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FULL TEXT

State plans to expand Career-Technical Dual Enrollment program

Montgomery Advertiser

February 9, 2014

Kala Kachmar

When 17-year-old Yolanda Williams visited the rubber factory her dad works in, she immediately decided she wanted to learn more about industrial careers.

Not long after her experience at Price Rubber Corp. in Montgomery, one of her teachers told her about a program that would allow her to earn college credits in technical fields while still in high school.

Williams, a junior at Robert E. Lee High School, is enrolled in the Career-Technical Dual Enrollment program at Trenholm State Technical College. She's taking classes to fulfill requirements for an associate's degree in auto mechanics.

Williams is one of about 98 high school students enrolled at Trenholm this semester. In 2013, there were about 2,100 state students enrolled in the program at various state community colleges.

Now, with a shortage of skilled workers and a desire to attract more businesses to Alabama, state leaders are looking for ways to expand the program and provide more scholarship dollars for students.

"The competition for jobs among states is simply too fierce," said House Speaker Mike Hubbard, R-Auburn. "Career tech will be a powerful magnet that attracts new jobs and industries in Alabama while we continue to grow those already here."

Both Democrats, Republicans and Gov. Robert Bentley have shown support for expansion of the program, which has been in place since 2007.

Last week, two bills that would provide funding to expand the program were discussed in the House Ways and Means Education Committee. Additionally, Bentley's proposed 2014-15 budget includes \$6 million for dual enrollment that would be used to support infrastructure for the additional students.

Tax credit bill

One bill, sponsored by Rep. Mac Buttram, R-Cullman, would provide up to \$5 million in income tax credits to individuals and businesses who donate to the career tech scholarship fund, which would pay for student tuition, fees and books. The scholarships wouldn't be available to students who are dually enrolled in academic classes.

Those who donate would be eligible to receive 50 percent of their donation in tax credits as long as it doesn't exceed their tax liability or \$500,000.

The bill would allow businesses with certain needs to work with the Department of Postsecondary Education, the school and with other agencies to develop specific training. The scholarship money would allow more students to participate without having to pay tuition.

“Not a day or a week goes by where I don’t hear crying out from businesses about the need for additional workers,” said Mark Heinrich, chancellor of the Department of Postsecondary Education.

Republican leaders say the bill won’t cost anything because the money will stay in the Education Trust Fund (ETF), but critics say the bill takes \$5 million that would normally fund other areas of education and earmarks it for the program.

Because income taxes fund the ETF, \$5 million less in income tax revenue would mean the ETF spending cap would be reduced by \$5 million, said Norris Green, director of the Legislative Fiscal Office. He said the ETF will lose \$5 million, and the dual enrollment program would be gaining \$10 million.

He said the money will go into the educational arena, but that the Legislature won’t be able to decide where it goes. It will be used for one targeted program, he said.

Susan Kennedy, the Alabama Education Association’s funding and revenue manager, said she supports the dual enrollment program, but the bill earmarks dollars prior to the budget committees deciding where the needs are in education.

“We shouldn’t let anybody who comes with a bill and a good idea slide in a chair and start making decisions about where our money goes,” Kennedy said. “We shouldn’t let business interests pick and choose which programs should have these dollars.”

William Canary, president of the Business Council of Alabama, said for every 22,000 new jobs, \$100 million gets added to the ETF.

“This program nails it because today’s education will face irrelevance unless we bridge the gap between how students learn and what’s expected of them as they enter the workforce,” Canary said. “We can’t use a 19th Century model to teach 21st Century students how to learn.”

House Minority Leader Craig Ford, D-Gadsden, said he agrees that dual enrollment is important, but he doesn’t like the idea of taking money out of the ETF.

“There are a lot of programs in K through 12 that need attention,” he said. “I support dual enrollment. I always have, I always will. But the way we get there may differ.”

Scholarship bill

The other dual enrollment bill, sponsored by Rep. Thomas Jackson, D-Thomasville, would allocate an additional \$5 million for scholarships. The scholarships would be for both career tech and academic dual enrollment students.

The bill would also repeal legislation passed in 2013 that allocated \$5 million for education employee liability insurance. The idea is to use that \$5 million for dual enrollment.

The committee discussed the bill, but carried it over. The tax credit bill has been approved by the committee.

Annette Funderburk, the legislative liaison for postsecondary education, said for every \$1 million in scholarship funding, 1,000 more students will be able to enroll in the program.

She said the department is working on developing a software program that will provide statistical data pertaining to dual enrollment outcomes. But she said there isn't any data that shows how many dually enrolled students go on to finish their degree or get jobs in a related field.

Funderburk said students who start the program in the 11th grade typically only require two or three additional semesters of schooling after high school to earn a certificate, which is 26 credit hours, or an associate's degree, which is 76 credit hours.

The latest data shows about 77 percent of students enrolled in a career tech program, which includes dually enrolled students and traditional post-high school students, were either employed, in the military or in an apprenticeship program in the second quarter following the term they left the system.

At Trenholm, there are about 98 high school students enrolled in career tech classes from Macon, Bullock, Elmore and Montgomery counties, said Michael Barnette, coordinator of the auto manufacturing program at Trenholm.

Barnette said most dually enrolled students go right to work after high school, or they come back and finish up after working for a few years. But he said the program encourages them to stay in school and teaches them skills that are useful in real life and in a number of career fields.

Popular dual enrollment programs at Trenholm include auto manufacturing, office administration and welding, he said.

"The ultimate goal is for them to have some skills after high school or continue their education after high school," said Wilford Holt, the dean of Workforce Development at Trenholm. "There are so many jobs out there for employees who have skills. We have to give them the skill level they need."

Holt said the dual enrollment program at the school really only took off about three years ago. Parents and students are just now catching on to it and understanding the benefits.

"Each semester, I see our numbers increasing," he said. "I see our interest increasing."

Students in demand

Barnette said the need for a skilled workforce is real. He said he gets calls all the time from businesses all over the state asking for students or graduates who might be ready to work. Three of his regular students are currently working co-op jobs — part-time jobs while they go to school — at Flowers Baking Company in Hope Hull.

He said he gets calls from Pha Body Systems, tier suppliers for automotive manufacturers, Briggs and Stratton, Neptune Technology Group, GKN Aerospace and more.

But he said the bottom line is, there aren't enough students for these jobs.

"The problem is, the rate of students we have graduating really doesn't fulfil the need they have to put them in that entry level position," he said.

Quinten Taylor, a Wetumpka High School senior enrolled in the dual enrollment auto manufacturing program, said he's already enrolled to start the welding program next fall, after he graduates.

Taylor said he wants to work at his dad's auto body shop. He said although he's enrolling in a different program, the skills are relatable.

