



Office of Senate President Pro Tempore Del Marsh  
Press Clips  
Friday, April 30, 2010

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[\*\*Federal appeals court today rules against AEA, allows Alabama to end payroll deductions for dues \(al.com\)\*\*](#)

A federal appeals court today ruled in favor of Alabama lawmakers, throwing out a three-year-old injunction that had protected the primary source of funding for the Alabama Education Association.

Today's ruling by the 11th Circuit Court of Appeals in Atlanta means state law now blocks the state teachers association and other organizations from receiving dues through payroll deduction.

Passed by the Alabama Legislature two months after the GOP swept to power in 2010, the law said no government employee may arrange for the automatic deduction of dues "to a membership organization which uses any portion of the dues for political activity."

AEA challenged the law in federal court in Huntsville in 2011, arguing the state ban violated the free speech and equal protection provisions of the First and Fourteenth amendments of the U.S. Constitution, and that AEA was discriminated against based on its political beliefs.

U.S. District Judge Lynwood Smith in March of 2011 issued an 87-page opinion, finding the wording of the ban related to organizations engaged in "political activity" to be both vague and overly broad. His ruling blocked the law from taking effect. The state appealed.

AEA's initial complaint stated that AEA had most often supported Democratic candidates, and argued that former Gov. Bob Riley and other Republicans "rushed through" a new law in December "for the purpose of harming and retaliating" against the organization.

The Alabama State Employees Association and the International Association of Fire Fighters, through affiliates in Decatur and Cullman, later joined teachers in contesting the law.

The 11th Circuit Court of Appeals in Atlanta in April of 2011 let stand the federal injunction pending appeal by Alabama. The court in late 2011 referred aspects of the case to the Alabama Supreme Court.

The 11th Circuit Court of Appeals today disagreed with Smith and found that the ban on paycheck dues payments for state employees was not overly broad and should not have been blocked from going into effect.

"The Act does not prohibit "private forms of payment, i.e., forms of payment not facilitated by the government," the court found. "This compels the conclusions that the Act only declines to promote speech, rather than abridging it, and that the Act does not implicate any constitutionally protected conduct, much less a substantial amount."

The injunction also said the law's ban on deductions for group's engaged in "political activities" was overly vague, but the 11th Circuit again disagreed, citing activities of AEA and its political arm, A-Vote.

"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 court said.

"It is not substantially likely the challengers will succeed on the merits (on the vagueness argument) and the district court erred in granting a preliminary injunction on that basis."

## **Senate committee approves bonus for state retirees (AP)**

MONTGOMERY, Ala. (AP) — Retired state employees might get their first pension bonus since 2008.

The Senate Finance and Taxation-General Fund Committee overwhelmingly approved a bill Wednesday to provide a one-time bonus. The bill's sponsor, Senate President Pro Tem Del Marsh, R-Anniston, said the amount and affordability of the bonus still must be determined.

"The state General Fund is under a lot of pressure," Marsh said.

Liane Kelly, executive director of the Alabama Retired State Employees Association, said retired state workers got bonuses in 2007 and 2008 that averaged \$300 each, but they have received nothing since then because of the impact that the recession had on state revenue. She said they would receive the proposed bonus in October.

Marsh's bill would provide \$2 for each month of a retiree's state service. A retiree who worked 25 years would get \$600. Everyone would get at least \$300 even if the formula worked out to less, Marsh said.

Democratic Sen. Roger Bedford of Russellville got the committee to amend Marsh's bill to \$4 per month.

"If we are going to go this way, let's give as much as we can," Bedford said.

Marsh said \$2 per month is about as much as the state can afford, but he joined other committee members in voting for Bedford's larger amount because he said he didn't want to put committee members in a position of casting a vote that could be used against them in an election year.

"I'm not going to play politics on this committee," he said. Instead, he said he would address the amount when the bill comes up for a vote later in the Republican-controlled Senate.

