



THE SACRAMENTO VOTER
THE LEAGUE OF WOMEN VOTERS OF SACRAMENTO COUNTY

FEBRUARY 2009

**Join us in Celebrating
The 89th Birthday of the LWV**

Saturday, February 28, 2009

9:30 to Noon

USC State Capitol Center, 1800 I Street, Sacramento 95811

Featuring LWVSC

Past Presidents

in a round table discussion of League stories

Leading to a discussion of

Local Program Planning for 2009-2010

RSVP to LaVerne Ireland at (916) 371-3480 or lireland@ix.netcom.com
so we can provide refreshments for all in attendance.

Unit Meetings, February 9 and 10, 2009

**LWVUS study of the advisability of using
the National Popular Vote Compact (NPV) among the states
as a method to elect the U.S. President**

See pages 4, 5, and 6 for background, pros, and cons articles, and resource links.

See page 7 for meeting times and locations.

BOARD MEETING: MONDAY, FEBRUARY 23, 5:30 PM, LEAGUE OFFICE

2008-2009

PRESIDENT'S MESSAGE

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Imagine my delight when I invited our past president members to the LWV birthday event on February 28, and they all accepted! Well, almost. You won't want to miss this League meeting!

Last year the LWVUS received over 1,000 birthday wishes and published some as a heartwarming reminder of the League's impact. Here are a few of them.

"88 keys on a piano. 88 years of League. Let the music continue."

"You are truly the League with a heart, a voice, and shared information which can create positive change".

"Still the best organization in America! Taught me most everything I know about organizing. Love it with all my heart."

"You are the most underappreciated national treasure."

"When LWV speaks, civic leaders listen. Happy Birthday to a group that has earned respect because of all the hard work of its volunteers."

"LWV is the standard by which I measure all other organizations."

"League Members are wonders, Without them voters would wane, By not registering to vote, by not standing in the voting lane. So Happy Birthday LWV, Long may you continue to serve, So our voting process continually improves, And never your resolve shall swerve."

"It is great to be associated with this wonderful organization which so many depend on for advice & information, especially in this election year!"

"We've come a long way baby!!!! The clothing changed, but not the sentiments!!!"

"AT 88 you still have the "it factor" and still rock."

"Happy Birthday to a group that still believes in the "high road" and making things transparent, honest, and positive."

"We are so proud to be a small part of this big, beautiful picture of democracy in action."

REMEMBERING JUDY BRAMSON

By Anne Rudin

We were saddened by the recent death of Judy Bramson, a member of our League since 1959.

Although a new member, it was not long before she accepted leadership responsibilities, serving ably on President Patsy White's board in 1960 and as my Vice-president in 1961-63. She was active on the Speaker's Bureau, and, later, the California League's Legislative Committee.

As with many of our members, her League experience in community action on public policy propelled her to other causes. Judy became the first director of the Sacramento County Health Council. During her tenure as director, she advised elected officials and other policy makers on major health and human services issues. She was a trusted voice for sound public health policy, always promoting access for everyone, becoming the "go to" person for health information.

Judy worked well with public officials, hospitals and community organizations, bringing them together to address key health issues. I remember her as staff to the Golden Empire Comprehensive Health Planning Council on which I served. She would sit on the sidelines with a beautiful, complex piece of knitting, but we knew she was listening intently to the discussion. When she put down her knitting needles and picked up her pen to make a few notes we knew we had said something worth recording.

The Director of the Community Planning Council recalls Judy as being generous with her time in mentoring younger staff members. Public officials sought her opinion and wanted her at the table when major issues were being debated. She often worked in the background but had a profound impact on public health policy in Sacramento for more than twenty-five years. Sacramento is a better place because of her good works.

WATER FORUM UPDATE

By Rick Bettis

The LWVSC continues as a stakeholder member of the Sacramento Area Water Forum, created in 1993. The Water Forum is intended to be a consensus building process among stakeholders who represent government, water purveyors, environmental, business, and general public interests. Its coequal objectives are:

- 1. Provide a reliable and safe water supply for the region's economic health and planned development to the year 2030, and**
- 2. Preserve the fishery, wildlife, recreational, and aesthetic values of the Lower American River.**

Originally conceived as a one or two year process, a Water Forum Agreement was not signed until January 2000. This has been followed by a "Successor Effort" intended to ensure the Agreement would be implemented. The Agreement is actually a Memorandum of Understanding, which is not legally binding.

The Agreement did result in the key element Objective No. 1 to be implemented with a major expansion of the Fairburn Water Pumping and Treatment Plant located on the American River near the Sacramento State University campus.

Article continues on page 8 →

Background for the National Popular Vote Compact

The League has a long-standing position in support of the direct election of the president by popular vote. Now, League members have the opportunity to consider whether to support the National Popular Vote Compact (NPV Compact) as a viable process to achieve that result. The NPV Compact would avoid the need for a constitutional amendment abolishing the Electoral College (EC), and would assure that the individual receiving the most votes would become president.