"It's a trade," he said. "You can get ahead and it'll help you know more at a younger age."

Luke Terrell, a senior at Sylacauga High School who is dually enrolled at Central Alabama Community College, said the classes he's taking in programmable logic controllers and robotics has opened his eyes to new career opportunities. He's thinking about pursuing a degree in engineering upon graduation.

"I feel like had I not been introduced to these career opportunities and fields, not nearly as many doors would have opened for me," Terrell said. "Now I realize that if something falls through and I'm not able to pursue engineering, I enjoy (programmable logic controllers) and robotics."

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OUR VIEW: Tax credits to expand dual enrollment a positive move

Gadsden Times

February 9, 2014

The use of tax credits as enticements or incentives is controversial. Opponents say it bleeds money away from necessities like schools or road repairs. Proponents say the economic boost from landing an industrial plant or retail development will mean more revenue for everyone in the long run.

We've said such enticements are necessary these days, while noting that all factors still need to be weighed to see if the potential benefits justify the investment.

A tax credit plan being pushed by Republicans in the state House of Representatives doesn't involve a plant or a shopping center, but we think it meets our test.

It would create \$10 million in scholarships to help more Alabama high school students double up and simultaneously attend job training classes at two-year colleges.

The state already offers a dual enrollment program, but the scholarships would allow more than 9,500 additional students to take part.

Funding would come from donations by businesses that in turn would receive a 50 percent tax credit. Those businesses also could earmark up to 80 percent of their contributions to help students entering a specific field.

House GOP leaders say the plan would produce more skilled workers in Alabama, which would help keep the state attractive to industrial recruiters.

Superintendent of Education Tommy Bice said it would increase opportunities for students who might not otherwise be able to afford tuition for dual enrollment classes.

The cost, according to the Legislative Fiscal Office, would be a \$5 million annual reduction in the tax collections that fund Alabama's K-12 schools. Not surprisingly, the Alabama Education Association is balking, even though it supports the concept of dual enrollment.

We question whether the AEA has the political clout in 2014 to stop this bill if Republicans are serious about passing it (and they seem to be).

Given the positive signs in the Education Trust Fund — more money available, stabilization from peaks and valleys thanks to rolling reserve budgeting — we really see no reason it should be stopped.

We've said this so often we ought to save the block of type, but the technological skills students will learn in these classes are what employers want now and will desire even more in the future.

What the GOP has proposed is education. It needs to happen.

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This week in the Legislature: Regulating public meetings, tanning beds

Montgomery Advertiser

February 9, 2014

Brian Lyman and Kala Kachmar

This week, the state Legislature is set to take on -- among other things -- tanning beds, religious freedom in schools and some possible changes to the state's Open Meetings Act. All of these events subject to change.

House of Representatives

The House of Representatives is scheduled to return at 1 p.m. Tuesday. A special-order calendar has been approved for Tuesday, which includes bills that would regulate tanning bed use and prohibit municipalities from imposing a business license tax on rental property.

In committees:

- The House Judiciary Committee meets at 1 p.m. Wednesday, and is scheduled to take up a bill that would allow posting the Ten Commandments in public buildings.
- The Education Policy Committee meets at 1 p.m. Wednesday, and is scheduled to hold a public hearing on a bill that would require school districts to allow religious expression in schools.

Senate

The Senate is expected to return at 2 p.m. Tuesday. Senate President Pro Tem Del Marsh, R-Anniston, said the Senate likely would focus on sunset legislation this week.

In committees:

- The Senate Judiciary Committee meets at 1 p.m. Wednesday, and is scheduled to take up a bill that would make revisions to the state's Open Meetings Act.
- The Senate Constitution and Elections committee meets at 8:30 a.m. Thursday, and is expected to take up a bill that would make it harder to send local constitutional amendments to statewide votes.

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Bill tackles calendar flexibility

Times Daily

February 7, 2014

Lisa Singleton Rickman

For the first time in three years, Alabama's public schools are free to set their calendars without the state telling them when to start and end.

While school district officials are ecstatic to have their local control back, there is not as much flexibility with scheduling the 2014-15 school year as there could be if a proposed calendar option bill becomes law.

The bill, sponsored in the Alabama Legislature by Senate Pro Tem Del Marsh, R-Anniston, would allow a 180-day calendar or equivalent hours, which amounts to 1,080 hours.

The bill would give school districts flexibility to schedule creatively, adopting calendars that could allow special breaks desirable in individual communities, an earlier start than in recent years or an earlier ending date.

Locally, school districts are in the process of planning calendars. The Florence district has already approved a 173-day calendar that satisfies the 1,080-hour requirement.

Pre-existing law states the school year must be 180 days, but the flexibility of adding an hours option wouldn't take away instructional time. It likewise wouldn't lock a school system into having to schedule 180 days.

Marsh said he has seen incredible success in school systems that have operated under such flexibility and he says that requiring 180 days of school ties the hands of districts on how their calendar has to be laid out.

The bill stipulates no school board would be required to use the option.

"It just makes sure the hours are there," Marsh said. "I've always believed local control is important. They could go with longer days at certain times of the year. They may have six hours one day and eight another. It is up to them how they run the school year."

Marsh said the law would give schools the tools they need to raise test scores and, "If they think having the flexibility in their hours will help, then I want to help."

Malissa Valdez-Hubert, public information manager for the Alabama State Department of Education, said currently school districts are between laws, so state officials are asking schools to maintain the 1,080 hours in their calendars.

"(State Department officials) made the call because we were caught in that purgatory between laws," Valdez-Hubert said. "Systems are coming up with creative ways to schedule their time. There are dozens and dozens of systems that have less than 180 days in their calendar, but have the hourly equivalent. In some cases, they just cut out some breaks and made other adjustments."

The Lauderdale County school system is expected to adopt its calendar next month. The proposed calendar has 180 days, but a week earlier start date than last year.

"The calendar has an Aug. 14 start date for students with a three-day break at the end of October," said Lauderdale Assistant Superintendent Mark Butler. "Not having that mandatory start date helped us more than anything in putting our calendar together."

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Animal census bill passes House, moves on to Senate

Times Daily

February 8, 2014

Mary Sell

A House bill would require animal shelters in Alabama to keep and make public each month information about the number of animals they take in, adopt out and destroy.

House Bill 93, the "Animal Census Reporting Act," requires an accounting of how many animals come into shelters and whether they are owner surrenders or strays picked up off the street. Shelters would also have to report how many animals were adopted, transferred to other shelters,

transferred to a research laboratory or school or any agency that brokers research animals, or euthanized.

The reports would be considered public information and made available upon request.

