



VOTER

January 2009

Web site: www.romafh.org

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January Unit Meetings

Open to the Public

Discussion and Consensus

National Popular Vote Compact

Lively Issues: Program Planning
State, Metro Area, Local LWVs

Third Tuesday Evening Unit

January 20, 2009

5:30 p.m. – Social Hour & Dinner (optional)

7:00 p.m. – Program

at

Grumpy's Restaurant

2801 N. Snelling Ave. (off Lincoln Drive), Roseville

Dinner Reservations to:

Stephanie DeBenedet, <jdebenedet@msn.com> or 651-483-1006

Third Wednesday Morning Unit

January 21, 2009, 9:30 a.m.

Prince of Peace Lutheran Church

2561 N. Victoria Ave., Roseville

Bring a friend!

Be sure to bring with you:

this *Voter*

November 2008 *Voter*

**2008-09 Board
& Off-Board Positions**

Co-Presidents

Teri Kysylyczyn & Ann Cleland

Secretary

Anne Haugan

Treasurer

Joan Stark

Program Division

Ann Berry, Georgeann Hall,
Diane Nystrom, Florence Sprague
(& coordinator of Diversity Subcom-
mittee), Judy Rosenblatt, *ex officio*

Lorraine Fischer, rep. to Council of
Metropolitan Area Leagues (CMAL)

Public Relations

Volunteer still needed

Action Chair

Volunteer still needed

Observer Program

Unit volunteers observe at city
council & school board meetings.
Sign up at your unit meeting..

Voter Service

Linda McLoon & Julie Helwich,
Christina Anderson

Membership

Karen Schaffer & Gale Pederson

Units / Administrative Assistant

Nancy Browne

Newsletter

Judy Rosenblatt, editor
Barb Yates, mailings

Finance Committee

Georgiana Sobola, Anita Mayfield,
& Joan Stark

Off-Board Responsibilities

Nominating Committee

Carolyn Cushing, Georgeann Hall,
& Julianne Johnston

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Co-president's Letter



Happy New Year!

The holiday party at the Little Venetian was a wonderful way to end the year. Great company, tasty food, and a thought-provoking talk from the Women's Advocates representative (see the write-up on p. 5). Thanks to Georgeann Hall for making the arrangements and to Andrea Brodtman for the beautiful calligraphy on the name tags for the event. We are now looking forward to new and interesting events in 2009.

With the deficit requiring cuts at every level of government, the League's visibility at city and county meetings is more important than ever. Our elected officials need to know we are watching and advocating. Please sign up as an Observer at your unit meeting. Contact me at 651-490-5038 or <anncleland@juno.com> if you don't attend a unit or if you would like a ride.

The Public Relations and Action positions on the board are still open. Please consider offering your talents in these areas. Contact me or any board member to find out what the position entails.

The board is busy, with the bylaws and membership committees finalizing submissions for the state and national LWVs. The legislative interviews have begun. Note that the date for our VIP get together with officials has been rescheduled to February 18 (see the box below).

We are looking forward to the National Popular Vote study at this month's units. It should provide lively consensus discussions. During the same meeting we will address program planning at three League levels: local, Metropolitan Area, and state. Be sure to prepare by carefully reading all the materials in this *Voter*. Bring this issue and November's (with the text of the Popular Vote Compact) with you to the unit meeting. And bring a friend!

Ann Cleland, co-president

VIP General Meeting

Question our Metropolitan Council members,
Ramsey County commissioners, and school board chairs
about their positions on issues you care about

Wednesday, February 18, 2009

Social time, refreshments: 6:30 p.m.

Conversations with officials: 7:00-8:30 p.m.

Fireside Room, Roseville Skating Oval

(north off of County Rd. C west of Lexington Avenue)

Volunteers are needed to bring refreshments;
sign up at your January unit meeting or contact
Florence Sprague, 651-779-0349 or <misemer@msn.com>.
Also contact Florence if you have questions to suggest

Help recruit new members

If you know someone who might be interested in joining our League and to whom we can send information and a copy of the *Voter*, please give the person's name, address, and telephone number/e-mail to membership committee co-chair Karen Schaffer, 651-636-7359 (address on p. 4). Bring a friend/neighbor to one of our upcoming meetings. See calendar on the last page of this *Voter*.

BOOK SALE! BOOK SALE!

Although Winter Solstice is approaching as I write this, it's time to start thinking **spring**—and the **LWV RoMaFH Book Sale!** Get out your 2009 calendar and mark **April 26** for this important event that raises significant funds for our League's activities. As in the past, it will be held at Fairview Community Center on County Road B, jointly with the Kiwanis Pancake Breakfast.

It's time to **start saving items** for the sale. As you reorganize after the holidays, start a box or bag for donations. Besides books, we need magazines, CDs and DVDs, videos, cassettes, and games and puzzles of all kinds. (Remember, we don't accept textbooks.)

Georgiana Sobola has again generously offered to store everything at her home, at 1961 Hamline Ave. N., Roseville. She appreciates a call before you bring items, at 651-644-3337. But you can usually leave them on her breezeway if you are out and about, and just call her later.

We need lots of books and other items to make the sale the big success it has been in previous years. It's time to start putting aside what you no longer need that someone else will love to have!

Joyce Blomquist and
Nancy Irsfeld, cochairs

Off-Board, cont'd from p. 2

Coordinator for Rosefest Parade / Rep. to Gavel Club

Barb Yates

Records / Directory / Web site

John Kysylyczyn

Book Sale Coordinators

Joyce Blomquist & Nancy Irsfeld

Annual Meeting Coordinators

Carole Erickson & Mary Ann Palmer

Coordinators for VIP Meeting

Georgeann Hall, Florence Sprague

Windows and Mirrors for All

A Hang-up to Avoid

by Florence Sprague, Diversity Subcommittee Coordinator

Eponyms—people so closely associated with something that it is known by their name. Some are famous, some infamous. Many eponymous words have been around so long that their origins are lost to most of us. One of these is “lynching,” as in an extralegal hanging. It's not something many people would want to lend their names to.

The internet offers at least three possible Lynches as the eponym for this grisly deed. One is Willie Lynch, said to be a British slave owner from the British West Indies who spoke to slave owners in Virginia in the early 18th century promoting his foolproof system for subjugating African slaves for generations. Others are William and Charles Lynch, both linked to the hanging of Tories during the Revolutionary War, either extralegally or after quasilegal judicial proceedings.

Regardless of which, if any, of these men is the original eponym for the word “lynch” as a hanging, the meaning in the minds of both black and white Americans today is that of mob hanging of blacks by whites, sometimes as retribution for supposed violations of the social or legal code and sometimes just to intimidate and maintain dominance. The burden and suffering of the mob violence by which it was executed has fallen almost exclusively on blacks in the years since the American Civil War.

During the era of slavery, punishments were extreme; but slave owners would not want to kill their laborers if flogging or sale would solve a “problem.” Slaves were an investment. After emancipation, the level of fear rose on both sides and the need for different methods of dominance arose. Even in Minnesota the mob mentality led to lynching of African Americans accused of crimes against whites, without benefit of legal process.

Much is known today about the psychological impact of abuse. There is loss of self esteem, loss of independence, fear, inhibition, shame, loss of initiative. Individuals may not all respond in the same way or degree, but all suffer harm. It is not easy for individuals to get out of an abusive relationship for a number of reasons; and when they do leave, counseling and long-term support may be needed. Children living in an abusive environment may assimilate either the habits of the abuser or the abused and fall more easily into destructive patterns in adult life. Abuse is not just about violence, it is about control and power.

Now imagine that it is not an individual being abused, but entire families, work groups—whole communities, millions of people with one thing in common: visible African heritage. This abuse lasted not a few years, but multiple generations during slavery and multiple generations during Jim Crow and segregation. This abuse was legal for the first few centuries and largely unpunished for the next century. This abuse was also about control and power and its tentacles still twitch today in institutionalized racism.

How do whole communities learn and maintain independence? self worth? self respect? initiative? within the framework of an inconsistently welcoming system? Is it really so surprising that the tangled web we have woven is full of knots that can only be unraveled with incredible patience and determination and good counsel?

This January, use the anniversary of the birth of the Reverend Dr. Martin Luther King, Jr., as a moment for rededication to equity. Choose your own act of service. Let it be a day on, not just a day off.

A sampling of commemorative events in the Twin Cities is offered below. Healing and social health are a communal affair.

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Rev. Martin Luther King, Jr., Community Breakfasts

The major event is by ticket at the Minneapolis Convention Center. The rest of us can attend one of the five community breakfasts to celebrate the life of Dr. King and honor his dream. Participants will:

- be served a free, hot breakfast
- enjoy a neighborhood program created by local community volunteers
- watch the broadcast of the 2009 MLK Breakfast birthday celebration (also on tpt's MN channel 2-2, 1/25 at 9 p.m.). The scheduled speaker is Gen. Colin Powell (USA, retired).
- talk with neighbors about issues affecting our communities.