The NPV Compact proposal uses the mechanism of the EC. States that legislatively enact the NPV Compact would agree that their state electors would vote for the individual that received the most votes nationwide. Thus, the popular vote count from all 50 states and the District of Columbia would be added together. State elections officials in all states participating would award their electoral votes to the presidential candidate who receives the largest number of popular votes.

This alternative method of assigning a state's EC votes would take effect only when enacted by states collectively possessing a majority of the electoral votes. This 270-vote threshold also corresponds essentially to states representing a majority of the people of the United States.

The plan includes procedural provisions to help assure smooth functioning of the agreement – conditions that deal with states deciding to withdraw from the Compact at the last moment, enforcement issues and recounts.

Currently four states have passed legislation to enact the NPV Compact.

There are pros and cons to this plan, which are discussed in full in papers found on the LWVUS Web site. Summaries of these papers are also available. League members can learn more about the plan from these sources and consider its ramifications at consensus meetings across the country. Be sure to participate! Who better than the League to be ready to speak to this good-government issue?

To prepare for the consensus meeting, please read the complete version of this paper (available at www.lwv.org) by the LWVUS National Popular Vote Compact Study Committee.

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The LWVUS NPV Study Committee posted general information, background papers, and a reading list in the For Members section at lwv.org. Login using your personal email address and password. If you do not have a password, you may create one.

- The text of the Agreement Among the States to Elect the President by Nationwide Popular Vote
- NPV Compact Consensus Questions for League discussion meetings
- National Popular Vote Compact Suggested Resource List
- LWVUS Study on the National Popular Vote Compact Background Paper
- LWVUS National Popular Vote Compact Paper Supporting the NPV Compact (Pro)
- LWVUS National Popular Vote Compact Paper Opposing the NPV Compact (Con)

Support for the National Popular Vote Compact

Because the League already supports direct election of the president, arguments against the Electoral College (EC) are not included in the material supporting the National Popular Vote Compact (NPV Compact).

Constitutional Issues The NPV Compact is a way to assure that every person's vote counts equally and that the person receiving the most votes is the winner of the presidency. The same result would be achieved by constitutional amendment but the U.S. Constitution is difficult to amend. The NPV Compact is a viable way to attain the same goal as amending the Constitution to eliminate the EC.

A constitutional amendment is not needed to effectuate the NPV Compact because states already have the right to implement changes in how electors are appointed.

The NPV Compact is a compact between states – a method of concerted state action that has long been sanctioned by the Constitution and the courts.

Evaluating Fairness A candidate can be elected president by receiving the most electoral votes even though he or she did not receive the most popular votes. This is not a result voters expect or desire. As election campaigns are now waged, major emphasis and resources are concentrated in key EC battleground states because that is where elections are won or lost. The NPV Compact would eliminate the emphasis on battleground states and would be more apt to assure campaign strategies that appeal to a broad spectrum of the electorate which would foster greater voter participation.

The argument that the plan would negatively impact states' rights is countered by poll results showing that most voters want their individual vote to count, rather than allotting them to electors representing the state as a whole.

Any claim that the NPV Compact is an unprecedented disregard for the U.S. Constitution ignores the reality that voting rights have been changed through state action many times. Women's suffrage, for example, was instituted by twenty states before passage of the constitutional amendment that made the right universal.

Mechanical Considerations Those opposed to the NPV Compact cite mechanical issues that might lead the NPV to fail, but the Compact includes provisions that address issues of enforcement, winning levels and recounts.

Other Issues The Voting Rights Act and the NPV Compact are in harmony, assuring equality of votes throughout the United States.

League Issues Opponents say that the NPV Compact conflicts with the League's support of uniform voting standards. Supporters of the Compact advocate its passage in all states, which would result in uniform voting standards. It is true that the NPV Compact could be in effect for an interlude when not all states had signed on to it. The same could be demonstrated for other laws, such as the Equal Rights Amendment. Nonetheless, it must be remembered that uniform voting standards are not now in effect. The NPV Compact could help assure that every vote would be counted equally.

Further, implementation of a method which assures direct election of the president by popular vote is in keeping with the League's long-held position.

To prepare for the consensus meeting, please read the complete version of this paper (available at www.lwv.org) by the LWVUS National Popular Voter Compact Study Committee.

Opposition to the National Popular Vote Compact

There is little respect for the Electoral College (EC). The League opposes it and most voters want a direct popular vote. But is the National Popular Vote Compact (NPV Compact) an appropriate way to achieve that result?

Evaluating Fairness Voters supporting the candidate who receives the majority of votes in their state want their state's electors to support their choice. Adoption of the NPV Compact may require a state elections official to direct its state's electors to cast their ballots in support of a candidate who was not favored by the voters of that state.

