

February 2013 Edition



LEAGUE OF WOMEN VOTERS® www.lwv.org

# The VOTER



League of Women Voters of Greater Birmingham  
http://www.lwvgb.org

## February Meeting – Student Achievement in Our Metro Area Schools

By Trish Powell Crain

The Public Affairs Research Council of Alabama (PARCA) will share information with our League about multiple indicators of school district success, including the level of student achievement across our metro area.

PARCA has devised a unique color-coded method to allow citizens to interpret how vari-

ous student populations are performing on the Alabama Reading and Mathematics Test (ARMT), the required standardized test for Alabama's third through eighth graders. PARCA also analyzes information on school district spending and the breakdown of revenue sources.

Please join us on February 28 at 6:00 p.m. at Samford University for this insightful overview of the Greater Birmingham area's multiple school systems. Invite your friends!

The public is welcome! Please check our web site for final details, and be sure to like our facebook page for notices of all the League's events.

### Special points of interest:

- \* February 5—2013 Alabama Legislative Session begins
- \* February 14—League of Women Voters 93rd Birthday
- \* February 27—Alabama v Holder Voting Rights Hearing, US Supreme Court
- \* February 28—Membership Meeting at Samford, 6pm

### Inside this issue:

February Membership Meeting & January Meeting Review	1
2013 Alabama Legislative Session	2
CASE	2
League's 93rd Birthday	3
Women's Summit	4
Constitutional Reform & Transportation Updates	5
Alabama PSC	6
2013—No Rest	7
Dr. Grady Nunn	8

## January Meeting Review

By Cyronدى Jackson Springer

January's monthly membership meeting featured Birmingham-Jefferson Transit Authority Executive Director Ann August. August shared her 30 years of professional transportation experience with attendees, as well as projections for the upcoming year at the BJCTA. Details were given about 30 new buses hitting the streets of Birmingham in September. August told the group she and a team traveled to North Dakota in January to provide input on a prototype that addresses the needs of metro Birmingham riders. The first of the new fleet will roll out in June, August said.

August also said that after arriving to Birmingham, she began working with her staff and the community to improve transportation needs and efficiency. Her work has led her to identify a scheduling problem

within the system. August reached out to a peer in Philadelphia, with 30 years experience as a Scheduling Director. The colleague agreed to travel to Birmingham for a "Peer-to-Peer" meeting the first week of February. The visit will be at no cost to BJCTA. August says she believes in relationships, and developing those relationships. She says she is already meeting with riders, community groups, civic leaders and elected officials to listen to their perspective. August said she plans to enhance the customer service improvements already underway at BJCTA, by working with the Director of Customer Service, Adrian Solomon, and the public. Riders shared their accolades and criticisms with August during the meeting, expressing frustrations about route information, delays, and schedules. August

said that a new phone system is expected to be installed in February that might improve communications. August says she wants to continue hearing from the community and all stakeholders, on ways to develop the Birmingham-Jefferson system, and encourages groups such as the League of Women Voters of Greater Birmingham to actively participate in the discussion.

August is settling into her new role and new home just blocks away from Central Station.

She is also looking forward to getting to know her fellow League members.

Photos from the meeting are available at <http://www.flickr.com/photos/lwvgb/sets/72157632700765294/>.

## The 2013 Alabama Legislative Session - How to follow it and how to take action

### Convening Tuesday February 5

By *Jean Johnson*

During the session, the League of Women Voters will keep citizens informed about the Alabama Legislature's activities regarding issues of importance to the League through this Legislative Report. For each bill, the LWVAL Legislative Report includes bill sponsors, bill summary, complete bill text, current status of the legislation, LWVAL's position on the legislation, and LWVAL's action. See the 2013 LWVAL Legislative Priorities at: <http://www.lwval.org/takeaction/legpriorities2013/>

These are the issues on which the LWVAL Action Team will be focused during the 2013 Regular Session and any subsequent special sessions.

Would you like to follow and take action on other legislation of importance to you? You can follow bills and take action at the most critical times by researching on the Alabama Legislative Information System Online (ALISON). This is an online information

system developed so that the legislators can keep up with the hundreds of bills introduced each legislative session. It is open to the public. Explore ALISON at: <http://ali-sondb.legislature.state.al.us/acas/ACASLoginFire.asp>

Read this brief but informative League guide to ALISON to help you understand and effectively use this important legislative resource: [http://www.lwval.org/ALISON\\_guide\\_for\\_citizens.html](http://www.lwval.org/ALISON_guide_for_citizens.html)

The League of Women Voters invites you to follow issues throughout the legislative session and act immediately when a League call to action is issued. Thank you!