The **St. Paul** neighborhood breakfasts are coordinated by the Saint Paul Area Council of Churches. They will be held on Monday, January 19, 2009, 7:00–9:30 a.m. Registration is required. You may register until January 13 at <www.spacc.org/mlk>.

East Side/Downtown Breakfast

Central Presbyterian Church
500 Cedar St
St. Paul, MN 55101

Summit-University Breakfast

The Central Mission Church
1632 Charles Ave
St. Paul, MN 55104

West Side Breakfast

Faith United Methodist Church
1530 Oakdale Ave
West St Paul, MN 55118

After breakfast attend the rally at St. Paul Central High School and join the march to Concordia University for more activities.

In addition to the three programs being held throughout St. Paul, there will be two community breakfasts outside of the Twin Cities, both held 7–9:30 a.m. on Monday, January 19. Spread the word.

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Treasurer's Reports, November & December 2008

Joan Stark, Treasurer



November 19, 2008

Previous Checking Balance –October 22, 2008 **\$1,698.39**

Income:

Total Income: **00.00**

Expenses:

#4209 – Georgiana Sobola, Fall Finance Letter - printing, stamps	\$51.61
#4210 – LWVUS, 2 nd Qtr. Per Member Payment	631.50
#4211 – Diane Nystrom, November Voter, printing	85.93

Total Expenses: **769.04**

Checking Account Balance, November 19, 2008 **\$929.35**

Savings Account Balance, October 31, 2008 \$2,992.23

Education Fund Balance, October 14, 2008 \$5,595.11

December 9, 2008

Previous Checking Balance, November 19, 2008 **\$929.35**

Income:

Dues – (1) Introductory @ \$40.00	\$40.00
Holiday Dinners (29) @ \$18.00	522.00

Total Income: **562.00**

Expenses:

#4208 – Grumpy's, Guest Speaker's dinner, November Program	\$12.89
#4212 – Linda McLoon, Voter Service supplies	30.89
#4213 – Little Venetian, Holiday Party with Guest Speaker from Women's Advocates	780.00

Total Expenses: **823.78**

Checking Account Balance, December 9, 2008 **\$667.57**

Savings Account Balance, November 28, 2008 \$2,994.07

Education Fund Balance, November 21, 2008 \$5,620.11

Membership Dues

To join or renew, make your dues check payable to LWVROMaFH

Individual membership –	\$55/year
Household membership (two or more) –	\$80/year
New member, special 1st year discount –	\$40/year

Send to: Karen Schaffer
LWVROMaFH Membership Co-chair
2100 Fairview Ave. N
Roseville, MN 55113-5452



Reverend King Breakfasts

(cont'd from p.4)

Duluth Breakfast

First United Methodist Church (Hot breakfast; No registration required; Free.) 230 E. Skyline Parkway
Duluth, MN 55811

River Falls, Wisconsin Breakfast

St. Bridget's Catholic Church (A continental breakfast will be served. Registration required; small fee.)
211 East Division Street
River Falls, WI 54022
To register, please contact Kathy Scott @ 715-426-3510 or
kathy.scott@sbwireless.net

Holiday dinner more than a good time

Members used the occasion of a holiday get-together not only to enjoy each other's company but to support women and children escaping from domestic violence. They savored an Italian dinner buffet at Little Venetian in Little Canada on December 7, and brought with them practical personal item gifts and cash donations for residents at Women's Advocates, Inc. The house in St. Paul, which serves nearly 1,000 people a year, was founded in 1974 as the first shelter for battered women and their children in the nation.

Alaena Dunn, development and community relations associate at Women's Advocates, joined members for dinner and spoke to the group about some of the facts—and myths—surrounding domestic violence. She described the many programs and services provided by the shelter, including help finding housing, employment, affordable child care, legal services, and medical care. Education on domestic violence and support groups help the women begin healing and avoid an abusive relationship in the future.

For more information about Women's Advocates or to contribute, see <www.wadvocates.org> or call 651-227-9966.

LWVUS Study on the National Popular Vote Compact

Discussion and Consensus at January Unit Meetings

Read and bring with you to your unit meeting the following materials:
In this *Voter* (or download from the LWVUS Web site, <www.lwv.org>):

Background Paper

“Con” Arguments

“Pro” Arguments

Consensus Questions (choose tentative answers)

Background Paper on the NPV Compact by Carol Mellor

Selection of the President

The League's History

A League study of the presidential electoral process culminated in its 1970 position supporting direct election of the President by popular vote as an essential element of representative government. The League also has supported national voting qualifications and procedures for presidential elections to ensure equity for voters from all states and to facilitate the electoral process.

At the 2002 Convention, the League voted to expand and update its position. The League came to concurrence on a new position in June 2004. The new position takes into account the entire presidential selection process and supports a process that produces the best possible candidates, informed voters, and optimum voter participation.

At the 2008 Convention, the delegates voted to adopt a new study, “The Advisability of Using the National Popular Vote Compact among the States as a Method for Electing the President.”

The League's Position

Statement of Position on Selection of the President, as Announced by the National Board, January 1970, Revised March 1982 and Updated June 2004:

The League of Women Voters of the United States believes that the direct-popular-vote method for electing the President and Vice-President is essential to representative government. The League of Women Voters believes, therefore, that the Electoral College should be abolished. The League also supports uniform voting qualifications and procedures for presidential elections. The League supports changes in the presidential election system – from the candidate selection process to the general election. We support efforts to provide voters with sufficient information about candidates and their positions, public policy issues and the selection process itself. The League supports action to ensure that the media, political parties, candidates, and all levels of government achieve these goals and provide that information.

Explanation of the Position

The League strongly believes that the Electoral College should be abolished and not merely “reformed.” One “reform” which the League specifically rejects is the voting by electors based on proportional representation in lieu of the present “winner-takes-all” method. Such a system would apportion the electoral votes of a state based on the popular vote in that state. Instead of making the Electoral College more representative, such proportional voting would increase the chance that no candidate would receive a majority in the Electoral College, thereby sending the election of the President to the House of Representatives where each state, regardless of population, would receive only one vote. Election of the President by the House further removes the decision from the people and is contrary to the “one person, one vote” principle. The League also does not

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support reform of the Electoral College on a state-by-state basis because the League believes there should be uniformity across the nation in the systems used to elect the President.

The Electoral College —A Review

Although the LWVUS has specifically adopted a position calling for the abolition of the Electoral College, a short review of the mechanics of that system of selection of the President is helpful to an understanding of the National Popular Vote Compact.

The Electoral College is a process established by the founding fathers as a compromise between election of the President by Congress and election by popular vote. In short, the people of the United States vote for electors who then vote for the President and Vice President.

Each state is entitled to a number of presidential electors equal to its total representation in the House and Senate. The District of Columbia is awarded a number of electors equal to that of the least populous state.

The founding fathers designed this constitutional plan to promote several principles they considered important. One goal was to ensure that smaller states had a role in the election of the President. Secondly, the emphasis on the power of the state as contrasted to the power of the individual voter fostered the principles of federalism which are the core of the governmental process. Finally, the use of electors rather than popular vote assuaged concerns that the electorate was not competent or knowledgeable enough to be entrusted with the direct election of important government officials, such as the President and Vice President.

The electors are selected, according to the Constitution, in the "manner" designated by the state's "legislature" (the Congress in the case of the District). At present, the "manner" chosen by every state is by popular election. Most of the states (and the District of Columbia) use a winner-take-all system, in which the candidate who receives a majority of the vote, or a plurality of the popular vote (less than 50 percent but more than any other candidate) takes all of the State's electoral votes. In Maine and Nebraska, the winner of the popular vote in each congressional district wins an elector, and the remaining two electors are chosen based on the statewide vote.

On Election Day, the voters cast their ballots for electors, even though the names of the candidates for President and Vice President are often the names shown on the ballot. Each state's electors meet 40 days after Election Day, and the formal balloting for president takes place at those meetings.

Many different proposals to alter the presidential election process by amending the Constitution, including direct nation-wide election by the people, have been offered over the years. None have been passed by Congress and sent to the States for ratification. Under the most common method for amending the Constitution, an amendment must be proposed by a two-thirds majority in both houses of Congress and ratified by three-fourths of the states.

The Movement against the Electoral College

The most compelling argument against the Electoral College is that it prevents the direct election of the President by popular vote and is, therefore, contrary to modern principles of representative government. Studies show that more than 70 percent of American citizens favor the election of the President by popular vote.

Beyond this basic theoretical objection is the very practical objection that the Electoral College system enables candidates who have not received the most votes cast by American voters to become President.