The bill would allow cities and counties that participate in the state employee pension program to give the bonus to their employees, but the local governments would have to bear the cost.

Marsh said 21,000 retired state employees and 19,000 retired city and county employees could benefit. The bill does not cover retired public education employees, he said.

Kelly said her typical association member gets \$1,400 to \$1,500 a month in state pension benefits.

The bill reflects a continuing shift in how the Legislature addresses retirees. The Legislature used to give a cost-of-living adjustment about every other year to retirees up through 2006. That amount got built into their monthly checks. A bonus is a one-time payment that is not continued from year to year.

"Then it doesn't lock the state into an obligation for years to come," Marsh said.

Active state employees could also be getting more money. The House Ways and Means-General Fund Committee approved a bill Wednesday to provide a cost-of-living raise of up to 4 percent. The raise would depend on the state taxing in more revenue than expected in the fiscal year starting Oct. 1. The governor, who has recommended the legislation granting conditional raise, would decide if there is extra money available and how much to give in raises.

## **[Ala. Senate committee approves cannabis oil bill \(AP\)](#)**

MONTGOMERY, Ala. (AP) — Dustin Chandler said his 2-year-old daughter Carly has three to five seizures each day from a severe neurological condition she has battled since infancy.

Prescribed medications have done nothing to help, he said.

Her best treatment, he believes, could be a marijuana plant extract called cannabidiol, also known as CBD oil, and there is anecdotal evidence that suggests the oil is effective in treating seizure disorders.

The Senate Judiciary Committee on Wednesday voted 8-3 to approve a bill aimed at allowing people to possess the oil if they have certain medical conditions. Parents of children with seizure disorders have pressed to make the oil available. Supporting lawmakers said they are hoping to get the bill approved this session but that their biggest hurdle could be political fear about approving anything marijuana-related in an election year.

"We've been battling the stigma from the M-word," Chandler said.

Chandler, a Pelham police officer who often handles narcotics cases, said the bill is not about legalizing marijuana.

"We are trying to legalize this form of medicine that is derived from the plant," Chandler said.

CBD oil is low in tetrahydrocannabinol, or THC, the psychoactive compound in marijuana that makes users feel high.

"You can't get high off this," bill sponsor, Sen. Paul Sanford, R-Madison, told the committee.

Sanford's legislation does not outright legalize the oil. However, it gives patients and their caretakers a justifiable defense if charged with drug possession over the oil. The person would have to have written proof of a diagnosis such as a seizure disorder.

Chandler said Carly started having seizures at just eight weeks old. She was eventually diagnosed with CDKL5, a rare genetic disorder.

CBD oil is believed to curb the brain's excessive electrical and chemical activity that results in seizures, Chandler said. Carly is not expected to walk or talk, but her father is hopeful the oil could improve her daily quality of life and long-term prognosis.

Judiciary committee members on Wednesday asked questions about where people would obtain the oil and if there's evidence of its effectiveness.

Sanford said the evidence is anecdotal, but clinical trials are ongoing.

Republican Rep. Mike Ball of Madison, who is sponsoring the House version, said he has worried political fear, particularly in an election year, could kill the bill.

However, he said the bill appears to be picking up steam as more people learn about it.

"The public is starting to understand what this is. The political fear is shifting from what will happen if we pass it, to might what happen if we don't," Ball said.

Chandler said his hope is to control Carly's seizures and improve her cognitive functioning.

"I'd love to hear my daughter talk. I'd love hear her say one word. You know that is something most parents take for granted," Chandler said.

## **Bill would prevent waivers of working requirements for food stamp recipients (Montgomery Advertiser)**

A Senate committee Wednesday morning passed a substantially rewritten bill on public assistance that forbids the state Department of Human Resources from seeking waivers from work requirements for those enrolled in the Supplemental Nutritional Assistance Program, also known as food stamps.

The bill, sponsored by Sen. Bryan Taylor, R-Prattville, would forbid the department from seeking the waivers in all cases, even during times of economic distress. The farm bill recently passed by Congress also phases out the waivers.