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Helen Rivas and Catrena Carter, former LWVGB members, have recently rejoined. Welcome back!

Ann Dawson-August, former member of the Sumtner County, SC LWV and the new Executive Director of the Birmingham-Jefferson County Transit Authority, has joined.

LWVGB welcomes Patrick O'Donnell as a new member.

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## Coalition of Alabama Students for the Environment (CASE)

By *Joyce Lanning*

CASE is a network of students from across the state of Alabama working towards positive solutions to environmental justice and natural resource conservation issues. Eight colleges and universities are currently included in the network and CASE is working on two primary initiatives. To learn more about CASE and their activities, see their [Facebook page](#).

**The Sustainable Investment campaign** at the University of Alabama, UAB, UAH, and Auburn seeks to

raise a combined \$1 million for campus sustainability through small student fees and university investment. Such a 'green fund' is working well at the University of Montevallo and students would like to see similar success on other campuses.

**CASE leaders are proposing legislation** "to create an avenue through which economic, public health, and environmental interests can find common ground on a highly controversial issue for the benefit of Walker County

and Birmingham communities, and the state at large"

Their legislative proposal would create "an economic, science-based study commission to research the positive and negative implications of strip coal mining within the Black Warrior River watershed as it relates to the future of economic activity and quality of water supplies in the Birmingham area. The legislation has been initiated by Rep. Juandalyne Givan (D-Jefferson) and is co-

*(Continued on page 4)*

## Honor Your Valentine on the League's 93<sup>rd</sup> Birthday

By Jean Johnson

On Valentine's Day, 1920, the League of Women Voters, "a mighty political experiment," was founded in Chicago. It would be another six months before the 19<sup>th</sup> amendment would be ratified, but the leaders of this organization knew that suffrage for women was coming. Although some states had already given women the right to vote, they wanted all to be well-informed voters and active participants in making democracy work. The League of Women Voters (and that

includes men) is still going strong 93 years later!

### Great Valentine's gift idea!

This Valentine's Day, honor a special person in your life with a gift to our Education Fund in celebration of the League's 93rd Birthday. This is a great Valentine's gift idea for your mother, wife, sister or niece. And don't forget the men in your life, either! You know they don't need another box of candy. We'll even send the card!

**Honor someone special today and help the League of Women Voters of Greater Birmingham continue to educate our citizens and make our community strong! It's so easy! You can do it with just a few clicks online. Go to:**

[www.lwvgb.org/about/page63/page63.html](http://www.lwvgb.org/about/page63/page63.html)

**Thank you and have a wonderful Valentine's / League of Women Voters Day!**

### Health Care Study

The Health Care Study is set to get underway. The 2013 Health Care in Alabama: Facts and Issues will be available online shortly and Facts & Issues: Health Care in Alabama is available now at <http://lwval.org/learn-vote/health-care/>.

Each local League has been given three printed copies. Consensus questions will be available sometime this summer and the current plan is for consensus responses to be due November 30, 2013. The topic is a very timely one for Alabama. Part One is entitled "Recurring Issues in Health Care that Impact Public Policy" and Part Two is "Challenges and Opportunities for the Nursing Profession".



LWV 1920: Seated: (left) Miss Dortch of Tennessee, 1st Director from 3rd region who resigned during year (right) Mrs. Richard Edwards. Standing: (left to right) Miss Mary McDowell of Chicago, Miss Adah Bush of Indiana Mrs. Patty Ruffner Jacobs, Mrs. Maud Wood Park, Mrs. Simmons of Portland, Oregon, 1st Director of 7th Region, Mrs. James Paige of Minneapolis NOTE: Patty Rufner Jacobs was the first Secretary of the national LWV and was from Birmingham, AL. Read more about her here: [http://en.wikipedia.org/wiki/Patti\\_Ruffner\\_Jacobs](http://en.wikipedia.org/wiki/Patti_Ruffner_Jacobs)

## CASE (continued from Page 2)

sponsored by Rep. Patricia Todd (D-Jefferson), and Rep. Christopher John England (D-Tuscaloosa)."