We have seen such an outcome four times in our history. The first time was the 1824 election, which was won by John Q. Adams even though he received fewer electoral votes and fewer popular votes than Andrew Jackson. (Adams won the election in the House of Representatives, with 13 State delegations voting for him, seven voting for Jackson and three voting for Crawford. This happened because there were more than two viable candidates, and would have been a less likely outcome in a two-candidate race.)

In 1828, Rutherford B. Hayes beat Samuel J. Tilden by one electoral vote, becoming President despite trailing in the popular vote by a count of 4,288,546 to 4,034,311. In 1888, Benjamin Harrison beat Grover Cleveland with an electoral vote of 233 to 168, despite Cleveland's popular vote margin of 5,534,488 to 5,443,892. Most recently, in the 2000 presidential election, George W. Bush received fewer popular votes than Albert Gore, Jr., but received a majority of electoral votes. The situation was almost reversed in 2004. Although President Bush received more than three million more popular votes than John Kerry, Kerry would have been elected President if Ohio's electoral votes had been cast in his favor.

These circumstances have prompted much discussion on the advisability and feasibility of reforming our election process to eliminate the Electoral College and to elect the President by direct election. This conversation is not new. Over the past 200 years, according to the National Archives, more than 700 proposals have been introduced in Congress to reform or eliminate the Electoral College. Indeed, several joint resolutions were introduced in the current Congress on this issue. The proposals, all introduced in the House of Representatives, were referred to the Committee on the Judiciary, where no action has been taken.

Against this background comes the National Popular Vote Compact Proposal (NPV).

The National Popular Vote Compact Proposal

The National Popular Vote Compact proposal offers a method of achieving the result of election of the President by popular vote without amending the Constitution to eliminate the Electoral College. Instead, this method *uses* the mechanism of the Electoral College to ensure that the

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candidate who receives the most popular votes is elected President of the United States.

Under the proposed legislation to enact the National Popular Vote Compact, all of the state's electoral votes would be awarded to the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia. The bill would take effect only when enacted, in identical form, by states possessing a majority of the electoral votes—that is, enough electoral votes to elect a President (270 of 538)

The NPV Compact proposal is predicated upon the portion of the United States Constitution that states: “Each State shall appoint, in such Manner **as the Legislature thereof may direct**, a Number of Electors...” (*Article II, Section 1, Clause 2*) (boldface emphasis added)

The constitutional wording, “as the Legislature thereof may direct,” contains no restriction on the states' exercise of their power with respect to their electors. The U.S. Supreme Court has repeatedly characterized the authority of the states over the manner of awarding their electoral votes as “plenary” and “exclusive.” Therefore, the states have the right to decide how to select their electors and award their electoral votes. Thus, proponents of the NPV Compact claim that the U.S. Constitution need not be changed in order to implement nationwide NPV. Rather, they maintain, this change can be accomplished in the same way that the current system evolved—namely, the states will use their exclusive and plenary power to decide the manner of awarding their electoral votes.

An additional constitutional underpinning of the NPV is the Compact Clause (*Article I, Section 10, Clause 3*), which permits states to enter into legally enforceable contractual obligations to undertake agreed joint action with other states. Interstate compacts are typically used to address problems that concern more than one state—the states which are affected enter into a compact (contract) which regulates their actions, ensuring uniform response by the states to address their mutual concerns. These contracts are typically enacted through the passage of identical legislation by the compacting states.

Under the state legislation proposed to establish the NPV, the popular vote counts from all 50 states and the District of Columbia would be added together to obtain a national grand total for each presidential candidate. Then, state elections officials in all states participating in the plan would award their electoral votes to the presidential candidate who receives the largest number of popular votes in all 50 states and the District of Columbia. The NPV Compact plan would take effect only when it has been enacted by states collectively possessing a majority of the electoral votes. The 270-vote threshold also corresponds essentially to states representing a majority of the people of the United States. As a result, every vote in all 50 states

and the District of Columbia would be equally important in presidential elections.

The compact contains a six-month blackout period during which no state can withdraw from the compact. The blackout period starts on July 20 of each presidential election year and runs through the January 20 inauguration. Interstate compacts are contracts. It is settled compact law and settled constitutional law that withdrawal restrictions—very common in interstate compacts—are enforceable because the U.S. Constitution prohibits a state from impairing any obligation of contract.

The legislation contains other procedural provisions that would ensure the smooth functioning of the agreement. For example, one clause addresses the possibility of a tie in the national popular vote. If there is no national popular vote winner, each state chooses the electors for the candidate who has won that state.

Another clause addresses circumstances in which the winner of the national popular vote might be prevented from receiving the electoral votes from a member state. For example, it is possible that the winner of the national popular vote fails to appear as a candidate in a particular state and, therefore, there are no appropriate electors for the state to certify.

To address that situation and five other situations identified by the drafters of the legislation as possible anomalies in the process they have developed, a mechanism is provided whereby the desired result is obtained by allowing the presidential candidate who has received the largest number of votes in the national election to select the electors in the state in which no electors associated with the winning slate have been elected. The full text of the compact was printed in the November local *Voter* and is available at <www.lwv.org>.

Current Status of the National Popular Vote Compact

Since passage of the National Popular Vote Compact is accomplished on a state-by-state basis, its status is fluid. As of September 1, 2008, the legislation necessary to activate the compact has been signed into law in four states: Maryland, New Jersey, Hawaii, and Illinois, for a total of 50 of the 270 electoral votes required to activate the NPV Compact. NPV Compact bills have been introduced in 15 other states, where some have passed committee and others have passed one house.

Carol Mellor (NY) is a member of the LWVUS NPV Compact Study Committee.

*Portions of this background paper are from the LWVUS *Impact on Issues, 2006–2008*

LWVUS National Popular Vote Compact Study, **Supporting Arguments**

by Gail Dryden(CA), Barbara Klein (AZ), Sue Lederman (NJ), Carol Mellor (NY), and Jack Sullivan (CA)

The National Popular Vote (NPV) Compact provides a way to choose the President of the United States by popular vote without amending the Constitution. These are the arguments in favor of the NPV Compact.

The League of Women Voters of the United States (LWVUS) already has a position in favor of abolition of the Electoral College and adoption of the “direct-popular-vote” method for electing the president and the vice president. The NPV Compact proposes a way to accomplish the goal of using the direct popular vote for presidential elections.

Given that the LWVUS is already on record favoring abolishing the Electoral College, we do not here directly address the shortcomings of the Electoral College except to the extent necessary to present the arguments.

Constitutional Issues

Difficulty of Amending the Constitution. Amendment of the Constitution to eliminate the Electoral College would accomplish the goal of election of the president by popular vote, but that is a very long process with uncertain results. People want to believe that their votes count but the current system suggests to many that this is not the case. Most of the electorate is also in favor of a system in which the candidate who receives the most votes wins – over 70 percent in some polls favor a direct election for president. Thus, a more rapid, direct path to the national popular vote would be in the interests of the electorate.

Amendment Necessary or Not. No constitutional amendment is needed to implement the NPV Compact. Under the U.S. Constitution, the states already have the right and power to implement the change. Primary constitutional authority for the Compact is found in Article II, section 1, clause 2.

Supreme Court cases have established that this wording gives exclusive and complete power of appointment and mode of appointment of electors to the states and that it is up to each state to decide how to exercise the power as they deem fit (as long as no other provisions are violated).

Interstate Compacts are Legitimate. The crux of the NPV Compact proposal is an interstate compact in which states would commit to cast their votes for the winner of the national popular vote. Interstate compacts, involving a myriad of topics, have long been a part of U. S. history and are, in fact, sanctioned by the Constitution. The courts over the years have upheld such compacts and ruled that they are contracts **that bind the parties to the terms of the agreement.**

Congressional Consent. The constitutional provision that permits interstate compacts between states says: “No state shall, without the consent of Congress, . . . enter into any agreement or compact with another state . . .” U. S. Constitution, Article 1, Section 10. Supreme Court rulings have

established that most compacts do not, in fact, require congressional approval. However, to avoid time-consuming litigation on this procedural issue, backers have decided to seek congressional consent. In deference to the exclusive power of the states to decide the manner of awarding electoral votes, the question might be presented to Congress in the form of a bill to grant consent to the Compact on behalf of the District of Columbia. Proponents believe that positive action on this legislation would imply tacit congressional consent to the Compact as a whole.

Evaluating Fairness

President of the Minority. Voters assume that the candidate who wins an election will be the candidate that received the most votes—either a majority or a plurality (in multi-candidate elections). When the “victor” actually receives fewer votes than another candidate, people are led to question the nature of our electoral system. It is unnerving to the electorate when a country supposedly based on majority rule ends up with a “minority” president. This problem is eliminated under the NPV Compact. Furthermore, presidents elected by a popular majority via the NPV Compact would be “stronger” presidents because they would have a greater, more democratic legitimacy.