As originally written, the bill would have required able-bodied public assistance recipients not currently working to perform at least 20 hours of community service a week, similar to current requirements. However, both Taylor and members of the Senate Children, Youth and Human Resources committee said earlier in the session that the bill was written too broadly, and held it up.

The requirements were put in place in 1996 under a welfare reform bill. However, the bill also allowed the measures to be waived during times of economic trouble, such as the recently-concluded recession; the 2009 federal stimulus bill suspended the work requirement, and according to the Center on Budget and Policy Priorities, at least 45 states, including Alabama, had applied for the waivers in recent years.

Taylor said Wednesday morning he believed those waivers had driven spending in the program.

"There are so many stories out there today about food stamps becoming the new welfare program," he said. "There are children and elderly folks, and now we've got able-bodied working age folks receiving food stamps."

If enacted, the law would require able-bodied recipients without dependents who receive SNAP benefits would have three months -- from Oct. 1 -- to find at least 20 hours of work a week.

According to a 2012 report from the Congressional Budget Office, 65 percent of the growth in SNAP spending between 2007 and 2011 was driven by the weak economy. Another 20 percent was attributed to "higher benefit amounts" in the stimulus bill.

According to the Alabama Department of Human Resources, which administers most federal programs in the state, Taylor's bill would affect 60,000 of the state's 908,000 SNAP recipients, or about 6.6 percent.

"There are a lot of people who receive assistance that have jobs," said Barry Spear, a spokesman for DHR. "They're just low-paying, or not paying enough to get them over the threshold where they're qualified."

Spear said DHR did not have a position on Taylor's legislation, but did not oppose it.

## **[Wind farm bill advances in Alabama Senate \(Anniston Star\)](#)**

by Tim Lockette

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02.06.14 - 12:49 am

MONTGOMERY — Ginny Shaver brought pictures, so the people in Montgomery could see Cherokee County the way she sees it.

A grainy shot of a bald eagle that landed by a lake on her property. The view from the top of Shinbone Ridge — that wall of mountain that looms at your left shoulder when you drive from Gadsden to Leesburg.

"This is where they're going to put the windmills," Shaver said of the ridge. "It's beautiful. People have their weddings up there."

Shaver was one of more than 100 people who packed a committee room in the Alabama Statehouse Wednesday for a state Senate committee hearing on a bill to regulate wind farms.

Sen. Phil Williams, R-Gadsden, proposed the bill after a Texas-based company, Pioneer Green, announced plans to build a series of electricity-producing wind turbines — all on private property — along Shinbone Ridge in Etowah and Cherokee counties as early as this year.

Advocates for the project said it would generate jobs and tax revenue for Cherokee County, without the smokestacks and pollutants normally associated with power plants, but the proposal has divided local landowners.

"These wind towers are not the farm windmill you see in 'The Wizard of Oz'," Williams said. The proposed Shinbone windmills would stand 250 to 350 feet tall with blades anywhere from 120 to 160 feet wide — big enough, Williams said, for a Boeing 747 to fit within the sweep of the blades.

Under Williams' bill, wind farm projects would need approval by the state's Public Service Commission and the local government. Turbine-building companies would have to create a plan to have the windmills dismantled if the project went belly-up. Furthermore, windmills would have to be set 2,500 feet back from the property line and would be allowed to generate no more than 40 decibels of noise at the property line.

The bill has earned Williams strong support from windmill opponents, who say the Shinbone Ridge project would ruin the beauty of the area, which is dependent on tourism at Weiss Lake. Still, the bill wouldn't ban the turbines outright.

Williams said there were already regulations in place for anyone who planned to build houses, hospitals or non-wind power plants.

"There's zero in place for wind," he said.

Etowah County resident Steve Shaneyfelt said Pioneer Green is considering his property as a possible windmill site. Shaneyfelt said he doesn't have a problem with regulating windmills.