"We're just trying to get a handle on how extensive the problem is, animals that are just turned loose, (that come from) puppy mills ...," bill sponsor Rep. Steve McMillan, R-Bay Minette, said. "We feel like it is a big problem, but we don't know how big."

McMillan introduced the bill in the 2013 session and a sub-committee of lawmakers made some changes to it and "ironed out everyone's concerns," he said.

"To my knowledge, there's no opposition to it," McMillan said.

It has been approved by the House and will be in a Senate committee this week.

In October, Decatur Mayor Don Kyle sent Decatur Animal Services Director Carol Wicks an email requiring her to reduce the population of the 27,000-square-foot shelter to 45 in 30 days. At the time, the shelter had 310 animals. Wicks took the order as a directive to euthanize more than 100 healthy animals that she said she believed were good candidates for adoption. Adoptions went up following a story in The Decatur Daily about the demand and the possibility of large-scale euthanasia to meet it.

From days to hours in schools

A bill from Senate President Pro Tem Del Marsh, R-Anniston, would allow local school systems to decide how many school days they have each year starting next year, provided they get in 1,080 hours.

"It gives the flexibility to schools and let them have their own start, stop dates," Marsh said last week. "It just makes sure the hours are there. I've always believed local control is important."

Some Republicans in 2012 were criticized for pushing through the Statehouse a bill that mandated schools begin the academic year no earlier than two weeks before Labor Day and end no later than the Friday before Memorial Day. The goal was to increase the summer vacation season. Opponents, including some lawmakers from north Alabama, called it the "Baldwin County Economic Development Bill" and said it took control away from local systems.

It allowed for 180 instructional days, or 1,080 hours. The bill sunsets this year, but Marsh's new bill allows systems to keep that 1,080-hour flexibility.

Tommy Bice, the state superintendent of schools, said he is supportive of Senate Bill 290.

"It aligns with the position of the state board to provide local school systems with the flexibility needed to meet the diverse needs of their students," Bice said last week.

Social media contract questioned

State agencies might want to think twice before trying to use taxpayer dollars to improve their social media presence. Or at least pay a third party to do it for them.

Lawmakers on the contract review committee, which oversees service contracts that state departments enter into, questioned, and delayed, a \$100,000, one-year-contract between the Conservation Department and Montgomery advertising agency Copperwing Design for social media services to promote the state's Forever Wild program.

Sen. Paul Sanford, R-Huntsville, said taxpayers were being "had to the tune of \$100,000" with that contract.

"There is a component on Facebook that lets you promote your own page, and I think you're paying someone to use that," Sanford said.

Representatives from the Conservation Department said Thursday they've had similar contracts in the past and seen an increase in social media activity and activity on state lands. Still, lawmakers were unconvinced about the \$100,000 expense.

"I have a 17-year-old daughter who can do Facebook for you," said Sen. Bill Holtzclaw, R-Madison.

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Federal appeals court ruling affects Ala. teachers' group

The Associated Press

February 9, 2014

A federal appeals court has issued a ruling that impacts the finances of one of the state's biggest political contributors, the Alabama Education Association.

The state teachers' organization had challenged a 2010 state law that prohibits public employees from arranging to have money withheld from their paychecks that will be used to support political action committees and organizations engaged in political activity.

A federal judge put the dues check-off law on hold soon after it passed. On Wednesday, a three-judge panel of the 11th U.S. Circuit Court of Appeals reversed the preliminary injunction and said it's unlikely AEA will succeed in challenging the law for vagueness. The 11th Circuit said AEA and its political action committee, A-VOTE, are engaged in political activity addressed by the law.

"Some of AEA and A-VOTE's conduct indisputably falls within the act's definition of political activity, and therefore the challengers cannot bring a facial challenge arguing the term is vague based on other applications," the appeals court said.

The case goes back to U.S. District Court in Alabama, where AEA is also challenging the law on the grounds that it violates free speech rights.

Republicans passed the law in late 2010 after winning control of the Legislature from Democrats. AEA had used its PAC to support many Democrats. Without payroll deductions, AEA members would have to write checks to the organization and its political action committee.

Gov. Robert Bentley, who was sued by AEA, is reviewing the ruling and determining what action to take, a spokeswoman said Friday.

AEA did not respond to requests for comment. The organization recently reported it has \$4.6 million in its political action committee to use to support candidates in the upcoming state elections.

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Medical marijuana gains traction in the Deep South

The Associated Press

February 9, 2014

ATLANTA (AP) — Medical marijuana has been a non-starter in recent years in the Deep South, where many Republican lawmakers feared it could lead to widespread drug use and social ills. That now appears to be changing, with proposals to allow a form of medical marijuana gaining momentum in a handful of Southern states.

Twenty states and the District of Columbia have legalized medical marijuana, and this year powerful GOP lawmakers in Georgia and Alabama are putting their weight behind bills that would allow for the limited use of cannabis oil by those with specific medical conditions. Other Southern states are also weighing the issue with varying levels of support.

The key to swaying the hearts of conservative lawmakers has been the stories of children suffering up to 100 seizures a day whose parents say they could benefit from access to cannabidiol, which would be administered orally in a liquid form. And proponents argue the cannabis oil is low in tetrahydrocannabinol, or THC, the psychoactive compound in marijuana that makes users feel high.

"I'm an unlikely champion for this cause," said Georgia Rep. Allen Peake, a businessman from Macon who attended the evangelical Dallas Theological Seminary. "Once people realize it's not a 6-year-old smoking a joint, most folks realize this is the compassionate thing to do."

Peake's bill has already earned the backing of more than 80 state lawmakers, including several members of the House Republican leadership, who signed on as co-sponsors and the state's largest professional association of doctors. The bill would revive a long-dormant research program allowing academic institutions to distribute the medical cannabis and would be "limited in scope, tightly restricted, well regulated and managed by doctors," Peake said.

Alabama Rep. Mike Ball, a retired hostage negotiator for the State Patrol, is behind a bill that would allow people to possess the cannabis oil if they have certain medical conditions. It passed a key committee vote on Wednesday.

"The public is starting to understand what this is," said Ball, who chairs a powerful House committee and is a prominent voice on law enforcement issues. "The political fear is shifting from what will happen if we pass it, to might what happen if we don't," Ball said.

The bills in Georgia and Alabama still have more vetting, and their ultimate prospects are not certain. But what is happening offers a strong signal of what's to come in other states.

In Louisiana, although a bill has yet to be introduced, a recent committee hearing at the Capitol on legalizing medical marijuana drew a standing-room-only crowd, and Gov. Bobby Jindal made comments last month indicating he was willing to consider it.

"When it comes to medical marijuana ... if there is a legitimate medical need, I'd certainly be open to making it available under very strict supervision for patients that would benefit from that," Jindal said, according to a report in *The Advocate*.