Few Battleground States. Under the current Electoral College system, presidential campaigns focus on a few key states which are the determinants of an Electoral College victory or loss. The electoral votes of these battleground states are viewed as the lynchpins of the election, and most media and candidate attention are focused on the few “competitive” states whose Electoral College votes are believed to be at stake. Voters in other states become observers of the process watching as the voters in a very few of the fifty states are courted intensely by the presidential candidates. Under this system, some votes are worth much more than other votes. A large portion of the country is ignored by the major candidates, except to the extent that the candidates visit “safe” states in search of campaign funds to fuel their activities in the toss-up states.

Under the NPV Compact, candidates would have to be sensitive to the trend of opinion in all states and to develop campaign strategies that appeal to a very broad spectrum of the electorate. In this way, the NPV Compact would bring many more voters directly into the electoral process and take them out of the “spectator from afar” role. Equally important, with the outcome depending on the NPV, voters across the country would have a sense that their vote would indeed count in a meaningful way and this would provide stimulus for greater attention to the campaign and greater participation in the electoral process. The NPV Compact would make it worthwhile for candidates to campaign throughout the country, thereby increasing interest in the election nationwide.

(cont'd from p. 8)

State Identity. States' rights advocates argue that it is an affront to state sovereignty to award a state's electoral votes to a candidate who did not carry that state. This assumes that the voters within that state care more about their state identity than their own personal vote. The question is whether it is more important for the winner in a particular state to receive the state's electoral votes or for the winner of the entire country to be selected as president. Polls indicate that only about 20 per cent of the public support the current system of awarding all the electors of that state on a winner-take-all basis instead of a popular vote. Seventy per cent oppose the current system, 10 per cent are undecided, suggesting that most voters might opt for the national popular vote over states' rights.

Influencing the Winner. Critics of the NPV Compact claimed that "11 colluding states" (as they term them) could theoretically impose their will on the country because those states contain the majority of the population and account for the 270 electoral votes needed for the Compact to take effect. While these 11 largest states do contain 56 per cent of the population, the real likelihood of such "collusion" is extremely small as they have little in common politically.

Of the 11 states, recently five tended to vote Republican (Texas, Florida, Ohio, North Carolina, and Georgia) and six tended to vote Democratic (California, New York, Illinois, Pennsylvania, Michigan and New Jersey). Furthermore, the NPV Compact has so far been enacted by four states: Hawaii (a small state), Maryland (an average-sized state), and New Jersey and Illinois (large states). Although passed by the Maine Senate and both houses in Vermont, California and Rhode Island, the Compact has not been signed into law by the governors of those states. Support for the NPV Compact has been across the board so far and in no way limited to the largest states.

Questioning the Approach. Opponents have portrayed the interstate compact approach as inappropriately disregarding the U.S. Constitution. This argument ignores the fact that many amendments to the Constitution have begun as state actions to change practices that could have been (and eventually were) changed by constitutional amendment. The very right to vote for president was begun through enactment of laws by state legislatures—on a state-by-state basis. In 1789 only five states permitted a direct vote for electors. By 1824 three-quarters of the states had such a right, but it was not until 1880 that a direct vote of the people was fully enacted.

Other fundamental voting changes have been accomplished through state-by-state changes in law. Among such changes in voting initiated by state action were the abolition of the requirement that voters be property holders and the extension of the franchise to women, blacks and persons under 21. All of these changes were begun by legisla-

tion in individual states, followed by constitutional amendment, and few, if any, questioned supporters' motives. No one criticized the approach as an end run around the Constitution. Many citizens benefited from this process, including women who were able to vote in some states before passage of the 19th amendment. .

Small States. The political power of small states would be increased under the NPV Compact. Currently, political power generally resides in the closely divided battleground states. Few of the 22 least populous states are battlegrounds. With the NPV Compact each vote becomes important regardless of the state; state size and closeness of the race within a state would be less relevant.

Electing the REAL Winner. Out of our nation's 55 presidential elections, there have been four "wrong winners," that is, elections in which the candidate elected to the presidency is not the person who won the most votes. This is a failure rate of 1 in 14, which does not instill confidence in the procedures for electing the President of the United States.

When an election is a landslide, there is less chance of a "wrong winner," but the more divided the country and the closer the elections, the greater the chance of erroneous results. We now appear to be in an era where many elections are close. The NPV Compact would eliminate the possibility of a "wrong winner."

Mechanical Considerations

Enforcements: Post-Election Protection of Rules. Some critics warn that a state legislature might, for partisan reasons and after signing onto the Compact, change the rules for awarding electoral votes—after the people have voted, but before the Electoral College meets. The drafters of the NPV Compact have anticipated such a problem and have included a mechanism which permits a state to withdraw from the Compact, but only according to a timetable which prevents deleterious effect upon a particular election.

There is a black-out period from July 20th until January 20th of presidential election years during which time a compacting state cannot withdraw or repeal its law. This time frame was chosen because it includes six major events relating to the presidential election (the national conventions, the campaign period, Election Day, Meeting of the Electoral College, counting of the electoral votes, and Inauguration Day).

Case law supports the enforcement of such a provision holding that interstate compacts are contracts that bind the parties to the agreement. Further, Americans are committed to the notion of fairplay and would react strongly to efforts by one state to "break the rules."

Winning Levels. The winner-take-all rule (currently used by 48 of the 50 states) is not required by the U.S. Constitution.

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It is entirely a product of state law. Accordingly, changing the winner-take-all rule does not require an amendment to the Constitution but may be changed in the same way that it was originally adopted, namely by the enactment of state laws by state legislatures on a state-by-state basis.

Recounts. It is anticipated that the need for recounts will diminish under the NPV Compact because, although the vote count can be extremely close in battleground states, the numbers are not close on a nationwide basis. Should a recount be necessary, the plans and resources to conduct a recount would still be the responsibility of the state experiencing the close vote. However, due to the larger pool of voters, it is more likely that the national results would not be close and, as a result, fewer statewide recounts would be necessary.

Election Fraud. The adoption of the NPV Compact would diminish the danger of both voter fraud and election fraud/voter suppression. Under the current system, with only a few battleground states in play, the temptation to engage in election fraud or voter suppression is increased by the skewed weight of votes in battleground states. In the Electoral College system, with most states using a winner-take-all process, one fraudulent vote could affect the entire state's electoral votes. Under a direct popular vote system nationwide, one fraudulent vote has far less effect on the outcome.

Other Issues

Voting Rights Act. The NPV Compact is in total harmony with both the terms and purpose of the Voting Rights Act, which was enacted to guarantee equality of the vote throughout the United States, particularly in relation to racial minorities. The NPV Compact's goal is to create an equal vote for all voters throughout the United States.

Faithless Electors. The faithless elector issue is not a practical concern. States already have constitutional

authority to address problems as they come up. The NPV Compact, awarding the nationwide winner the majority of electoral votes as a base, makes the possibility of a faithless elector having any effect on the election unlikely. Considering the support the winner would need to garner a nationwide win, the candidate would probably earn at least another half of the remaining votes in non-compacting states as well—a strong support that would discourage faithless electors. Additionally, the state electors casting their votes for president will be from the party that won nationwide. The NPV Compact is more likely to protect against faithless electors than does the current system.

League Issues

Uniform Standards. The LWVUS supports uniform national voting standards. The NPV Compact aims for having all the states become members of the compact, and thus shares the goal of a uniform and universal method of electing the President. The fact that the Compact will become effective at a time when states representing 270 electoral votes have joined does not change the ultimate goal that all states adopt the Compact. Further, the NPV Compact creates uniform standards because every national vote would be counted equally if it were to go into effect.

Concluding Arguments Supporting the NPV Compact

One of the most compelling arguments in support of the NPV Compact is that this method ensures that the candidate who receives the most votes in the national election is elected President, and does so by using the Electoral College system of electing the President of the United States. Amending the U.S. Constitution in order to eliminate the Electoral College and, instead, establish the direct election of the president is much more cumbersome and much less likely to succeed. Above all, the most appealing argument in support of the NPV Compact is that every vote, of every party and of every voter, is counted fairly and equally.

LWVUS National Popular Vote Compact Study, **Opposing Arguments**

by Gail Dryden and Barbara Klein

There is clearly a lack of respect for the Electoral College. The League of Women Voters of the United States (LWVUS) opposes it. In Gallup surveys, support for its abolition in favor of direct popular vote has never fallen below 58 percent. Nonetheless, the Electoral College has weathered the passage of time even with more than 700 Constitutional amendments proposed to abolish or substantially alter it. All have failed.

Enter the National Popular Vote Compact (NPV Compact)—a way to change the way the President is elected without having to amend the Constitution. There is

intense political and citizen interest in any change to the presidential electoral system, so this new way of making change is garnering much attention. Opponents of the NPV Compact indicate a need to look carefully at this particular plan for its limitations and problems as well as at problems with the Electoral College that are not addressed by the NPV Compact.