"I am opposed to this regulation if it's a moratorium on wind farms," he said. Shaneyfelt said the 2,500-foot limit was stricter than the buffer zones required for mines or pig farms.

"It means I'd have to own a square mile of property," he said. "Is there anyone in this room who owns 640 acres?"



Shaneyfelt also took exception to the bill's noise restriction. He said no one has put noise restrictions on a gun range that is about a mile from his property.

"Every day we listen to the rat-tat-tat of machine guns and rifles," he said. "I'm not opposed to that. It's not my property."

Matt McDonald, a lobbyist for the energy company NextEra, displayed a decibel meter at the podium while addressing the senators. He, too, said the 40-decibel limit lower than the sound he'd recorded in the committee room before the meeting.

"When no one is speaking, decibel level is 57," he said in a calm voice. "With me hollering and screaming as I am now, it's 72."

McDonald said NextEra generates electricity through multiple sources, but largely uses windmills. He was the only person at the meeting who made significant mention of wind power as a low-pollution source of fuel. He said projects like Shinbone Ridge could create jobs and tax revenue for rural counties.

Shaver, the Cherokee County resident, said those jobs would be mostly construction jobs, and would largely vanish when construction ends.

"Unless you own a concrete construction company, there aren't going to be a lot of jobs for the locals," she said.

The Senate committee voted 5-1 in favor of Williams' bill, which sends it on to the Senate for further consideration. Sen. Del Marsh, R-Anniston, voted for the bill, but he said before the vote that there may be "room for change" when the bill hits the full Senate.

The sole "no" vote came from Sen. Bobby Singleton, D-Greensboro.

"The industry needs some regulation," he said. "But in terms of the setbacks, I'm not so sure. We have to look at people's property rights."

**[Constitution Revision Commission proposals reach committee, and draw criticism \(Montgomery Advertiser\)](#)**

The Constitution Commission's mandate was fairly limited: Look at just 11 of the state Constitution's 16 articles, and don't touch the governing document's severe limits on taxation.

The only major issue they could look at was home rule for counties, and the commission's proposals on that matter, after months of debate, were largely limited to a proposal to increase the threshold by which lawmakers could send local constitutional amendments to statewide votes.

Nonetheless, that idea drew anger from a handful of critics Wednesday at a joint meeting of House and Senate's constitutional committees, which held a public meeting on the proposed change.

"We continue to move more and more away from constitutional government," said Ken Freeman, a critic of the change. "This is definitely a move toward home rule."

The Constitution of 1901, framed to disenfranchise blacks and poor whites, centralizes most political power in Montgomery and requires many issues of local governance to be approved via the constitutional amendment process. Currently, a single negative vote from one of the state's 140 representatives and senators is enough to send a local constitutional amendment to a statewide vote. As a result, Montgomery residents may find themselves voting on proposals that have no bearing on the River Region. In 2012, local voters were asked to vote on the fate of a water system outside of Mobile.

The move was also frequently used for matters related to alcohol and gambling. Under the proposal, sponsored by Sen. Linda Coleman, D-Birmingham, a local amendment could go to a statewide vote with three or more negative votes from senators, or nine or more no votes from representatives. Coleman has sponsored similar bills in the past, predating the Constitutional Revision Commission, which began work in 2011.

The move had the support of the Association of County Commissions of Alabama. Sonny Brasfield, the executive director of ACCA, said the intent was "to allow local votes on purely local constitutional amendments." However, Joe Godfrey, executive director of the Alabama Citizens Action Program (ALCAP), which opposes gambling, said that local votes on matters like bingo set precedents for the whole state.

"I think there's a reason why the Constitution applies to all counties and localities equally," he said.

There were also objections raised to the whole idea of revising the Constitution. Bill Anthony of Tallahassee said he saw no need to revise the state's governing document, comparing to an attempt to revise the Bible.

"There ain't nothing wrong with the Bible, and there ain't nothing wrong with the 1901 Constitution," he said.