These young Alabama leaders are working to shape what they see as a more sustainable system for their future and are undoubtedly learning a lot in the process.

The LWVAL advocacy committee has set priorities for 2013 and will review their bill when

it is introduced.



## Inaugural Women's Summit on Government Leadership

*By Trish Powell Crain*

On Saturday, January 19, the Inaugural Women's Summit on Government Leadership was held at the University of Alabama at Birmingham's Heritage Hall. Nearly 70 people attended. The summit was held to announce the launch of The 2014 Project Alabama. According to [its web site](#), The 2014 Project Alabama is a statewide, non-partisan campaign to increase the number of women in the United States Congress and Alabama Legislative Districts and Executive Branch in 2014. The 2014 Project Alabama relies on a three-pronged strategy:

- Direct outreach to executive-level, accomplished women in the private and public sectors who have not previously considered running for office. Outreach to women of color is a priority.
- Mobilization statewide to carry out the mission of The 2014 Project Alabama in locations where opportunities for women to run are greatest.
- Launch of a large-scale public education campaign to raise awareness about the lack of women in elected office and the unique opportunities of the 2014 election.

At this time, The Project is seeking women who are interested in running for an elected office in the 2014 elections. A "Ready to Run" training session will be held in the spring for women who are serious about preparing to run in 2014. [More information can be found at this link](#). The League of Women Voters supports a fully representative government, and based on the numbers of women who hold elected state offices in Alabama and federal elected positions representing Alabama, the percentage of women holding office does not reflect the percentage of women in the state. In fact, Rutgers Center for American Women and Politics (CAWP) ranks Alabama at 47<sup>th</sup> in the country for the proportion of women elected to state legislature positions, with 13.6% of state positions currently being held by women.

Colorado is ranked 1<sup>st</sup> in the country, with 41% of its total 100 state legislative positions held by women.

For a complete look at the history of women elected in Alabama, [visit this page on CAWP's web site](#). Here's [an article from 2010 when the](#)

[number of women in the legislature reached 19 for the first time](#).

Jean Sinzduk, CAWP's Director of the Program for Women Public Officials, spoke passionately about the barriers that women face when considering running for office. Women often juggle generational issues (children and aging parents) and are reluctant to take that step due to time constraints. Sinzduk reminded everyone that if more women ran for office, more women might be elected, but there are not enough women presently seeking state- and federal-level elected positions. The 2014 Project Alabama is seeking participation from women who are willing to not only run for office, but also to start the conversation to inspire more women to run for office. Please contact them directly for more information. Their web address is: [www.the2014projectal.org](http://www.the2014projectal.org).

### Senate Reaches Agreement on Filibuster Reform

WASHINGTON, DC – Today, Senate leadership reached agreement on filibuster reform.

**"The League believes the agreement is a modest but important step. It falls short, however, of what is needed to truly solve the procedural problems facing the Senate. We are encouraged that our leaders in Washington are focused on getting work done this term. We will be monitoring the implementation of this agreement; its effectiveness will be judged by how well it actually works in practice."**

**Statement by Elisabeth MacNamara, President of the League of Women Voters of the United States**

Elected Body	Total Elected Positions	Positions Held By Women
U.S. Senate	2	0
U.S. House of Representatives	7	2
State Senate	35	5
State House of Representatives	105	14

## Constitutional Reform Update

By Nancy Ekberg

The Constitutional Reform Commission has brought forth many recommendations for the full Commission to consider and approve for legislation in 2013.

Here is a very brief description of the recommendations that will be of interest to the general public:

*Maintain current requirement that Senators be at least 25 years of age and Representatives be at least 21.*

*Maintain the current 105 calendar days of the general session.*

*No recommendation to have term limits*

*Legislative pay to coincide with recently passed constitutional amendment that ties pay to median household income in Alabama.*

*Simplify the reading of bills to three days instead of four and eliminate (unpracticed requirement) that bills be read in their entirety.*

*Keep introduction of revenue bills in the House*

*Delete the budget isolation resolution that requires any bill that affects revenue, offered before both budgets have passed, will require a super majority before the bill can be offered.*

*Keep the need for bills to embrace only one subject*

*Allow the State to engage in economic development without requiring a constitutional amendment in order to do so*