Constitutional Issues

Constitutional Power. Because the U.S. Constitution gives a state legislature the power to determine how a

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state's electors are chosen, there could be legal challenges to a compact between several states on selection of electors.

Political Compacts. According to opponents a political compact - one that tends to enlarge the political power of compacting states at the expense of either the federal government or non-conforming sister states - may function differently from other types of interstate compacts that cover subjects such as boundaries or economics issues.

Constitutionally, political compacts are permitted between states, but all require congressional approval. Under the Constitution's Compact Clause any changes that create a shift in political power require congressional consent. Therefore, without congressional consent the NPV Compact may not be enforceable. Congressional approval has not always been sought for previous state compacts, and the four states that have adopted the NPV Compact have not sought Congressional approval.

The NPV Compact is perceived as a way to circumvent a national stalemate on election reform but the impasse could continue if congressional approval is necessary and difficult to obtain. Senators, who are elected statewide, could be as reluctant as some governors have been to support the NPV Compact if they perceive it as disenfranchising a significant portion of their own state constituency.

The U.S. Supreme Court declined to hear a case about the impact of one state's method of appointing its presidential electors on another state (1966). However, the current Court might decide to hear a case on the NPV Compact, and could decide against a *group* of state legislatures introducing a new system of electing a president without an amendment to the Constitution.

Non-Compacting States. States not endorsing the Compact could become a fundamental concern constitutionally because the interests of states which have not signed the Compact could be greatly diminished. Opponents say that the electors from states not part of the Compact would have little influence on selection of the President.

Constitutional Protections. The U.S. Constitution is written to protect the interests of the states in order that all states will play a role in the electoral process. The NPV Compact allows as few as 11 states to determine a presidential election and could shift political power between states that are and are not party to the Compact. There is good reason to believe that effective governance would benefit from a broad geographic basis of support. Whether there is a broad geographic base for the Compact won't be known until we know which states enter the compact.

Evaluating Fairness

Support for a State's Winning Candidate. Voters supporting the candidate who wins their state would want their state's electors to support their choice. If a state's legisla-

ture has adopted the NPV Compact, that state's secretary of state would be required to certify electors representing the candidate who is the winner of the national popular vote - not necessarily the candidate who wins the popular vote within the state. Despite the legitimacy of the argument for one person, one vote that the NPV Compact offers nationwide, voters in states which traditionally support one party might be particularly troubled if their state's electors cast their votes for the candidate of an opposing party.

State Identity and Disenfranchisement. While the Electoral College now disenfranchises voters, the NPV Compact could disenfranchise the majority of a state's voters. Disenfranchisement of majorities within states could occur despite the state compact's goal to reflect the majority nationwide. This could happen specifically where state electors had to support the nationwide choice over their own state's choice. For example, if the NPV Compact were adopted within a state and the voters in that state cast a majority of votes for candidate 'A', the state's Electoral College votes would not be cast for that candidate IF candidate 'B' won the most votes from individuals in the 50 states and the District of Columbia combined.

Battleground States. Those supporting the NPV Compact argue that in the current system the election is fought in a few battleground states where the Electoral College votes are at stake. The NPV Compact creates a different scenario, but not necessarily a better one. The majority of the population of the United States resides in concentrated urban areas. In order to gain the most popular votes, a candidate will tend to campaign primarily in areas of dense population, ignoring sparsely populated rural areas. The concerns of many rural areas could be overlooked as candidates speak to issues resonating with urban populations.

State's Rights. The NPV Compact asserts state's rights and the ability to enter into a compact with other states to achieve a goal. However, the Compact would reduce the rights of the state itself and increase rights of individuals in all states. Each state would relinquish an independent role in the selection of the president and vice president by mandating that each state that is party to the Compact vote in a certain manner.

Influencing the Winner. The NPV Compact takes effect if enough states have 'signed on' to represent 270 electoral votes. The 11 largest states together have the 270 electoral votes that would be needed for the Compact to take effect and, if they were the only states to join the compact, could determine the outcome of the election even if 39 other states did not participate in the Compact. The first four states that have signed on to the Compact vary in size, so it is likely that it would take more than 11 states to reach the threshold for the Compact to take effect. The popular vote from all states would be used to determine the winner of

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the national popular vote, but it would be a dangerous precedent to allow a small number of states to have undue influence over selection of the president.

Questioning the approach. Clearly, some opponents simply think it inappropriate or unfair to have an approach like the NPV Compact that by avoiding the amendment process, is a 'work-around' to the Constitution.

Mechanical Issues and Possible Flaws

Mechanisms for Enforcement of the NPV Compact.

Methods for enforcing the Compact, if it were broken, are unclear. For instance, it may be necessary for a state or states to bring a lawsuit against noncomplying states as part of the enforcement process. The Compact might be deemed unenforceable with the potential to disrupt procedures of the Electoral College. The Constitution gives each state the power to determine how that state's electors shall be appointed. However, it is not at all clear that the power to change the appointment process could be limited.

Timing. There are questions of timing as well. If a state pulls out of the compact during the Compact's 'blackout period', *it is unclear* what authority, if any, could force it to return or how long this might take. Given constitutional requirements regarding when the Electoral College casts its votes and when a president is inaugurated, this could be serious indeed.

Other NPV Compact provisions suspend the rules of the Compact and return to the Electoral College if another state pulls out of the compact too close to the election. This, too, *could* cause disruption .

Close Elections. Some opponents of the NPV Compact are concerned that the Compact does not address electing a president with less than majority support, which is also possible under the current Electoral College system. They point out that in really close races a popular majority may not exist. This can be true in our current system as well, although some believe that the requirement for a majority of votes in the Electoral College helps establish the legitimacy for the president. While many voters were distressed at the outcome during the 2000 presidential election, most accepted the legitimacy of the system. Some opponents to direct elections and the NPV Compact think that the Electoral College adds this legitimacy in close elections.

Winning Levels. The NPV Compact proposal does not *improve* on the current system by demanding the president be elected by an actual 'majority' (50 per cent plus 1 vote) of the people. The NPV Compact may come no closer than the current system to electing a nationwide majority winner, as it still allows a candidate with only the 'plurality' of the vote to be selected President.

Plurality. A plurality is the standard of the NPV Compact. Some proposals for direct election of the president include provisions for a minimum level of 40 per cent. A majority of the popular vote might be preferable, but it is unfortunate that the NPV Compact doesn't require at least 40 per cent for a candidate to become president. Election reforms could have been included in the proposal that would have guaranteed majority winners, but in the end were not. As noted above "Close Elections" some argue that in the Electoral College even when the President receives less than a majority of the vote there is at least the legitimacy of a majority in the Electoral College because all but two states award electors on a winner-take-all basis. In the end the winner has at least an illusion of a majority mandate after winning 270 electoral votes.

Recounts. Were a recount to be necessary within a state, the national outcome might be uncertain, thereby potentially disrupting the timely meeting of the Electoral College. In a close race there would be no single national standard governing the recount process, as indeed there is not now. Each state has its own statutory recount criteria. The variations in rules governing recounts could raise issues of equal protection among the states. There is nothing in the NPV Compact that gives the compacting states authority to conduct the recount were a state to refuse. A state in the Compact could be sued by the other states within the Compact, but it isn't clear whether a state outside the Compact could do so. The NPV Compact contains no authority to carry out these recounts and must rely on the state's procedures, possibly prolonging the time it takes a state to appoint its electors or even to determine the final result of the popular count nationwide.

Election Fraud/Voter Suppression. This argument addresses the difference between direct elections and the current system as opposed to the NPV Compact in particular. It is unlikely that fraud will occur in states where the votes indicate a clear choice and the election is not close, because a large number of fraudulent votes or a large amount of voter suppression would be needed to alter the election results. In the current system, fraud is generally limited to a few areas, and especially suspected in 'battle-ground' states. Election observers and federal law enforcement can concentrate resources there. Fraud investigations at the national level, however, would be much more difficult when an election is to be decided by national popular vote totals.

Other Issues

Pre-clearance States and the Voting Rights Act. Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas and portions of Virginia, California, Florida, Michigan, New Hampshire, New York, North Carolina and South Dakota are obligated under the Voting

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Rights Act (VRA) to seek approval of the United States Attorney General or a three-judge panel for the District of Columbia before adopting “any voting qualification or prerequisite to voting, or standard practice, or procedure with respect to voting.” The VRA is often cited in state redistricting plans and might be a basis for challenging the NPV Compact if prior approval is not secured.

Faithless Electors. The issue of an elector or group of electors casting their votes in an unexpected manner is acknowledged but listed under “Other Issues” for two reasons. (1) Under the Compact it is expected that the electors of the “winning candidate” side will be those to cast the votes nationally. (2) There is little practical reason to believe that this is a major issue. Of the 21,915 electoral votes cast for the president in 55 elections between 1789 and 2004, only 11 were a surprise. One was accidentally cast, nine were considered ‘grand-standing’ after the election when the electors knew their votes would make no difference. Only one (for Thomas Jefferson in 1796) was cast with the hope of changing the election. Opponents fear that with the NPV Compact some electors might feel an injustice would occur to their home state if they cast their vote for the national winner and thus may be tempted to violate the Compact.