Technically, both Georgia and Louisiana have laws on the books from the 1980s and 1990s that allow for the use of medical marijuana, but those programs essentially ended before they could start. Georgia's law established the academic research program for those diagnosed with glaucoma and cancer patients undergoing chemotherapy and radiation, but the program stalled when the federal government stopped delivery of legal cannabis.

Louisiana's law allowed for glaucoma and cancer patients and those suffering from spastic quadriplegia to receive marijuana for therapeutic use but regulations to govern the program were never developed.

In Mississippi, Republican state Sen. Josh Harkins of Brandon is sponsoring a cannabis oil bill similar to the ones in Alabama and Georgia. Harkins said one of his constituents has a 20-month-old daughter with Dravet syndrome, a form of pediatric epilepsy, and the oil can help reduce the number of seizures.

Elsewhere, both Kentucky and Tennessee have medical marijuana bills under consideration although they have yet to gain traction. Kentucky Senate President Rover Stivers, R-Manchester, has said he's not convinced marijuana has legitimate medical purposes and called it an area ripe for abuse.

In Florida, it's likely to become a campaign issue in the fall given that Gov. Rick Scott is up for re-election and a proposed constitutional amendment will be on the ballot that would allow for the medical use of marijuana as determined by a licensed physician. Former Republican Gov. Charlie Christ, now a Democrat seeking to challenge Scott, has called it "an issue of compassion, trusting doctors and trusting the people of Florida."

Meanwhile, Alabama Gov. Robert Bentley has signaled a willingness to discuss medicine that might be derived from marijuana with appropriate federal regulation.

"If someone wants to use the medicine that is in marijuana, go through the same testing that you have to go through when you do that through the (U.S. Food and Drug Administration), you go through all of that, do the testing, the drug testing, that's fine," Bentley said last month. "I have no problem with that. I am not just for prescribing marijuana."

Georgia Gov. Nathan Deal has declined to take a position, but noted the "strong case being presented by some of the families with very serious situations involving their children."

Dustin Chandler, a police officer in Pelham, Ala., has been a major part of the effort there. His daughter, 2-year-old Carly, has three to five seizures each day from a severe neurological condition she has had since infancy. Chandler believes cannabidiol could help control his daughter's seizures and improve her cognitive functioning based on anecdotal evidence seen elsewhere.

"We've been battling the stigma from the m-word," Chandler said. "I'd love to hear my daughter talk. I'd love to hear her say one word. You know that is something most parents take for granted."

Overall, public opinion in support of legalization has shifted in less than a decade, according to William Galston and E.J. Dionne, who co-wrote a paper last year on the topic for The Brookings Institution. The authors noted proponents were shrewd in focusing the earliest campaigns on efforts to allow the use of marijuana for medical purposes, citing a 2013 Pew Research Center survey that three-quarters of Americans, including 72 percent of Republicans, believe marijuana has legitimate medical uses.

Among critics' biggest concerns is that allowing medical marijuana even under a narrow list of circumstance would eventually open the door to widespread use. Peake, the Georgia lawmaker, has been adamant that will not be the case.

"I am concerned as anyone that we would get to a slippery slope of a broader scope of marijuana use in the state," Peake said. "I promise you I will fight that with every bit of energy in me."

Georgia Rep. Terry England, chairman of the powerful House Appropriations Committee and a deacon at his Baptist church in Auburn, is a prime example of a state lawmaker who never thought of legalizing medical marijuana but is now open to it, even signing on as a co-sponsor to Peake's bill.

"I've not made a complete 180-degree turn, but I'm probably at 178 degrees," England said.

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Supporters of Carly's Law to legalize marijuana-derived medicine for seizures holding rally March 1

Al.com

February 8, 2014

Martin J. Reed

PELHAM, Alabama - Supporters of Carly's Law, the proposed Alabama law that would legalize a marijuana-derived medicine that could help control seizures and other health issues, are holding a rally in Pelham on March 1.

The rally to promote the legalization of the marijuana-derived cannabidiol, also known as CBD oil, will be from 2 to 6 p.m. at the Pelham Civic Complex and Ice Arena.

Speakers scheduled so far include state Rep. Mike Ball of Madison who sponsored the bill and Paige Figi, whose young daughter Charlotte Figi had suffered 300 seizures a week but dropped to a couple or so a month after using the marijuana-derived treatment.

"It's going to be a public awareness and educational rally to let everyone know what Carly's Law is about and who it can help," said the Birmingham area's Dustin Chandler, whose daughter is the bill's inspiration.

The 2-year-old girl suffers from uncontrollable seizures caused by a genetic disorder called CDKL5, also known as cyclin-dependent kinase-like 5. Carly's parents, Dustin and Amy Chandler, hope that CDB oil could help treat their daughter's violent seizures that happen multiple times each day.

"We're going to have hopefully hundreds of families there it might affect who can tell their story," Dustin Chandler said. "They're the face behind Carly's Law. There are real children and real people affected by the passage of this law."

The Alabama Senate Judiciary Committee on Wednesday gave approval to the bill by an 8-3 vote. The legislation's next step is consideration on the Senate floor.

"I think it shows good bipartisan support," Chandler said about the Senate committee's action. "I don't feel this is a red or blue issue. This is a human-right issue, a health issue."

Many Alabama families are calling on lawmakers to approve the bill so their children could potentially benefit from the marijuana-derived treatment that does not produce the drug's intoxicating effects. At least one family from Alabama has relocated to Colorado, which has legalized marijuana use for medicinal and recreational purposes, to help their daughter who suffers from violent seizures.

"We want to let people know what Carly's Law is about and who it's affecting," Chandler said. "We want to show the importance to the public and the politicians that there are faces behind this law that it will help and we are real people and we need help."

Chandler, who is a Pelham police officer, said he hopes people will understand the importance of the law in Alabama.

"The parents that want to help their children are not criminals. It's an issue of doing the right thing for the children of Alabama. That's essentially what it is," he said. "To me, a vote no to the Carly's Law is a vote no to the people of Alabama."

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Official: Alabama hunters fail to report deer kills

The Associated Press

February 9, 2014

Jay Reeves

BIRMINGHAM — Although they did a better job this year than last, Alabama hunters didn't do enough in voluntarily reporting all the deer they killed this hunting season, a state conservation official says.

Prodded by an aggressive public information campaign by the Alabama Department of Conservation and Natural Resources, hunters reported killing more than 18,500 deer during the season, which ends today as legal hunting closes in southwest Alabama.

Chuck Sykes, director of the state Wildlife and Freshwater Fisheries Division, said hunters reported their kills far more often this season than in past years, when as few as 1,000 kills might be reported during a season.