*Keep the need to advertise local laws*

*Allow local laws to be amended once they have been introduced even though they have been advertised.*

*Maintain the list of 21 categories of items on which the legislature shall not pass local laws*

*Prevent one legislator's "no" vote on a county's constitutional amendment from sending it to a statewide vote. Recommend that it will take more legislators voting "no" to send a county's constitutional amendment statewide.*

*Prevent legislators from passing laws that affect budgets of counties without the approval of those counties' commissioners.*

*Keep provision that counties shall provide for maintenance of the poor.*

*Defer the selection of school boards to the Commission's review of the Education Article in 2013.*

*Provide some governance for*

*counties:*

*One proposal for allowing limited county governance would allow counties to enact laws needed for their constituents when the legislature is not in session since they cannot ask for legislation when the legislature is not in session. But when the legislature returns to session the following year, the legislators may rescind the counties' laws with which they do not agree.*

*Another proposal for limited county governance would allow governance to all counties to preserve the health, promote the prosperity, plan for the use of land, order and improve the comfort and convenience of the inhabitants of a county but not impair the exercise of authority of any municipality within a county and shall not apply to the levy of or collection of taxes or fees of the citizens in any county.*

All proposals are listed in full at [www.ali.state.al.us](http://www.ali.state.al.us) Also at that site, are minutes of meetings and official transcripts of the Commission meetings. The funding for these transcripts are being provided by ACCR Inc.

**2013 State Convention will be held on April 27, 2013 in Tuscaloosa. Stay tuned for more information.**

## Transportation Update

By Nancy Ekberg

In the publication *Governing*, the question is asked if 2013 will be the year of new transportation funding.

Several states are trying to find a way to fund infrastructure since they know the federal government is not likely to increase funding.

Of course, we in Alabama have to recognize that almost all other states include public transit when they plan transportation funding.

Several have experimented with public/private partnerships.

Fourteen states haven't raised gas taxes in 20 years, and that includes Alabama.

Here are some of the plans in other states:

\* Pennsylvania is considering a plan to remove the cap on the taxes that gas stations pay.

\* Minnesota released a report advocating higher gas taxes, vehicle fees and local sales taxes.

\* Texas is discussing new revenue options such as dedicating vehicle sales taxes. (You may recall that Rep. Patricia Todd has recommended raising the sales tax on vehicles from the current 2% to 4% with the additional 2% dedicated to public trans-

*(Continued on page 6)*

## Alabama Public Service Commission (PSC)

By Joyce Lanning

The Alabama Public Service Commission has the job of being sure that our monopoly investor-owned utilities receive a fair return on investment for their shareholders, and that their customers aren't overcharged in the process. For the past 3 decades, without a formal review, our two largest utilities, Alabama Gas Company and Alabama Power, have been allowed a return on equity (ROE) of between 13.0-14.5%. In the meantime, for example, while Alabama Power's allowed rate is now 13.32%, the average for other investor-owned electric utilities has declined from 12.62% in 1990 to an average of 10.18% in 2012 - a difference of about 30%. In other words, Alabama Power's investors earning at a higher rate than similar companies in other states, and there has been no formal review in 30 years to see if that rate needs adjusting.

This information and stories by Ben Raines, al.com reporter, about higher gas prices in Alabama than either of our neighboring states, may have been what prompted Commissioner Terry Dunn on December 15, 2012 to announce that he would make a motion for formal review of the regulated natural gas and electric utilities' guaranteed ROE range at the January PSC meeting. Alabama Environmental Council had made a similar recommendation on December 11 at an informal hearing

about Alabama Power's environmental compliance and rates. To read more about this, go to <http://www.montgomeryadvertiser.com/article/20130106/OPINION/301040027/Alabama-Voices-Push-back-against-PSC-review-utilities-unjustified>.

Commission President Twinkle Cavanaugh's reaction was to attack 'environmental extremists' for wanting to hijack the process (see [Environmental Extremists Push for Formal Hearings to Kill Coal Jobs and Increase Utility Rates](http://www.environmental-extremists.com/Environmental-Extremists-Push-for-Formal-Hearings-to-Kill-Coal-Jobs-and-Increase-Utility-Rates) and [Environmental Extremists Threaten Alabama's Economy and Ability to Compete](http://www.environmental-extremists.com/Environmental-Extremists-Threaten-Alabama's-Economy-and-Ability-to-Compete)).