League Issues

Uniform Standards. THE LWVUS supports uniform standards for all elections. The NPV Compact is not uniform in that it can be enacted by some states and not others. Uniform national voting standards is *already* the League’s position. While the current Electoral College system is also not uniform (as with Maine and Nebraska), neither is the NPV Compact. National level changes to the process that are consistent across the states would engender a better balance of issues and concerns of the body politic rather than any measure adopted on a state-by-state basis.

Concluding Arguments Against the NPV Compact

While the United States is a Republic and not a direct democracy, the LWVUS supports direct election of the president: One person—one vote—for one seat. The

League rejects arguments for federalism over those for individual voters’ rights in this matter. This is why the LWVUS supports abolishing the Electoral College. However, any question of abolishing the Electoral College must, by necessity, consider the replacement.

Not Perfect. From a functional standpoint the case for the NPV Compact appears to be that it is an imperfect system replacing a system that is also not perfect—the Electoral College. This proposal seems to be gaining interest based on its novelty and the public’s enthusiasm for eliminating the Electoral College. However, a new plan should present more compelling reasons than these to support such major change.

Uniform Procedures. The LWVUS supports uniform procedures for presidential elections, changes in the candidate selection process and actions that ensure achievement of these goals. The League seeks to replace the Electoral College with direct election of the President. But enthusiasm for replacing the Electoral College may not be sufficient reason to support the NPV Compact given the potential constitutional problems.

Circumventing the Constitution. It is clear that changing the Constitution is extremely difficult; it was so designed. It is important for the League to consider whether changes in the election of the president should be accomplished through normal constitutional amendment procedures or the ‘work around’ proposed in the NPV Compact.

Additional resources on the NPV Compact listed on LWVUS Web site

A list of additional resources on the NPV Compact has been assembled and is available at <www.lwv.org>. If you’d like to read more about what others have to say about the compact, this list is for you. Of the 19 readings listed, at least 12 are available online. These materials supplement the study committee’s introduction and pros and cons, reprinted here. To access the list, go to the Web site, click on “For Members,” then “Projects and Programs,” then “National Popular Vote Compact.”

(LWVUS Leaders’ Update, 12/18/08)

See consensus questions on the next page

Public input on health care reform requested by Obama-Biden transition team

Tom Daschle, Health and Human Services Secretary-Designee, has posted a request for public input on health care reform on the Obama-Biden Transition Web site, <www.Change.gov>. As the Obama-Biden team works to put together a health care proposal, it is important for citizens to let their views be heard.

League members are encouraged to take this opportunity to participate and urge the new administration to act

quickly to pass legislation containing this provision: A basic level of quality health care at an affordable cost should be available to all U.S. residents as a matter of public policy. It is critical that health care reform include the equitable distribution of services, efficient and economical delivery of care, advancement of medical research and technology, and a reasonable total national expenditure level.
(LWVUS Leaders’ Update)

National Popular Vote Compact Consensus Questions

Amending the Constitution

1. Which statement best reflects the consensus of the group? Select one.

- Action to alter a basic element of the Constitutional framework, which is achievable by amendment to the Constitution, should be accomplished by amendment to the Constitution.
- Action by states through a compact process is an acceptable way to alter the method for electing the President and Vice-President.
- The group could not reach consensus.

2. Which statement best reflects the consensus of the group? Select one.

- Because a compact has never before been used to address a fundamental constitutional issue such as voting, the chance that it might set a precedent for the future leads to the conclusion that it is better that the League continue to work for an amendment to the Constitution to establish the direct popular election of the President and the abolition of the Electoral College.
- Despite the novelty of the use of the compact approach to address a fundamental constitutional issue such as voting, the League should support the NPV Compact as a way of achieving an important goal.
- The group could not reach consensus.

Congressional Consent

3. Which statement best reflects the consensus of the group? Select one.

- The possibility that the NPV Compact will require congressional consent is not of sufficient concern to block the implementation of the plan.
- The possibility that the NPV Compact will require congressional consent is sufficient to conclude that the plan should not be implemented without obtaining such consent.
- The group could not reach consensus.

Enforcement

4. Which statement best reflects the consensus of the group? Select one.

- The NPV Compact contains sufficient enforcement provisions to assure smooth operation of the plan.

- Although it is not possible to determine whether the enforcement provisions will be sufficient to assure smooth operation of the plan, the plan should be passed anyway
- Enforcement of the plan is likely to add uncertainty and bring the courts into the presidential election in ways that raise substantial concerns.
- The lack of adequate enforcement provisions is sufficient to conclude that the NPV is not a viable plan.
- The group could not reach consensus.

Uniformity

5. Which statement best reflects the consensus of the group? Select one.

- The uniformity of voting systems is more important to American democracy than the possibility that the NPV Compact can be adopted.
- The NPV Compact is more important than uniformity of voting systems because it would succeed in achieving the popular election of the President.
- The group could not reach consensus.

Popular Election of the President

6. Which statement best reflects the consensus of the group? Select one.

- It is more important to achieve the goal of national popular election of the President than it is to achieve the goal of abolition of the electoral college.
- It is more important to amend the Constitution to abolish the Electoral College than it is to achieve the goal of popular election of the President by alternative methods, such as the NPV Compact.
- The group could not reach consensus.

Achievability

7. Which statements reflect the views of the group?

The NPV Compact will have problems being passed because of the need for congressional consideration and the need for action by so many states.

Agree Disagree No Consensus

A constitutional amendment to establish the direct popular election of the President and the abolition of the Electoral College will continue to have problems being passed.

Agree Disagree No Consensus

Planning LWVMN Program aka “Lively Issues”

TIMELINE

October 31: By this date local LWV presidents sent preliminary program ideas to Mary Steen, LWVMN Program Chair [Six local LWVs responded.]

Week of Dec. 1: Proposed program ideas and planning form was sent to local leagues

March 9: By this date, local LWVs must return Program Planning reports to Mary Steen

March 21: LWVMN Board decides on recommended program

May 15-16: LWVMN Convention votes on program

Following you will find:

- I. List of local LWV suggestions for a two-year study;
 - II. Suggestion for an alternative to a two-year study (briefing papers);
 - III. Form for tentatively choosing your preferences
- Ideas will be discussed at the January unit meetings, and the discussion leader will compile the LWV RoMaFH results for both units and send the report to LWVMN.
See current LWVMN positions at <www.lwvmn.org>.

CRITERIA FOR NEW STUDIES

Timeliness: Is this a hot issue? Is the political timing right?

Appropriateness: Can the problem be solved by governmental action *at the state level*? Will this study lead to effective action for LWV? Is LWVMN the most appropriate and effective organization to make this study?

Membership: Will the issue increase the interest and participation of current members? Will the study attract new members?

Resources: Can LWVMN find both people and money necessary to carry out the study?

You are not limited to discussion of the preliminary ideas presented here. If at this point you want to propose other study ideas, LWVMN welcomes them. Please provide a rationale for any idea you want to suggest, along with a brief explanation of how the study would meet the Criteria for New Studies.

I. SUGGESTIONS FOR A TWO-YEAR STUDY

Education: Financing

1) Study of statewide bargaining:

Rationale: Inadequate funding of districts by the Legislature puts a heavy burden on districts without operational levies and results in teacher lay-offs that can put education at severe risk. The inequities between districts make this an even greater problem—and it is because the Legislature re-

fuses to adequately fund our districts. Therefore, the Legislature ought to bear the burden of dealing with the problems it has created! We should study the pros and cons of statewide bargaining.

2) Early childhood education

Rationale: Our positions speak to K–12 and higher education, but not early childhood education.

Questions: How is it funded? A patchwork of programs—Head Start, Early Childhood Family Education programs, day care, nursery school—exists, but there are sometimes long waiting lists. What are the needs? How are they best met?

Government:

1) Election laws:

Rationale: Election laws regulating campaign practices; Election Laws and Campaign Practices, we need SOMETHING! Action on what is there? Re-examination of what is there; do we need to look at the process of purging the names of registered voters? Are election laws stringent enough, too stringent? Do we need more regulations on local election officials? Do we need more stringent rules regarding campaigning?

2) **Revenue sources**—diversified, progressive, reliable. We should study and articulate a long-term vision for state spending decisions.

3) **Reapportionment**—bills have been introduced; Mondale-Carlson proposal.

Natural Resources:

1) Economic viability and environmental health of family farms and farmers;

unintended consequences of our current agricultural policies, such as water pollution, soil erosion, flooding, lumbering, and lack of crop diversity.