The commission did not vote on the proposal Wednesday. Sen. Bryan Taylor, R-Prattville, the chairman of the Senate Constitution and Elections committee, indicated that he would seek an amendment to Coleman's proposal, possibly excluding gambling matters. Taylor is an outspoken opponent of gaming operations in the state.

## **Bill to make midwifery legal dies in committee (TimesDaily)**

MONTGOMERY — A Senate bill to decriminalize midwifery in Alabama died in committee Wednesday, despite pleas and protests from dozens of supporters at a public hearing.

Alabama is among nine states that can prosecute midwives who assist in home births, although lawmakers questioned how often that actually happens. For several years, women and lawmakers from north Alabama have tried to regulate the practice. Rep. Mike Ball, R-Madison, and Sen. Paul Bussman, R-Cullman, produced a bill this year that simply states the practice isn't illegal.

It briefly looked like the bill might make it out of committee, even though some lawmakers said they had concerns they still wanted addressed. But when Bryan Taylor, R-Prattville, moved not to approve it, a majority of lawmakers agreed with him.

Before the committee vote, Chloe Raum, a certified midwife from Huntsville, told lawmakers that women who choose to have their babies at home rather than in hospitals are making an educated decision and the state should give them that option to do so with a trained a midwife.

"Mothers are going to keep having babies and if you don't do something, they are going to be unassisted," she said.

Others spoke against the bill, including Dr. Sherrie Squyres, an emergency medicine specialist from Huntsville. She talked about home births becoming emergency situations.

"It is hard to predict when something will go devastatingly wrong and will do irreparable damage to the baby and put both the baby's and the baby's mother's life in danger," Squyres said.

She said she'd like to see a collaborative agreement between midwives and hospitals.

But Bussman said he's tried for years to set up a working relationship between hospitals and midwives, but hospitals want no part of it.

"They just refuse to deal with it," he said.

Gov. Robert Bentley last month said he's not opposed to legalizing midwifery, as long as there are a few rules in place.

"I feel that midwives that at least have the proper training, that have backup so that if there are any problems they could get the mother — in 1 or 2 percent of births — to the hospital quickly, (then) I have no problems with that," Bentley said.

The House version of the midwifery bill has yet to be voted on in committee.

## **[Tracking the 2014 session: AP's summary of action in the Alabama Legislature \(AP\)](#)**

A summary of action in the Alabama Legislature on Wednesday, a committee meeting day:

### COMMITTEES:

--Senate Children, Youth Affairs and Human Resources Committee approved a bill to say that Alabama would not seek waivers from work requirements for able-bodied adults with no dependents in the food stamp program. Goes to Senate.

—Senate Finance and Taxation-General Fund Committee approved a bill to give a one-time pension bonus to retired state employees. Goes to Senate.

—Senate Finance and Taxation-General Fund Committee approved a House-passed bill to provide an income tax credit to Alabama families that adopt children in Alabama. Goes to Senate.

—Senate Finance and Taxation-Education Committee approved a bill to exempt income tax payments on health savings account contributions like the federal government does. Goes to Senate.

—House Ways and Means-General Fund Committee approved the governor's recommendation to provide a cost-of-living raise to state employees of up to 4 percent, with the raise conditioned on the state taking in more revenue than expected. Goes to House.

—The House Boards, Agencies and Commission Committee approved a bill aimed at letting spay/neuter clinics operated by nonprofit groups remain open. Goes to House.

—The Senate Judiciary Committee approved a bill to effectively legalize cannabidiol, an oil derived from marijuana plants, for medicinal purposes. Goes to Senate.

— The Senate Judiciary delayed a vote on a bill to decriminalize midwifery. Goes to Senate.

#### AGENDA:

—House meets at 9 a.m. Thursday and Senate at 10 a.m. Lawmakers will meet in joint session at 11 a.m. to honor members of the military.