A flurry of stories in al.com, Montgomery Advertiser and other papers ensued. Many of those are available as links on Commissioner Dunn's website at <http://www.psc.alabama.gov/Dunn/news.htm>, including Commissioner Dunn's response, "[Alabama Voices: 'Push back' against PSC review of utilities unjustified](http://www.psc.alabama.gov/jwplayer/JanPSCmtg.htm)" and [PSC chief Twinkle Cavanaugh wants to block formal rate review to "exclude the environmentalists"](http://www.psc.alabama.gov/jwplayer/JanPSCmtg.htm) by John Archibald.

Differences centered around the appropriateness of informal vs. formal hearings, the ulterior motives of "environmental extremists", and whether or not the PSC was doing its job to protect consumers.

LWVAL President Kathryn Byrd wrote an open letter to the Commissioners calling for transparency, accessibility and public participation in decisions affecting our energy future by allowing formal hearings. The letter was sent to the press and the Commissioners and was mentioned in stories about the PSC meeting. (See [www.lwval.org](http://www.lwval.org) and follow the links or go to [http://www.lwval.org/press-releases/2013/LWVAL\\_open\\_letter\\_PSC.1.4.13.pdf](http://www.lwval.org/press-releases/2013/LWVAL_open_letter_PSC.1.4.13.pdf))

At the January 10<sup>th</sup> PSC meeting, before Dunn was allowed to speak, the other two Commissioners, President Cavanaugh and Jeremy Oden, spent some time discussing informal and formal hearings and stressed that the public is best served with a less cumbersome informal review. Commissioner Cavanaugh asked the utilities to promise to keep rates stable in 2014. A video of that PSC meeting is available at <http://www.psc.alabama.gov/jwplayer/JanPSCmtg.htm>.

Formal hearings are more like a court case, with the ability to see and question on the record evidence presented by any party, but can be more cumbersome and costly. Informal hearings are open to all to air their views, but no records are kept, evidence is not verified, and Dunn suggests that as a result any decisions made by the Commission would likely have no

*(Continued on page 7)*



**The most perfect political community is one in which the middle class is in control, and outnumbers both of the other classes.**

~ Aristotle

## Transportation Update (continued from page 5)

sit. )

\*Wisconsin may pursue tolling on some roads. (Alabama does have some tolls and it was recommended as an option for Highway 280. Perhaps the tolls could be used for transit as well as for use of a road.)

\* Wyoming has proposed increasing gas taxes and vehicle registration fees.

There is news for those who have followed United We Ride (UWR), a DOT funded pilot program used in Alabama in Lee and Russell counties. DOT has cancelled UWR and a new program will instead

focus on mobility manager systems but the details are not yet available.

Also of note, is that the Alabama Transit Coalition, an association of organizations (including the League) dedicated to public transit has changed. It has not been meeting monthly of late, and

focuses on networking and information sharing instead.

Finally, a group of writers in the Birmingham area are compiling research in order to eventually write a book about the history of transit in Birmingham (or the lack thereof). The book will be called [Transit Trail of Tears](#).

## PSC (continued from Page 6)

standing if challenged in court by one or more of the parties.

When Commissioner Dunn was allowed to present his motion, which would have authorized "individual, comprehensive and formal reviews of the ranges of return on equity", not the actual rates, it died for lack of a second.

Since that meeting, al.com published a price comparison on electricity - "Despite cheaper production costs, Alabama Power bills higher than Georgia Power" <http://>

[blog.al.com/live/2013/01/de-spite-cheaper-production-costs.html](http://blog.al.com/live/2013/01/de-spite-cheaper-production-costs.html). "Alabama Power responds to al.com article on rates comparison" appeared several days later at <http://blog.al.com/press-register-commentary/2013/01/alabama-power-responds-to-al-co.html>

The first informal hearing for Mobile Gas, held January 30, 2013 was only to outline procedures for the remaining three. Meetings will be held at the PSC offices in Montgomery at 10 AM February 21 and

March 13, 2013, with a fourth meeting to be scheduled for April. They are open to the public, a first for this type of informal PSC hearing.

LWVAL decided not to respond publicly to the continuing controversy, and is working on the first installment of a Facts & Issues document on energy, with a workshop on energy to be held at the State Convention in Tuscaloosa on Saturday, April 27, 2013.