Passage of the NPV Compact will result in the emphasis of presidential campaigns shifting from the battleground states to areas of large concentrations of population. So, while some voters are disenfranchised by the EC, others might be disenfranchised by the NPV Compact. Because the Compact requires entry into a contract with other states which binds state elections officials to direct electors to vote in a certain way, regardless of the outcome of the election in their state, states' rights are diminished.

In addition, one can question the advisability of a method that bypasses the normal constitutional amendment process in this manner.

Constitutional Issues Many constitutional scholars argue that this plan will lead to extensive litigation involving challenges to the NVP Compact on issues such as the scope of constitutional powers, the Compact itself, the need for congressional approval, the concerns of non-compacting states, and constitutional protections of state interests and their role in elections.

Mechanical Issues/Flaws The methods for enforcement of this plan are unclear. Opponents question the power and timing to withdraw from the Compact and the power to enforce compliance.

Others express concern about an onslaught of lawsuits between compacting and non-compacting states, as well as procedures in close elections.

The plan, allowing the election of a president by a plurality of votes, does not improve on the current system; neither the present system nor the NPV Compact requires that the president be elected by a majority.

Other Issues The Voting Rights Act requires pre-clearance for legislative changes. This, too, has the capacity to engender lawsuits to ensure compliance.

League Issues This proposal does nothing to achieve the goal of uniform standards of voting. The NPV Compact is effective when passed by states representing 270 electoral votes, effectively negating the impact on presidential elections of the voters in states which represent the other half of electoral votes. A system which assures no voter disenfranchisement is a better way to assure that every person's vote counts.

The League has long supported the abolition of the EC. Although the NPV Compact purports to foster the same result, it creates additional concerns. Amending the U.S. Constitution is a difficult process, and we should seriously consider supporting the normal amendment procedures to abolish the EC versus this specific "work-around."

To prepare for the consensus meeting, please read the complete version of this paper (available at www.lwv.org) by the LWVUS National Popular Voter Compact Study Committee.

WELCOME TO NEW MEMBERS

Patricia Olson

Hassan Pejuhesh

THANK YOU TO OUR CONTRIBUTORS

Anne Berner

Margaret Herman
(In memory of Jo Smith)

Kay Knepprath
(In memory of Jo Smith and Judy Bramson to Anne Rudin Scholarship Fund)

Pete Martineau

Joan Tennis

FEBRUARY UNIT MEETINGS

LWWUS study of the advisability of using the National Popular Vote Compact (NPV) among the states as a method to elect the U.S. President

UNIT	DATE & TIME	CONTACT	LOCATION
Mid-City	Monday, February 9 6:15 PM	Tom Swift 453-8707	5308 Shepard Avenue Sacramento, CA 95819
Morning Suburban	Tuesday, February 10 9:15 A.M.	Mary McCullough 967-7382	2426 Garfield Ave. Carmichael
Greenhaven/ Land Park	Tuesday, February 10 9:30 AM	Mary Hopkins 422-6958	45 Sunlit Circle Sacramento
Elk Grove	Tuesday, February 10 1 P.M.	Pat Justice 391-9439	8622 Shasta Lily Drive Elk Grove 95624

Eileen Heaser, unit coordinator, 916-456-2154 or eheser@csus.edu



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FEBRUARY 2009

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WATER FORUM UPDATE, continued from page 3

However Objective No. 2 has not been achieved to this date. To achieve adequate American River flows to protect fishery and wildlife values a minimum “flow standard” was developed. However, to ensure implementation of this standard it must be codified by adoption by the California Water Resources Control Board. After numerous delays the Water Forum has finally adopted a schedule calling for the submission of the flow standard to the Water Control Board during the summer of 2009. Following this submission it will likely take at least one year before the Water Control Board would formally act on this application.

This very substantial delay has been, in part, due to staff and consultant inefficiencies. However, a significant factor has been the reluctance of the U.S. Bureau of Reclamation (USBR) to firmly commit to the flow standard. The USBR is concerned that the flow standard does not allow sufficient operational flexibility so that it can meet the many demands for American River water downstream of Sacramento. The primary control feature for the American River is Folsom Dam, which was constructed by the Federal government in the 1950’s and is operated by the USBR as part of the multipurpose Federal Central Valley Project.

Another key element of the Water Forum Agreement is the Water Conservation Program made up of Best Management Practices, which have not been adequately implemented to ensure that they will provide adequate supplies to meet future needs. This is largely due to the fact that the Sacramento area does not have water meters, which would permit the water usage to be measured and billed according to the amount used.

The Sacramento area water use per capita far exceeds the usage in other areas of California. Without meters there is insufficient incentive to conserve water. State Legislation was passed two years ago that now requires all areas of the state to install meters by 2030.