## **[Democratic state Sen. Tammy Irons announces she won't seek re-election \(al.com\)](#)**

FLORENCE, Alabama - State Sen. Tammy Irons, whose District 1 will include parts of west Huntsville after new districts were approved last year, announced today she will not seek re-election.

Irons, D-Florence, also served in the state House in addition to the Senate.

"It is with a heavy heart, but after much thought and prayer, I have decided not to seek reelection to the Alabama state Senate," Irons said in a statement today. "I have been honored and humbled by the people of The Shoals who have shown great faith and confidence in me, having elected me twice to the Alabama House of Representatives, and then to the Alabama Senate."

Irons said her expanded district played a factor in her decision not to seek re-election.

"The new Senate District 1, which takes effect in November 2014, stretches all the way from West Lauderdale County to Memorial Parkway in Huntsville and is geographically more like a Congressional District," Irons said.

"I am concerned that covering such a large territory would take even more time away from my law practice at a time when I have many commitments this year. I am also looking forward to spending more quality time with my family."

Irons said she plans to devote more time to her law practice and her family. Her decision to leave the Legislature, however, does not signal an end to her political career, she said.

"I am not closing the door on politics," she said. "I plan to continue to go across north Alabama and the state to discuss political issues at the state and local level that affect Alabamians. While I will focus on my law practice for now, I will likewise continue to focus on ways to make North Alabama and our great state a better place to live."

## **[Huntsville School Board President qualifies for state senator against Paul Sanford \(al.com\)](#)**

Huntsville School Board President David Blair has qualified for the State Senate in the Republican Primary to be held June 3. Blair will challenge current incumbent, Paul Sanford, he announced today.

"I am running for the State Senate because we need a strong leader that will work for us. Our city and county officials have built a solid and vibrant area," Blair said. "Unfortunately, we have had little help from our current senator. I will be a senator who will work with area leaders to bring new jobs, build and maintain our roads, keep our schools strong and be a good steward of the taxpayers' money. As I travel across the district talking to citizens and elected officials, the one thing I keep hearing is that we need better representation in Montgomery. As State Senator, I will make Montgomery work for us."

Blair served on the Huntsville City School Board from October 2000-2004. He was re-elected to the board in October 2010 and is currently serving as the President of the Board. Blair has an Electrical Engineering Degree, Master of Physics Degree and Doctorial work in Astrophysics. David Blair is employed by Miltec Systems as a Managing Director.

## **[Means qualifies for Senate \(Gadsden Times\)](#)**

By Andy Powell  
Times Staff Writer

Published: Wednesday, February 5, 2014 at 3:12 p.m.

Attalla Mayor Larry Means, who served three terms in the Alabama Senate before his re-election defeat in 2010, wants to go back to Montgomery.

Means, 66, qualified Wednesday as a Democrat for Senate District 10, which includes all of Etowah and a portion of Cherokee, DeKalb and St. Clair counties.

Qualifying for both parties ends Friday.

Means was defeated in his re-election bid by current Sen. Phil Williams, R-Rainbow City, after being indicted on gambling corruption charges.

Following a mistrial in 2011, Means was acquitted of the charges in 2012. He was elected Attalla's mayor later that year, regaining a position he held from 1992 to 1998.

Williams has qualified as a Republican for the District 10 Senate seat.

"I am running for election to Senate District 10 because I think it's time to put the needs of the people and children of the district first and not the commands of any political party or party boss," Means said in a release.

Means served on the Attalla City Council from 1976 to 1980 and 1984 to 1988. He first was elected to the Alabama Senate in 1998.

## **[Gardendale mayor says he will not run for state Senate \(al.com\)](#)**

Gardendale Mayor Othell Phillips announced Wednesday he will not run for the state Senate seat that will be vacated by State Sen. Scott Beason, R-Gardendale.

"I have been bombarded with friends, family and current Alabama State Legislators, both in the House and Senate, encouraging me to enter the race for the Senate District 17 seat," Mayor Phillips said in an email sent to AL.com Monday. However, he said he has officially decided not to run.