But hunter surveys and statistical analysis show the number still is only a small fraction of the deer that were actually killed in Alabama, he said.

"We had about 260,000 estimated killed last year," Sykes said. "With what we got (this year) you're looking at only 3 or 4 percent of what was actually killed."

The state said it needs an accurate count of the number of deer that are killed, plus the size and gender of the animals, to determine the health of the state's herd, and it tried to require hunters to report their kills this season through a program called "Game Check."

Legislative opponents blocked the rule at the last minute, citing concerns over possible fines and technology, so reporting remained only voluntary for the roughly 171,000 Alabama residents who purchased all-game hunting licenses.

Sykes said the wildlife agency will consider again whether to attempt to make the reporting requirement mandatory for all hunters in the state.

"Biologically I think it's a necessity. But I've found out that biological facts and science sometimes don't win out. That's a shame," Sykes said.

The state also uses mail surveys completed by hunters to estimate the numbers and health of deer killed each season, Sykes said, but compliance with that program also is spotty.

Auburn University will analyze the results of the voluntary reporting and survey results to determine whether researchers can develop an statistically valid picture of the state's deer herd and the number of animals killed by hunters, Sykes said.

The voluntarily reported statistics showed that 18,501 deer were killed through the middle of last week. Hunters reported killing deer in each of the state's 67 counties, with the largest number being reported in Jackson County, where hunters reported killing more than 730 deer.

Hunters most often reported deer by an automated telephone system, Sykes said, with 47 percent of all the kills coming in that way. Hunters used a smartphone application to report 32 percent of kills and used a website to report 21 percent of the deer, he said.

Hunting season closed in most of Alabama at the end of January, but it continued in parts of southwest Alabama through Monday.

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'Tis (still) the season: February deer season in Alabama likely to be expanded next year

Montgomery Advertiser

February 9, 2014

Marty Roney

According to a recent U.S. Fish and Wildlife Service survey released in 2011, there were about 535,000 people, ages 16 and older, who bought hunting licenses in Alabama in 2011. That year, hunting generating a direct economic impact of about \$948 million in equipment purchases, trip costs, land leases and other expenditures, according to the survey. Whitetail deer is the most popular game animal in the state.

For Chris Stone, the state extending deer season to Feb. 10 in some parts of southwest Alabama has been an economic boost that should become a boom in the future.

He operates Stone Cattle and Hunting, a commercial hunting lodge on family-owned farm land in Pine Apple. He's also the mayor of the small Wilcox County hamlet, population 145 in 2010, according to census figures.

"We've had hunters come down during the February season, so for us it has been good," he said. "As word gets out, we will have more interest and other lodges will have more interest. I hope they don't change the later season. I hope the state even expands it in the future."

Looks like he might get his wish.

Talk of extending the season into February has been going on for years. This season marks the first time it has been done. And from all initial reports, it has been a success, said Ray Metzler, acting director of the wildlife division of the Alabama Department of Conservation and Natural Resources.

“This is our first year of the extended season, and we still have data to study,” he said. “But we have received nothing but positive feedback from hunters and outfitters in that area. It looks like the February season will stay in place, and you may see the area expanded for the upcoming season.”

The February season includes all of Mobile, Baldwin, Escambia and Conecuh counties and portions of Wilcox, Monroe, Choctaw, Clarke and Covington counties. The move was made because years of data had shown that breeding season, or the rut, peaks later in those areas than other parts of the state, Metzler said.

In the rest of the state, archery season opens in mid-October, with firearms season usually opening the Saturday before Thanksgiving. Outside the southwest zone, deer season ends Jan. 31.

Hunters prefer to hunt during breeding season since mature bucks are often more active during that time as they chase does.

Adding more area to the February season is just what is needed for the state’s Black Belt region, said Pam Swanner, project manager for Alabama Black Belt Adventures. It’s a nonprofit organization touting hunting, fishing and outdoor activities to benefit economic development in the 23 counties of the Black Belt region. Named for its dark, loamy soil, the Black Belt is known nationwide for the hunting opportunities it offers. The crescent-shaped region runs west to east, bisecting the central part of the state.

Any addition to areas in the February season logically would encompass more of the Black Belt, Swanner said.

“Hunting is a huge business in Alabama,” she said. “Our figures show it is a total benefit of more than \$1 billion a year for our 23-county area. That takes into consideration all the times the hunters’ dollar turns over — restaurants, feed and seed stores, gas stations. Anything we can do to make the area more attractive to out-of-state hunters is a good thing.

“Alabama is a destination for hunters around the country whose home states have much shorter deer seasons. If we can offer an expanded February season, in the height of the rut, it will mean a boost for the entire region and the state as a whole.”

The description of extending deer season into February is a bit of a misnomer. Hunters in the area have a split season, giving up hunting Dec. 1-10 in order to go afield Feb. 1-10.

That’s the key, said Steve Marshall, a Prattville hunter.

“Nobody is getting extra days, so that keeps the hunters outside the area from fighting it,” he said. “If you have access to hunt land in that zone, and you wind up having a few more days to hunt, then good for you.”

Even losing the 10 days in December isn't a big deal on the Stone place. They got serious about outfitting in 1992, Stone said. Even so, it's a small operation, cutting off at six hunters per group for the 3,200 or so acres on the family farm.

Hunters pay \$400 a day if they cook their own food and \$450 a day if the lodge supplies meals, with a three-day minimum to book the services.

"We haven't had much December hunting for the last several years," he said. "The hot time is January and the rut, so the extended season is perfect for us."

The wildlife division of the Alabama Department of Conservation and Natural Resources now is working on making recommendations about the extended season. Those recommendations will be forwarded to N. Gunter Guy Jr., the department's commissioner, Metzler said. The recommendations also will go to the Conservation Advisory Board, the group that makes suggestions to the commissioner relating to seasons and regulations.

Those recommendations will be made at the March 1 meeting of the advisory board in Montgomery, Metzler said. The board won't act on the recommendations then, he added. The soonest the board could take up the matter is the April 1 meeting.

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The lay of the land heading into 2014 Alabama House and Senate races

Yellowhammer News

February 10, 2014

2010 was a historic year in Alabama politics. 136 consecutive years of Democratic control in the Alabama legislature came to an end as Republicans won supermajorities in both the House and Senate. Since then, both Republicans and Democrats have started adapting to the new lay of the land, as have lobbyists, trade associations and other interest groups in Montgomery.