## 2013—No Rest for the Weary

*From LWV Website*

Voting rights have been under attack in state legislatures across the country for more than a decade and there are no signs of it letting up in 2013. **Indeed 2013 could be a year that sets back voting rights more than all of the attacks of the past decade combined.**

According to the National Conference of State Legislatures since 2001, nearly 1,000 voter ID bills have been introduced in a total of 46 states. Twenty-four states have passed major legislation during the period 2003-2012. 2013 has already seen photo ID legislation introduced or soon to be introduced in Alaska, Montana, New York, Virginia, North Carolina, Missouri and Wisconsin. The make-up of each state government will ultimately determine the outcome of these bills.

In some states, like New York and Montana, it may be possible to stop or lessen the impact of some of these bills, in other states like Alaska, North Carolina, Wisconsin and Missouri, which have fended off photo ID bills for multiple years, proposed legislation is

more likely be passed due to changes in the make-up of their state government following the 2012 elections.

While there is plenty of action happening at the state level to limit voting rights, perhaps the greatest threat to voting rights in a generation will occur at the national level when the U.S. Supreme Court hears two important voting rights cases this year.

**Shelby County, Alabama v. Holder** – This case will determine if Sections 4(b) and 5 of the Voting Rights Act are unconstitutional. If the Court sides with Shelby County it would gut the enforcement mechanism of the Voting Rights Act and weaken it beyond repair. This case will be heard on February 27, 2013. Click [here for updated information](#).

**Arizona v. The Inter Tribal Council of Arizona, Inc.** – This case will determine if the National Voter Registration Act (NVRA) can stop Arizona from requiring documentary proof of citizenship when registering to vote. If the Court sides with Arizona, states would be allowed to

require onerous documentation beyond that required by the NVRA in order to register to vote in their state. This case will be heard on March 18, 2013. Click [here for updated information](#).

The outcome of these cases will determine what laws are at our, voting rights advocates, disposal to protect the right to vote in this country. Besides these two cases before the U.S. Supreme Court we continue our legal battles in state courts in Pennsylvania and Wisconsin and in Federal Court in Texas and Florida. And after all of this, voter photo ID is not the only threat to voting rights. We'll also be working to defeat attacks to decrease early voting days, illegally purge voting rolls, and make it more difficult to register to vote.

**Indeed, we have a great deal of work to do - there is no rest for the weary.**

"A woman is like a tea bag; you never know how strong it is until it's in hot water."

~ Eleanor  
Roosevelt



## League of Women Voters of Greater Birmingham

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*Making Democracy Work!*

### League of Women Voters Mission Statement

The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

### League of Women Voters Education Fund Mission Statement

The League of Women Voters Education Fund works to encourage the active and informed participation of citizens in government and to increase understanding of major public policy issues.



## In Memory of Dr. Grady Nunn

*A Friend of the League*

Dr. Grady H. Nunn, PhD, passed away on Oct. 14, 2012 in Irondale. Dr. Nunn was an extraordinary political scientist and a long time friend of the League.

Dr. Nunn was the first man allowed membership in the LWVGB, and he maintained his membership until his passing at age 94.

From his obituary [al.com](http://obits.al.com), he "taught International Politics at the University of AL, Tuscaloosa, 1949-65." Dr. Nunn "inaugurated and served as the first

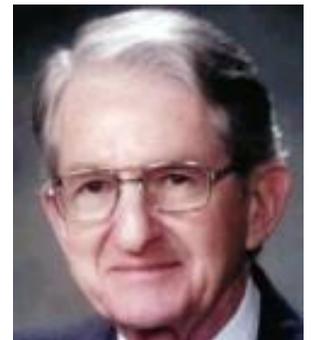
Chairman of the Department of Political Science, UAB, 1969-83... [He] was past chair and member of the Transportation Citizens Committee of the Birmingham Urban Area 1980-2000, as well as the Birmingham Regional Planning Committee, 1995-2000."

These are only snippets of the accomplishments and service of this extraordinary man who received extensive local to international recognition.

Read Dr. Nunn's complete obituary at:

<http://obits.al.com/obituaries/birmingham/obituary.aspx?n=grady-harrison-nunn&pid=161202434>.

He will be greatly missed.



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