of which take effect July 1, according to the U.S. Department of Agriculture.

Nutrition advocates, including first lady Michelle Obama, have lobbied against giving certain districts a waiver, saying it undercuts the original intent of the Healthy, Hunger-Free Kids Act, enacted in 2010. The law was designed to make sure kids get healthier food at school and bring down childhood obesity rates.

But school budget officers say fresh fruits and vegetables cost more, and too many children are tossing the healthier food.

Campbell recalled that whole wheat hot dog buns went into the trash after Macon County implemented healthier standards several years ago.

"It probably took one or two years to get children acclimated to the new foods ... but now they eat them," she said.

She said Macon County will be in compliance with the new USDA standards and the system's food service program is running a surplus. But if the standards are expanded to include food served outside regular school hours, compliance could be more difficult, she said.

Campbell said she is worried that switching from low-fat chocolate milk to white milk will cause some students to forgo milk altogether. And she'd like the flexibility to offer larger portions, especially to athletes.

"In Alabama, football is really, really big and those portion sizes are not going to be sufficient for that student," she said.

Several months ago, U.S. Rep. Robert Aderholt, R-Haleyville, added the one-year waiver to legislation he oversees as chairman of the House Appropriations Subcommittee on Agriculture. Aderholt says the temporary waiver is only for schools that can document six months of operating losses.

The legislation, which is pending, has set off a furious debate on Capitol Hill over whether the new nutrition standards are too prescriptive and rigid.

The National School Lunch Program cost \$11.6 billion in fiscal 2012 and serves more than 31 million children a day, according to the Agriculture Department. The 2010 Healthy Hunger-Free Kids Act raised the nutrition standards for the program in response to growing health problems related to children who were overweight or obese.

"Alabama school systems will do what they can to meet the mandates, certainly, but the financial struggles of some school systems in this state won't make that an easy venture," said Denise Berkhalter, spokeswoman for the Alabama Association of School Boards.

Alabama's diverse environment seeks place in state curriculum (Anniston Star)

The Pygmy Sculpin is a rare fish that grows to be just 1.5 inches long and it is known to live in just one place on the planet — a short stretch of Choccolocco Creek.

This small species is one of many creatures that live only in Alabama, but a student here can graduate high school without having learned about them. Public schools are not required to teach students about the plants, animals, fish and rock formations found specifically in Alabama, but a draft document resting at the Department of Education in Montgomery is designed to make it easier for them to do so.

"This best-practices plan is going to put it right at their fingertips," said Rene Morrison, an environmental educator who is the assistant director of Jacksonville State University's Field Schools. The plan, called Alabama Alive, has been delivered to the Alabama Department of Education, where it awaits approval by the state school board, said Malissa Valdes-Hubert, a spokeswoman for the department. If approved, it will serve as an aid to teachers who want to merge lessons about the environment into the subjects they already teach.

Valdes-Hubert said state Superintendent Tommy Bice has read the document and added that it is not clear when the board will review it.

Getting the word out

For now, some young Alabamians are exposed to environmental education through programs hosted by state-funded universities, such as the environmental program at JSU. Others learn about the natural world in their home state through for-cost summer day camps, which reach a limited number of children, said Heather Montgomery, a children's book writer who works at McDowell Environmental Center at Camp McDowell, a camp and conference center in the Bankhead National Forest in Winston County operated by the Episcopal Church.

"Interestingly there is a lot of environmental education going on in the state, but it's not recognized," Montgomery said. "We're really hoping that the state Department of Education will support the initiative."

Teachers who are already interested in environmental education can attend summer workshops on the subject, where they can learn things to share with students. A group called Legacy, Partners in Education, is working with other entities, including JSU, to host a series of teacher workshops this summer.

At one of the most recent workshops, "Mountains to the Gulf," Legacy, funded by the sale of special car tags, paid for two dozen educators and representatives from JSU, including Morrison, to go on a road trip aimed at teaching teachers more about the natural world around them.

"Alabama is a state that is easy to fall in love with," said Duncan, speaking to educators at the teachers workshop at Mount Cheaha earlier this month. "I am on a mission to spread the word about how awesome Alabama is in terms of its diversity."

'A biological frontier'

Alabama ranks first for freshwater fisheries, and fifth for the amount of overall diversity that exists within the states lines, according to the 2002 study titled States of the Union: Ranking America's Biodiversity.

Alabama trails California, Texas, Arizona and New Mexico on the list. Unlike those Western states, Alabama remains a "biological frontier," said Scot Duncan, who wrote Southern Wonder, a recently published book about natural diversity in Alabama.

Ben Johnston teaches science to high school students in Madison County, and he said the textbooks he uses rarely, if ever, provide Alabama-specific examples, though many exist here. He went on the learning workshop to learn more.

"I really wanted to make the examples I give in biodiversity and geology specific to Alabama," Johnston said. "Why not use our own state as an example?"

Duncan spoke to Johnston and the other teachers who were at the workshop when it stopped at Cheaha, explaining in an hours-long talk why Alabama has such a high level of diversity. Relying on an electronic presentation that highlights key points in its book, he said the state's position on the globe, the range of rocks here, its climate and the amount of moisture provided by the Gulf of Mexico help provide good habitats for a range of wildlife.

Duncan pointed out that new species are still being discovered in the state, pointing to a bright blue species of crayfish that was recently found in Perry County and a species of spider that was recently discovered in the Birmingham area.

And he talked about the rare insect-eating plants that can be found in parts of south Alabama, labeling the state a hotspot for carnivorous plants.

'How special it is'

Shelly Taliaferro, who teaches science courses to students at Auburn University in Montgomery, spoke up after Duncan's talk. An Ohio native, she signed up for a recent eight-day traveling workshop to learn more about the state she'd just moved to.

"I found that they have very little background in science, especially in the natural world," she said of her students. "They just don't know how special it is."

George Cline is a JSU professor and a Pennsylvania native who specializes in amphibians. He went on the week-long trip to assist in instructing the teachers.

"You see it every day and you don't realize how exciting it really, really is," Cline said of Alabama's natural environment. "A lot of what we do is teaching people how exciting common things may be."

Morrison, of the JSU Field Schools, has headed the Environmental Education Association of Alabama. She wrote in an email that it is important for Alabama's residents to understand how unique and important the state's lands and waters are.

"Environmental education helps us connect education, economic prosperity, sustainability, health and individual well being," Morrison wrote. "Alabama's future depends on a well-educated public who are sensible stewards of the environment that sustains not only the the current population but generations to come."

Waffle House calls for boycott of Belgian Waffles (CBS Sports)

This will be one of the few times I'll likely have to cite TMZ during my writing career, and certainly the only time I'll get to write about Belgian Waffles -- so I had to take advantage and just go for it.

Anyway, the most American of American chain restaurants, Waffle House, is calling for a boycott on Belgian Waffles.

Per TMZ:

"We support a boycott on Belgian Waffles," a rep told TMZ. "We support America. We don't support Belgian Waffles."

In case that wasn't clear...

Of course, the United States men's national team faces Belgium in the Round of 16 on Tuesday, and people have jokingly called for a boycott on everything Belgium in the last few days. From waffles to beer to the gross idea of putting mayonnaise on fries, people are doing their best to steer clear of Belgian traditions.

Personally, I think Belgian waffles are inferior to pancakes and French toast when it comes to carbohydrate breakfasts that require syrup, so this wouldn't be too difficult.

Now, if someone called for a boycott on bacon, we would have an issue. I'm just going to pretend the United States invented bacon, so there will never be a problem.