Former Rep. Seth Hammett, D-Andalusia, who was Speaker of the Alabama House from 1999-2010, needed to build a coalition to pass legislation. He would either get white Democrats and the Democratic Black Caucus to vote together to advance a bill, or he would get white Democrats and Republicans to team up. House Speaker Mike Hubbard, R-Auburn, has not had to do much coalition building because Republicans now have the numbers to pretty much pass whatever they want. Things have been slightly more fractured in the Senate on rare occasions, but it is difficult for Democrats to mount an effective defense in either chamber at this point.

Outside groups that have historically aligned with Democrats have even had to change their tune. For instance, as the Montgomery Advertiser's Bryan Lyman astutely noted over the weekend, the trial lawyers' association donated 94 percent of its money to Democrats during the 2010 election cycle (roughly \$2 million), but has completely changed course since then. Over 80 percent of their legislative contributions in 2013 and so far in 2014 went to Republicans.

But one historically left-leaning group in Montgomery that has not shifted at all is the Alabama Education Association (AEA). Rather than moderating its positions and trying to work with Republicans, the AEA has doubled down on backing Democrats. They are also working to play a larger role in GOP primaries by recruiting candidates to take on incumbent Republicans and to fill open seats. Some insiders expect the AEA to spend \$7-10 million in 2014 to dilute the GOP majorities.

The AEA has been fairly successful in Republican special elections since 2010, so they will try to build on that by targeting the open House and Senate seats this year. In addition to giving directly to candidates, they have also launched an affiliated group called Alabama Values Education. Expect them to run millions of dollars in ads under that banner this cycle as well.

AEA Logo

The AEA is basically on an island by itself — one of the last remaining remnants of a time to which most Alabamians do not want to return. However, in addition to its unmatched financial resources, the AEA also now has another advantage that Republicans used in their favor in 2010 — a “throw the bums out” atmosphere. The anti-incumbent sentiment of the current electorate is not necessarily aimed at the Alabama legislature, but is rather the result of the pent up frustration that voters across the country feel toward elected officials in general from both parties. The AEA is hoping to use that to their advantage, especially among Tea Party groups, whose ranks the AEA has maneuvered to infiltrate with political operatives.

On the Republican side of the aisle, the Business Council, Forestry Association, Farmers Federation, Realtors Association, Trial Lawyers Association, Trucking Association and 2014 PAC will be some of the key players. A similar coalition of groups, with the exception of the trial lawyers, helped usher in the Republican majority in 2010. PACs controlled by lobbying powerhouses like Fine Geddie & Associates, former Lt. Gov. Steve Windom, and Swatek Azbell Howe and Ross will also be significant sources of funds for incumbent legislators of both parties.

But as important as financial resources are to winning elections, grassroots organizations will also play a role in legislative races this year.

Groups like the Rainy Day Patriots and Wetumpka Tea Party have built up trust among conservative voters in certain areas of the state, and will have an opportunity to turn their influence into votes if they are able to organize themselves effectively. The Wetumpka Tea Party showed their ability to do exactly that by making their home county (Elmore) one of the only areas of the state to vote down Amendment 1 in 2012, which authorized the state to borrow \$437 million from the Alabama Trust Fund to prevent cuts to state services. Their founding president, Becky Gerritson, recently announced that she is moving to Texas, so it will be worth watching to see if that impacts their ability to organize.

Rainy Day Patriots Logo

2014 PAC, which is helmed by former Gov. Bob Riley, has also begun putting field operatives in some parts of the state to help organize at the grassroots level. In addition to vast financial resources, Republican candidates who ran for public office for the first time in 2010 were also given access to campaign consultants and field staffers who helped them run their campaigns. There will likely be some growing pains during this cycle as some first-term incumbent Republicans have to take on a much greater role in their own campaigns than they did in 2010.

Interestingly, the actual state parties probably won't play a very significant role in 2014 legislative races. The Democrats are in shambles, with no ability to raise money and poor candidates (see: Griffith, Parker). The ALGOP has also struggled to raise money over the last couple of years and has experienced a good bit turnover in some of their top political staff positions.

Here's the bottom line: everyone mentioned above will be fighting over a relatively small number of seats in the legislature. Most incumbents from both parties are in pretty good shape. There are 12 open seats in the House that the AEA will try to gain control of. But the Senate is what will really be worth watching. There are currently 23 Republicans in the Senate. It takes 21 senators to invoke cloture, which basically means Republicans can end debate and pass any bill they want, even if Democrats are filibustering. If the AEA could just carve off three seats they could destroy Republicans' filibuster-proof majority and grind the Senate to a halt.

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Once big backers of Democrats, trial lawyers now spending big on Republicans

Montgomery Advertiser

February 9, 2014

Brian Lyman

The Alabama Democratic Party and the state's trial lawyers once danced in time with one another, whether the beat was familiar, fussy or — in 2010 — frenzied.

That year, the Alabama Association for Justice (ALAJ) — once known as the Alabama Trial Lawyers' Association — pumped more than \$2 million into the state's legislative races, and 94 percent of it went to Democrats or Democratic-leaning PACs.

The party alone got more than \$700,000 from ALAJ's TRIAL PAC, which got more than \$1 million from executives at Montgomery-based Beasley Allen, one of the most prosperous law firms in the state. Jere Beasley, the founder of the firm and a former lieutenant governor, gave TRIAL PAC a single donation of \$134,600 on Sept. 20, 2010, exceeded only by shareholder Greg Allen, who gave the PAC \$155,000 that same day.

Just six Republican candidates received donations from the group, and the aggregate of giving to the GOP and its allies was less than \$80,000.

But the music changed that November, and the trial lawyers decided to get in step with a new partner.

From the beginning of 2013 through the end of January, more than 81 percent of TRIAL PAC's donations went to Republican candidates. In the current cycle, ALAJ has donated to 42 Republican campaigns and 13 Democratic ones.

While the Republican landslide of 2010 changed state government, few organizations changed their profile as much as the ALAJ, long regarded as a key component of the Democratic coalition. For its part, the group says it remains committed to protecting the rights of citizens to access to the courts, whichever party is in power.

“Protection of the Seventh Amendment of the U.S. Constitution and a right to trial by jury knows no party,” Ginger Avery, the executive director of the ALAJ, said in a statement Friday. “The Alabama Association for Justice supports candidates who stand up for justice and constitutional rights.”

Despite the tilt of its funding, past and present, the group insists it has always been nonpartisan. At the same time, said Gibson Vance, a past president of the ALAJ and Beasley Allen shareholder, the organization needs to advance its goals.

“The political reality is you want as many friends as you can in the Legislature,” he said. “But the folks you need to have a good relationship with are the ones with the power, the ones in charge.”

The ones in charge give the ALAJ high marks.

“They’ve done a good job adapting,” said Sen. Cam Ward, R-Alabaster, the chairman of the Senate Judiciary committee. “They don’t get the wins they used to get. It used to be automatic. They won every time. Now they have to work on every single bill that comes up.”