"This decision comes after many hours of thinking, praying and discussing it with my family." Phillips said in his announcement. "The most important earthly obligation that I have right now should be to my wife and two teenage children. My career focus is to continue to move the City of Gardendale forward as its mayor. I want to thank those who have encouraged me over the past few days, and I am not ruling out the possibility to serve in the state legislature in future years."

Beason announced last week that he will not seek reelection to the state Senate.

## **State Sen. Billy Beasley to announce election plans Thursday morning (al.com)**

MONTGOMERY, Alabama --- State Sen. Billy Beasley of Clayton, who said in December he is considering running for the Democratic nomination for governor, has scheduled a news conference Thursday at 9:30 a.m. to announce his 2014 election plans.

Beasley, 73, is a pharmacist who was elected to the Senate in 2010 after serving three terms in the House of Representatives.

If Beasley enters the governor's race, he would be the second announced candidate for the Democratic nomination. Kevin Bass, a businessman and former minor league baseball player from Fayette, announced his candidacy in December.

Friday is the deadline for Democrats and Republicans to qualify for the June 3 primaries.

Beasley's announcement will be at the Alabama State House in Montgomery.

## **Propane shortage still troubling farmers, homeowners in Alabama (Anniston Star)**

by Brian Anderson

The snow has melted in Alabama, but officials say a propane shortage in the state is still a serious threat for homeowners and farmers.



Prior to last week's winter storm, Gov. Robert Bentley announced a state of emergency due to high demand. But two weeks later, after a weekend thawing of snow, things aren't looking much better, said Lisa Fountain, the president of the Alabama Propane Gas Association.

"Y'all are facing eight straight days of sub-freezing nighttime temperatures, and the supply is still tight," Fountain said. "Really, nothing has changed. There just isn't snow on the ground."

The propane problems are especially troublesome for Alabama's poultry farmers, who rely on propane to keep their chickens warm in the winter months. Jeff Helms, a spokesman with the Alabama Farmers Federation, said many farmers are still scrambling to find propane to keep their chickens alive.

"Instead of getting enough propane to fill their tank, they're maybe getting 30 percent full," Helms said. "So that's maybe only enough for a few weeks."

Kent Stanford, an extension specialist with the Alabama Cooperative Extension Office, said that for the first few days of a newborn chick's life, it will require 90-degree temperatures to stay alive.

"These farmers are using a lot of propane to keep these birds warm," Stanford said. "So with the logistic problems of propane in the state, it's putting a lot of stress on these farmers."

Helms said there have been no reports of farmers losing large portions of their flocks due to the cold, and that working with state officials, including the Propane Gas Association, has allowed farmers to find companies to provide them with propane.

"But a lot of farmers haven't been able to take in more chickens," Helms said. "If they have less product, that's affecting their bottom line."

Despite the hardships facing some farmers, Helms said, the focus on the state is making sure homeowners have enough propane. Fountain said while supplies are down, gas companies are working hard to make sure customers stay warm.

"We're doing everything we can and working with companies and drivers," Fountain said.

Fountain said the propane shortage isn't necessarily related to Alabama's recent cold days, although that isn't helping, either. Instead, the brutal cold in areas in the Northeast and Midwest sections of the country have made a nationwide propane shortage trickle down to Southern states that typically don't see so much cold.

David Reynolds, chief operating officer for Bowman Gas, which has a location in Alexandria, said before last week's snowfall, demand for propane was up more than 40 percent from his company's projection. Those projections are based on 30-year-average weather models from the National Weather Service.

"Transportation is exhausted due to the demand," Reynolds said. "A lot of our drivers are having to go to places outside of our typical footprint here in the Southeast."

And the demand is pushing propane prices sky-high, Helms said. In some cases, the prices have doubled in just a few months.

"That's eating into a lot of farmers' budgets as well," Helms said. "It's absolutely a serious situation."