2) Evaluation of DNR (similar to study of MPCA)

3) Water resources:

a) Shoreland standards

b) Effects of ethanol plants on water resources

Housing: Plight of homeless

Transportation: Alternative transportation

II. ALTERNATIVE TO A TWO-YEAR STUDY:

Briefing Papers

As an alternative to a two-year study, LWVMN is proposing that LWV task forces prepare short briefing papers on topics of immediate relevance, and/or on topics on which we could use a refresher. Redistricting, for example, comes around with every ten-year census; legislation governing

the process and criteria will be voted on in this session of the Legislature. Our position: "Support of timely redistricting based substantially on population of congressional districts and of all elected state and local governmental bodies."

In the context of this position a small group of LWVMN members could illuminate issues in redistricting (race, for example), and write a three-to-five-page educational piece that could be distributed to members, used by our lobbyists, and form the basis for local league programs and op-ed pieces in their communities.

Or we could form an LWVMN task force to clarify a LWVUS position, to run parallel to LWVUS materials. In the context of the LWVUS focus on global warming, for example, a task force could produce a briefing paper on nuclear energy. This could be timely, since President-elect Obama has not dismissed nuclear power as part of the answer to reducing our carbon footprint, and a review of our positions on the subject (now running to over two pages) could update our knowledge of the arguments. (One

instance: LWVUS has opposed Yucca Mountain as either an interim or a permanent storage site for waste.)

Advantages of briefing papers

1) Briefing papers would allow us to be as nimble as possible, prepared to understand and respond to issues when they are current. These papers would be helpful to members individually and within local leagues; they would be timely and could be given by LWVMN lobbyists to legislators.

2) We would enable more LWV members to participate. Task forces would require a short time commitment. We could do several a year, tapping LWV expertise in a variety of areas. The strain on both human and monetary resources would be less.

3) We have the positions we need in order to take action, so a two-year study leading to consensus on a position is not necessary.

My Tentative Choices for LWVMN Program

Two-year study

Please indicate your top three choices, in order of preference, with 1 being first choice.

- Statewide bargaining for school districts
- Evaluation of DNR
- Early childhood education
- Shoreland standards
- Election laws
- Effects of ethanol plants on water resources
- Revenue sources for state
- Plight of homeless
- Reapportionment
- Alternative transportation
- Economic viability and environmental health of family farms and farmers
- Other _____

Briefing Papers

- Yes, I like this idea.
- No, I have reservations about this idea.

Possible topics for briefing papers (please indicate your top three choices, with 1 being first choice)

- Race and redistricting
- The census
- Nuclear energy
- Primary vs. caucus
- Non-ferrous mining
- Clean cars
- Great Lakes agreement
- New "Minnesota Miracle" for education funding
- Your idea(s) here _____

**CMAL Program Planning:
Lively Issues Proposed Topics**

It's time to look over existing CMAL (Council of Metropolitan Area Leagues of Women Voters) program items (see on the CMAL Web site, <<http://www.lwvmn.org/CMAL/index.asp>>) and start thinking about what you'd like to have for a regional two-year study, to be adopted at the CMAL annual meeting in May.

CMAL has not done a full study in many years. Its last adopted study was on Transportation, but no one stepped forward to chair the study, so it was never done. Two years ago we decided to do a one-year "mini-study" on Emergency Preparedness. Several speakers addressed aspects of the subject, members interviewed local officials responsible for emergency preparedness in their communities, and we compiled the results, which are available on the CMAL Web site.

Do we want to concentrate on updating our current positions or do we want to do a new study on an emerging issue?

Listed below are some ideas that have been suggested for new studies, along with a brief background for each. You are not limited to these ideas. You may suggest any item of regional interest that you think is of concern; however, be sure to define the scope clearly and give a brief background. Consider what has been done at other levels of the LWV and what can be done best by LWV or would be better done by other organizations.

Immigrants in the Region – A study of how well the needs of our recent major immigrant groups in the region are being met (Specify scope, i.e., determine the extent of

(cont'd on next page)

CMAL Program Planning, *cont'd from p. 16*

support needed/given, evaluation of systems, overcoming language barriers, etc.)

Background: Recently we have seen many refugees and immigrants from various parts of the world arrive in the region and are currently seeing more. Are their needs for housing, health care, and education being met? What about job placement? Are these new citizens participating in the election process? Do some groups have greater problems than others? Why? How do problems faced by the latest influx differ from those of their predecessors? With our state study on immigrants completed and a new national position, would you like to focus on how the region is doing in addressing problem areas? Specify area of study.

Transportation – A study of how well the transit needs of the region are currently being met by Metro Mobility and the various para-transit providers

Background: While much of the attention on transportation recently has been on LRT, the North Star Corridor and on the need for more roads, as funding sources become more tenuous, questions are being raised about the future of the existing para-transit systems that serve the needs of many in the region. Where are these systems, whom do they serve, are they sufficient to serve needs in the region? Are there other unserved needs? How can they best be met?

Metropolitan Airports – An in-depth study of the Metropolitan Airports Commission (MAC), its role, responsibilities and impact on the people of the region.

Background: The Metropolitan Airports Commission owns and operates the Minneapolis-St. Paul International Airport and six reliever airports, which function as part of a system to provide facilities for general aviation and business to alleviate congestion at MSP. While we hear of the air traffic increases, runway extensions, mandated safety improvements and complaints of noise, and studies by the Noise Oversight Committee, what do we know about the structure of the MAC, its authorities, accountability, how it is funded, its membership, its meetings, accessibility to the public, etc.?

Affordable Housing in the Region – A look at how the need for affordable housing is currently being met in the seven-county metropolitan region.

Background: We are seeing increasing numbers of mortgage foreclosures and homelessness. Median home values are fluctuating and at times affordable rental vacancies have been practically non-existent. What is the difference between low-income and affordable housing? Does the supply meet the current demand? Is there a sufficient supply of housing for the elderly to meet the increasing demands of the future? As some areas face redevelopment, what can be done to preserve existing affordable housing? If you select this item, please indicate the area on which the study should focus.

Planning For Alternative Energy in the Region –

Hennepin County will be erecting a wind turbine at its public works site in Medina. How about a study of metro local municipalities'/counties' use of: planning for alternative energy sources? As a cost containment measure? Environmental responsibility/leadership? Should there be an inventory of what's already in use, what/how/where/when might the local government units be anticipating to plan or already planning? What body of local government is doing the work: task force, advisory body, or already standing committee?

Urban Growth – A study of the cost of suburban development in the Metropolitan Area and approaches to regulate it.

Background: The population of our metropolitan area is growing and consuming undeveloped land at a rapid rate. This growth impacts other resources, such as the environment, infrastructure, public capital, and productive agricultural land. How will the Metro Council's Blueprint 2030 policy address these concerns? How will transportation issues be addressed? Are new policies and laws needed to adequately address these changes? Is it time to extend the region beyond the present seven counties?

Remember, you are not limited to new ideas—perhaps you would rather restudy one of the current CMAL positions that has sparked discussion at local LWVs recently, such as:

Needs of the Aging and Disabled - A restudy of how well the region is prepared to meet the needs of the increasing numbers of its aging and disabled populations.

Background: It has been nearly two decades since CMAL looked at these issues, and some communities are getting “older and poorer.” Is this the time to take another look at this and see how well the housing, health, transportation, and other needs of these groups are being met in communities throughout the region?

Next Steps

We hope these suggestions have sparked your interest and imagination. Bring this *Voter* to your January unit meeting along with any ideas and input for a regional study. If you are unable to attend a unit meeting, you may convey your idea(s) to our local League representative to CMAL, Lorraine Fischer, 651-777-5037, <plfischer@worldnet.att.net>.

If you are interested in serving on the study committee for one of these items, either at the local or CMAL level, be sure to let Lorraine know! In order for a study to be successful, we need not only member interest, but also member participation!

Local Program Planning

Below are the current LWV RoMaFH positions in brief. See the details at the Web site, <www.romafh.org>.

GOVERNMENT

1. Support opportunities for citizen participation in city government and open appointment for advisory committees. (1988)
2. Support City Manager form of government for Maplewood and Roseville (Plan B). Evaluate provisions of any proposed Roseville Charter in relation to Plan B. (1986, 1987, 2002)

SOCIAL POLICY

1. Support emergency medical services in Roseville with user fees. (1978, 1981, 2003)
2. Support volunteer fire fighters with attractive wages and benefits, but not cross training as paramedics; oppose fees for fire department services. (2003)
3. Support transportation options that serve the needs of the area. (1983)
4. Support safe non- motorized pathways with costs assessed area-wide. (1983)
5. Support equal opportunity for all students in public schools with use of unbiased textbooks and computer materials free of stereotypes. (1984, 1985, 1986, 1987, 1988, 2000)
6. Support electing School Board members-at-large for Districts 621, 622, 623. (1985, updated 1988)

NATURAL RESOURCES

1. Support organized refuse collection, curbside collection of recyclables (1985)
2. Support individual composting and government support for community composting (1982)

LOCAL STUDY ITEMS

GOVERNMENT

A. Review Roseville city ordinances; housing and maintenance enforcement procedures; and compare with those of cities in our area. (2000, 2001)- Study in process; update at March unit meetings.