Bill Armistead, chairman of the Alabama Republican Party, said he was “encouraged” that the GOP and the trial lawyers aren’t duking it out.

“The giving follows the fact you can work together,” he said. “The giving follows the working together. If we were battling each other, I’d say they’d be finding Democratic candidates to run against us, but the fact is we don’t have many Democratic candidates opposing Republican candidates.”

‘We never give up’

For Democrats looking to revitalize their party, the shift will make it that much more difficult to dig out of the 2010 landslide. Nancy Worley, the chairwoman of the Alabama Democratic Party, said Democrats were a more natural fit for the group than Republicans, who have long prioritized tort reform.

“We never give up on a group or a person,” she said. “Certainly, they’ve been supportive of us through the years, and vice versa.”

Mark Kennedy, a former chairman of the Alabama Democratic Party who served on the Alabama Supreme Court, said the shift was obvious during his tenure, which began shortly after the 2010 elections.

“I don’t know if that’s a philosophical shift as to what trial lawyers believe, or political expediency,” said Kennedy, who now heads Alabama Democratic Majority. “Obviously, trial lawyers, as all lawyers do, live and die by statutes created by the Legislature and interpreted by the courts.”

Vance said his firm was “not as much interested as to which party is in power,” and felt the trial lawyers’ affiliation with Democrats was more about habit.

“I think you saw decades of one party being in charge, and the relationships at that time were more with that party,” he said. “When it flipped, it allowed us to reassess where we were politically as an organization. We made a decision we wanted to be identified less as a partisan group.”

Avery echoed those sentiments in her statement.

“As an organization, we are not beholden to a party, but instead we are beholden to the issue of ensuring people have the right to seek justice in a courtroom,” the statement said. “Many Republicans have proven that they are willing to protect the Seventh Amendment right to a trial by jury.”

Lower profiles

ALAJ kept a notably low profile during the 2012 campaign for Alabama Chief Justice; in fact, its campaign records show its limited donations that year all went to Republicans, and none to the judicial race. Jere Beasley had been an enthusiastic supporter of Democrat Sue Bell Cobb in her race for Chief Justice in 2006, but told the Advertiser in 2012 he had no plans to get involved in the campaigns of Republican Roy Moore or Democrat Robert Vance.

“Lawyers don’t need to be participating in judicial elections,” he said. “Neither do corporations. In my opinion, it’s time to change.”

Beasley Allen and other major contributors to ALAJ in 2010 have, to this point, sat on their wallets. Through Jan. 31, Beasley Allen’s executives gave just \$32,000 to the organization, and had not donated anything since May 30 of last year. The firm has given \$14,000 directly to eight Senate candidates — six Republicans and two Democrats.

Gibson Vance said last week the firm is still measuring the election, and would “continue to donate in a major way” to ALAJ.

“Every cycle is different and every cycle has a life of its own,” he said. “We feel we will be substantially involved. Less or more? It’s hard to say at this point.”

Mobile-based Cunningham Bounds, whose members gave at least \$453,000 to ALAJ in 2010, have sent TRIAL PAC just \$5,000 in the current cycle. Hare Wynn Newell & Newton, based in Birmingham, gave over \$347,000 to TRIAL PAC in 2010, but \$15,000 through January. Attempts to reach both firms last week were unsuccessful.

Both Vance and Sen. Ward — one of two Republicans to receive trial lawyer money in both 2010 and 2014 — said a turning point came in 2011, when the GOP pushed through a tort reform package in the Legislature. The group decided to sit down with lawmakers and community business representatives, and negotiate.

“I think that was a wake-up call,” Ward said. “They realized, ‘Look, there’s going to be some changes. There’s a change in leadership here, and it’s probably going to be best to work with the leadership, or you’re going to become irrelevant.’”

Vance said the organization had to give way on some issues, such as interest on post-judgment cases, but that they were able to get outcomes that, at the very least, they could live with.

“The key leadership has asked the sides to sit down and compromise on issues, rather than have blood baths,” he said. “It’s better for the Legislature.”

Ward, however, said Republicans still carry “a lot of bills they don’t like,” such as one Ward sponsored last year imposing a time limit on lawsuits against airplane manufacturers.

“It’s much less confrontational than some other groups,” he said. “If they don’t like a bill, they’ll come and say ‘Look we don’t like this bill.’ We’ll say ‘Look, we can’t help you, but maybe we can work together.’”

For his part, Vance thinks Republicans have reached the political limits of tort reform.

“There’s so many other issues in the state, that the average voter does not care about tort reform, and I think the legislators have realized that,” he said. “It’s not an issue for their constituents.”

Despite that new relationship, and the movement of funds, Worley said it was “too early” in the cycle to count out their support.

“Many organizations want to be on whichever side is in power at the moment,” she said. “If the Republicans are in power at the moment, they shift that way. If they Democrats come back in power, they’ll shift to the Democrats.”

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EDITORIAL: Obamacare job losses fit the bill

Tuscaloosa News

February 6, 2014

News this week that the Patient Protection and Affordable Care Act, also known as Obamacare, will cost the economy millions of jobs by 2021 shouldn’t come as a surprise. Little good has come from this piece of legislation yet, and we expect little good will ever come from it.

The Congressional Budget Office announced Tuesday that workers leaving their jobs and reducing their hours in order to stay eligible for federal subsidies will equal the loss of 2.3

million jobs by 2021. After creating a myriad of other problems, Obamacare now has the distinction of creating a disincentive to work.

The Obama administration tried to dress this pig up with lipstick by claiming nobody's losing their job if they don't want to. They'll just be retiring and reducing their hours voluntarily. Yeah, and you can keep your policy if you like it, "period."

The ACA has been an unmitigated disaster since its passage. It was so unpopular with the public that voters booted the Democrats out of control of the House of Representatives in 2010 for enacting it. The government website people were supposed to use to buy insurance bogged down and crashed.

About the only people taking advantage of the law's provisions to buy insurance are those who lost the health insurance policies they were largely happy with. And when they buy new policies they get less of what they need, more of what they don't need and pay more for their policies. In the long run, hard-working people who have responsibly taken care of their health care needs are being penalized and asked to subsidize premiums for people who can't afford insurance.

When can we just say, "enough?" Judging from the federal government's past actions, probably never. It has a long history of refusing to give up on failed policies and digging deeper and deeper holes.

President Barack Obama is deeply invested in the ACA. It's the crowning achievement of his administration. All we can say is that if this is the president's signature accomplishment, we wish him well with the history books.

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Attorney General Luther Strange appoints new solicitor general for Alabama

Al.com

February 10, 2014

Kelsey Stein

MONTGOMERY, Alabama – Attorney General Luther Strange has appointed a new state solicitor general after the man previously in the position returned to private practice.

Andrew Lynn Brasher, who has served as deputy solicitor general since 2011, was chosen as solicitor general. John Neiman previously held the position.

As solicitor general, Brasher supervises the state's handling of appellate litigation in both state and federal courts and advises the attorney general on legal and policy issues.

"I am delighted that Andrew has agreed to continue serving the people of Alabama as our solicitor general," Strange said. "He is an outstanding legal scholar who conducts himself with utmost integrity and dedication to the rule of law. He comes to this office with a distinguished background of excellence in legal and public service and we are fortunate to have him with us."

Brasher received a degree in international relations from Samford University in 2002 and graduated from Harvard Law School in 2006. He was an editor of the Harvard Law Review and received the Victor Brudney prize for the best paper on corporate law.

Before joining the attorney general's office in 2011, Brasher was an attorney at Bradley Arant Boult Cummings in Birmingham and a law clerk to Judge William H. Pryor Jr. In 2011, Brasher was recognized as an Alabama SuperLawyers Rising Star.

In a news release, Strange also thanked Neiman for his dedicated service as Alabama's solicitor general for the past three years.

"The Office of Attorney General has benefitted from his wise counsel and skilled guidance through the appellate process and in numerous other matters," Strange said. "I am grateful for his service."

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Democratic Rep. Charles Newton switches to GOP

The Associated Press

February 7, 2014

GREENVILLE, Ala. (AP) - State Rep. Charles Newton of Greenville is switching to the Republican Party.

Newton announced the move Friday.

Newton issued a statement saying he believes the switch from the Democratic Party will allow him to best serve his constituents. His district includes Butler, Crenshaw and Conecuh counties.

He has served in the House of Representatives as a Democrat since 1989. Newton is a member of the House Ways and Means-General Fund Committee and is a former member of the Greenville City Council.

House Minority Leader Craig Ford, D-Gadsden, says he believes Democrats can win back the District 90 seat in this year's legislative elections.

Newton's brother, Bill Newton, is the acting state finance director in Republican Gov. Robert Bentley's administration.

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Former Congressman Griffith to run for governor as Democrat

The Associated Press

February 7, 2014

MONTGOMERY (AP) — Former U.S. Rep. Parker Griffith of Huntsville is running for governor as a Democrat.

Griffith turned in his qualifying papers at state party headquarters in Montgomery shortly before the deadline today.

Griffith served as a Democrat in the Alabama Senate and then was elected to Congress to represent part of north Alabama.

After his election he switched to the Republican Party and lost a GOP primary bid to Mo Brooks, who now represents the 5th District.

Griffith recently rejoined the Democratic Party.

Businessman and former minor league baseball player Kevin Bass of Fayette previously announced he's seeking the Democratic nomination for governor.

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Beason to run for Alabama congressional seat

The Associated Press

February 7, 2014

MONTGOMERY, Ala. (AP) — State Sen. Scott Beason is making another run for Alabama's 6th District congressional seat, adding a high-profile tea party name to a large GOP field.

Beason announced his campaign Friday, the final day to file qualifying papers.

So far seven Republicans are contending for the seat being vacated by U.S. Rep. Spencer Bachus.

Beason was behind Alabama's sweeping immigration bill, considered the toughest in the nation before it was largely gutted by the courts.

He was also the sponsor of Alabama gun legislation last year. The bill pitted the National Rifle Association against business groups over the issue of guns in workplace parking lots.

Beason lost a primary bid to Bachus in 2012. Beason announced last month that he is leaving the Alabama Legislature when his term ends.

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Eric Holder set to extend recognition of same-sex marriage rights to all states

The Associated Press

February 8, 2014

WASHINGTON (AP) -- In an assertion of same-sex marriage rights, Attorney General Eric Holder is applying a landmark Supreme Court ruling to the Justice Department, announcing Saturday that same-sex spouses cannot be compelled to testify against each other, should be eligible to file for bankruptcy jointly and are entitled to the same rights and privileges as federal prison inmates in opposite-sex marriages.

The Justice Department runs a number of benefits programs, and Holder says same-sex couples will qualify for them. They include the September 11th Victim Compensation Fund and benefits to surviving spouses of public safety officers who suffer catastrophic or fatal injuries in the line of duty.

"In every courthouse, in every proceeding and in every place where a member of the Department of Justice stands on behalf of the United States, they will strive to ensure that same-sex marriages receive the same privileges, protections and rights as opposite-sex marriages under federal law," Holder said in prepared remarks to the Human Rights Campaign in New York. The advocacy group works on behalf of lesbian, gay, bisexual and transgender equal rights.

Just as in the civil rights struggles of the 1960s, the stakes in the current generation over same-sex marriage rights "could not be higher," said Holder.

"The Justice Department's role in confronting discrimination must be as aggressive today as it was in Robert Kennedy's time," Holder said of the attorney general who played a leadership role in advancing civil rights.

On Monday, the Justice Department will issue a policy memo to its employees instructing them to give lawful same-sex marriages full and equal recognition, to the greatest extent possible under the law.

Holder's address is the latest application of a Supreme Court ruling that struck down a provision in the Defense of Marriage Act defining marriage as the union of one man and one woman. The decision applies to legally married same-sex couples seeking federal benefits.

After the Supreme Court decision last June, the Treasury Department and the IRS said that all legally married gay couples may file joint federal tax returns, even if they reside in states that do not recognize same-sex marriages. The Defense Department said it would grant military spousal benefits to same-sex couples. The Health and Human Services Department said the Defense of Marriage Act is no longer a bar to states recognizing same-sex marriages under state Medicaid and Children's Health Insurance Programs. The U.S. Office of Personnel Management said it is now able to extend benefits to legally married same-sex spouses of federal employees and annuitants.

Holder told his audience:

--The Justice Department will recognize that same-sex spouses of individuals involved in civil and criminal cases should have the same legal rights as all other married couples, including the right to decline to give testimony that might violate the marital privilege. Under this policy, even

in states where same-sex marriages are not recognized, the federal government will not use state views as a basis to object to someone in a same-sex marriage from invoking this right.

--The U.S. Trustee Program will take the position that same-sex married couples should be eligible to file for bankruptcy jointly and that domestic support obligations should include debts such as alimony owed to a former same-sex spouse.

-- Federal prisoners in same-sex marriages will be entitled to visitation by a spouse, inmate furloughs during a crisis involving a spouse, escorted trips to attend a spouse's funeral, correspondence with a spouse and compassionate release or reduction in sentence based on an inmate's spouse being incapacitated.