SOCIAL POLICY

B. Review educational materials in public schools for additional possible biases: such as ethnic, cultural, (approved at annual meeting, 2004. but not studied).

Should any position be dropped? Should wording be changed? Should a new study be adopted? Bring your ideas to your January unit meeting for discussion.

FYI:

Free Films in St. Paul Focus on Women's Human Rights

Again Advocates for Human Rights is partnering with Friends of the Saint Paul Public Library to present the Women's Human Rights Film Series. Films focusing on global issues in women's human rights are being screened through April 2009 at various Saint Paul Libraries and other venues; each followed by a discussion led by an Advocates staff member. Free and open to the public, all films begin at 7 p.m. See <www.thefriends.org> for more information. The remaining films are:

Wednesday, January 14

Rice Street Branch Library, 1011 Rice St.

"SASA," is a Kiswahili word that means now. Now is the time to prevent violence against women and HIV infection. The documentary film "SASA!" tells the personal stories of two women and their experiences with violence and HIV/AIDS. It also offers analysis from activists and leaders about the causal factors, cultural dynamics, and politics of preventing and responding to these dual pandemics.

Wednesday, February 11

Merriam Park Branch Library, 1831 Marshall Ave.

Israel is the only country in the world where 18-year-old girls are drafted for compulsory military service. In the award-winning documentary "To See If I'm Smiling," the frank testimonials of six female Israeli soldiers stationed in Gaza and the West Bank pack a powerful emotional punch. At a time when women in the military are increasingly on the frontlines, and the actions of soldiers all over the world are being questioned, this powerful film explores the ways that gender, ethics, and moral responsibility intersect during war.

Friday, April 3

Metropolitan State University, 700 E. Seventh St.

"Taking Root: The Vision of Wangari Maathai" tells the dramatic story of the Kenyan Nobel Peace Prize Laureate. Her simple act of planting trees grew into a nationwide movement to safeguard the environment, protect human rights, and defend democracy—a movement for which this charismatic woman became an iconic inspiration. The evening includes as special guests the filmmakers, Alan Dater and Lisa Merton.

Minnesota takes a stand against genocide

by Ellen J. Kennedy, Ph.D., interim director of the Center for Holocaust and Genocide Studies at the U of Minnesota
Wednesday, Dec. 3, 2008, MinnPost.com

The entire article is available at:

www.minnpost.com/community_voices/2008/12/03/4962/minnesota_takes_a_stand_against_genocide - 40k

This opinion piece begins:

On July 23, 2004, the U.S. government declared the Darfur crisis to be genocide. Four years later, there is no end in sight. Nearly half a million innocent people have died and more than 2.5 million people have been displaced from their homes.

There is a growing outcry in Minnesota about this century's first genocide and the hollowness of the words "Never again" and "Never forget," uttered after the horrors of the Holocaust.

In Minnesota, the local has gone global. St. Paul, Edina, and Hopkins City Councils recently passed resolutions affirming that they have no investments in companies complicit with the genocide in Darfur, a region in the African country of Sudan.

Why should city officials get involved with a genocide happening 7,000 miles away? According to the resolution passed in Hopkins, "The city of Hopkins is concerned not only with the financial repercussions of investment in companies whose values will be negatively affected by their involvement with the genocide being waged by the Government of Sudan, but also with the moral implications of such financial arrangements. The citizens of the city of Hopkins do not want funds used to perpetrate terrorism and atrocities against civilians."

Divestments make a difference

In response to a growing student- and citizen-led movement, the University of Minnesota passed a divestment resolution in 2007 shortly before a Sudanese refugee spoke at a commencement ceremony. A month later, Gov. Tim Pawlenty signed into law a bill divesting Minnesota's \$30 billion pension fund from companies complicit with the genocide, as identified by the Sudan Divestment Task Force.

To date, 27 states, 61 colleges and universities, and 21 cities have said "No" to financial complicity with genocide.

Does this make a difference? We think it does. The government of Sudan is susceptible to economic pressure. The government of Sudan relies on foreign direct investment not only to pay its debts and subsidize government expenditures, but also to fund its military and finance the war in Darfur. In fact, a former Sudanese finance minister estimated that 70 percent of the government's share of oil profits is spent on the military....

Read the rest of the article at the Web site cited above.

Later e-mails from Dr. Kennedy on the issue of Darfur noted:

Genocide Task Force report issued

The Genocide Prevention Task Force convened by the U.S. Institute of Peace, the U.S. Holocaust Memorial Museum, and the American Academy of Diplomacy and headed by former Secretary of State Madeleine Albright and Defense Secretary William Cohen issued its report on Tuesday, December 9. For information go to www.cfr.org/publication/17937.

The report highlights genocide as a threat to national security and recommends that President-elect Obama create a high-level forum in the White House to direct the response to threats of genocide, focus intelligence analysis on potential cases of mass atrocities, and provide \$250 million annually for crisis prevention and response.

"Never Again, For Real" - Sunday's New York Times Op-Ed page [December 21, 2008] featured a column by [Albright and Cohen]...This op-ed highlights the necessity to prevent and end genocide to increase our own national security. Genocide fuels instability in weak, undemocratic, corrupt states which recruit and train terrorists, engage in human trafficking, and foment civil strife, all of which endangers the U.S. In addition, genocide has long-lasting consequences for the demand for humanitarian aid. And America's world standing is eroded when we are perceived as bystanders to genocide. The authors call on President-elect Obama to make this issue a national priority.
(12/21/08 e-mail news from Ellen Kennedy, CHGS, U of M)

LWVUS Climate Change Task Force provides 5 articles on issues

A series of five two-page articles covering climate change issues of general interest to League members and our communities are posted at www.lwv.org and will be reprinted here as space permits. You might want to distribute these articles, prepared by Climate Change Task Force member Eleanor Revelle, in other organizations that you know have an interest in this topic. If you can't wait to see them here, check them out at "For Members," then click "Projects and Programs," then "Climate Change Task Force." They are:

"Carbon Offsets: A Cautionary Tale"—A look at the role of voluntary carbon offsets in addressing climate change plus tips for finding quality offset projects.

"Curbing Greenhouse Gas Emissions—Two Approaches"—A comparison of two market-based approaches to reducing United States greenhouse gas emissions: a cap-and-trade system and a carbon tax.

"Lighting the Way to a Greener Environment"—A review of the benefits of using fluorescent lights, with tips for finding the right bulbs and disposing of them properly.

"Staying Warm and Living Green"— Tips for analyzing the energy efficiency of your home's heating system and improving your home's energy performance.

"Water—Let's Use This Precious Resource Wisely!"—Steps individuals can take to reduce water usage indoors and make good use of rainwater outside.

LWVRoMaFH Calendar

January 2009

Tue, 20, Unit – Presentation, Discussion, & Consensus, LWVUS study on National Popular Vote Compact; discussion of Lively Issues for program at the state, Metro Area, and local levels of LWV. *Read materials in this Voter and bring it with you, along with the November 2008 Voter.*

Wed, 21, Unit (same topics; *see above*)

Wed, 28 – Board Meeting

February 2009

Wed., 18 – (**Note change of date**), VIP General Meeting. *See details on p. 2.*

Wed, 25 – Board Meeting

March 2009

Tue, 17, Unit – City Code Enforcement Update

Wed, 18, Unit – same topic

Wed, 25 – Board Meeting

April 2009

Tue, 21, General Meeting – Panel Discussion on How to Meet Diverse Needs for Health Care, Falcon Hts. City Hall, 6:30 p.m. social time, 7:00 p.m. program

Wed, 22 – Board Meeting

Sun, 26 – Book Sale, 7:30 a.m.–1:30 p.m., Fairview Community Center, coordinated with Golden Kiwanis Pancake Breakfast

NOTE:

Board meetings are held at 7:00 p.m. on the 4th Wed at the Roseville Oval, Raider Room (except in April 2009, in the Fireside Room).

Third Tuesday evening unit meetings in Nov, Jan, March, April, and May will be at Grumpy's Bar and Grill Restaurant (formerly Major's & Lido's), 2801 N. Snelling Ave. (off Lincoln Drive), Roseville, at 7:00 p.m.; social hour and dinner optional at 5:30 p.m. Minimum dinner cost is \$15.00 (to cover private room).

Third Wednesday morning unit meetings are held at Prince of Peace Lutheran Church, 2561 N. Victoria Ave., Roseville, at 9:30 a.m.

All meetings are public

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. Membership in the League is open to men and women of all ages.

League of Women Voters of
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