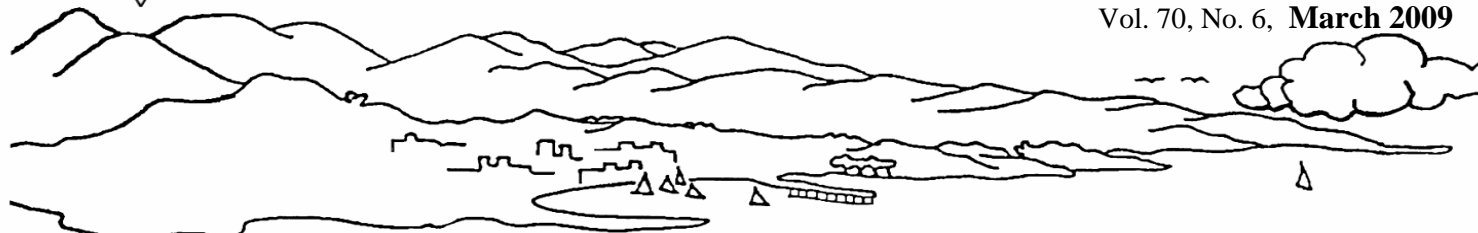


# Channel VOTER

LEAGUE OF WOMEN VOTERS OF SANTA BARBARA, INC. • 328 A East Carrillo St., Santa Barbara, CA 93101

Serving South Santa Barbara County

Vol. 70, No. 6, March 2009



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## MARCH COMMUNITY FORUM COULD WE ELECT THE U.S. PRESIDENT BY POPULAR VOTE?

Wednesday, March 18, 2009, 12:00 to 2 p.m.

Louise Lowry Davis Community Center - De La Vina & Victoria Streets

[Please note: From now on we will begin at noon, so that the program proper can start at 12:15]

### OFFICERS

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Since 1970 the national League of Women Voters has had a position supporting the direct election of the President. It was assumed that it would take a constitutional amendment to remove the Electoral College, but 700 efforts have been made to remove it, and all have failed. Recently a new approach has been proposed, called the National Popular Vote Compact. Individual states would sign onto an official agreement to send all their delegates to the Electoral College committed to voting for the popular vote winner, regardless of how their state has voted. When states holding 270 electoral votes, enough to elect the President, had committed to this Compact, it would go into effect.

So far four states, having 50 electoral votes, have already signed onto it. In California both houses have passed the bill twice, and each time it has been vetoed by the governor. If the

League were to endorse this Compact, that it might have some positive effect on national public support for it. That is why we are doing a national study to decide the League's position on it, and both our March and April Discussion Units will study this issue, and in April we will take consensus on it.

We have invited two experts on presidential elections to talk about this proposal. **Gail Dryden** from the national League's study committee has written both the supporting and opposing arguments and is very familiar with this issue. **John Woolley**, Professor of Political Science at UCSB, is a presidential scholar, and he will place the Compact in historical perspective. They will try to help us prepare for taking consensus on this very important question in our April Discussion Units.

*Connie Hannah, First Vice President (Action)*

## MARCH DISCUSSION UNITS THE NATIONAL POPULAR VOTE COMPACT: WHAT IT COULD DO

Since the League has wanted to see direct selection of the President for 35 years, we have to consider seriously this new effort to work through the Electoral College to achieve that end. This month's discussion units will talk about how that would be done. We will discuss the proposal, and then discuss the pros and cons of having the League support it. A League discussion of those arguments is printed on pages 4 and 5, so please bring this *Voter* with you to the unit, so we can consider the questions that are raised.

There are four units at different times and places,

and they are listed on the back page of your *Voter*. [Note that the venue for the Carpinteria unit has been changed for this month]. Feel free always to go to whichever one best suits your need for time and place. The members of the NPV Study Committee will lead the discussions, and they are anxious to have you consider the issues that are raised, because in the April Units we will be asked to take consensus on several serious questions prepared by the national League.

*Connie Hannah, First Vice President (Action)*

# From the President's Desk...

## HOW LEAGUE TAKES POSITIONS AND MAKES DECISIONS

How does LWV make decisions on issues? We have a lengthy process which is different from that of many organizations. We have **Principles**, the basic "concepts of government" to which the League subscribes, and which are uniform for all levels of the League. These inform everything we do, and are almost never amended. Last summer, though, in response to member concern, a sentence on balance of power among the branches of government was added to the Principles.

Members decide what general issues need our attention; we study them and present the information to our members for input; the member consensus is then formulated into a **position**. Positions are broad enough that we can later take action on more specific aspects of the issue.

The League studies usually take at least a year, and often the study process takes two full years or more. During this time, whether the study is local, for a state League, or for LWVUS, each member is given an opportunity to learn about the issues and to participate in making the decision on what our position will be. We endeavor to reach a consensus on the issue. Grassroots agreement on positions is one of the League's greatest strengths.

What is consensus? To quote LWVC's study guide, consensus is "Substantial member agreement reached through group discussion .... Consensus is the sense of the group rather than merely a majority opinion." After the member discussions and input, the study committee analyses the responses to their questions on various aspects of the issue, and whether consensus has been reached on each aspect. From the member consensus, the committee develops a position statement. This statement must be approved by the board, and is usually adopted by the next convention (state or national positions) or annual meeting (local positions). After board approval, the position becomes the League's basis for action on the issue.

Most of the League's positions are written broadly enough to cover a great variety of specific issues, as well as changing circumstances. Many national positions may be applied on the



state and local levels (Health Care Reform is one such position), and many state positions also apply locally (Mental Health is an example). Our local positions (such as that on local planning), however, can't be used by other Leagues, and must not conflict with state or national positions.

Every annual meeting or convention, all members are given the opportunity to participate in "program planning." We decide whether we wish to retain, update, or drop our positions, or suggest a study leading to a new position, and LWV California also asks members for input on the coming year's priorities (Issues for Education and Advocacy). In January, we went through the program planning process in preparation for the state League convention; the LWVC board is compiling the input from local Leagues, leading to a "recommended program." Convention delegates will then make the final decision.

The League's advocacy must always be based on our positions. We can't support or oppose measures on which we have no position; and in some cases, we may have two applicable positions that would suggest opposite responses to the measure. But when the board does decide to act, it's never in a vacuum or just because we think an issue is important. We are using our positions - ultimately, the results of that grassroots consensus process - to influence public policy.

Last year we completed the first National League study in 15 years, and now for the first time have a position on immigration so that we can act on this hot topic when the need arises. This year we are doing a very brief update on our 40-year-old position to abolish the Electoral College; we hope to reach a consensus among Leagues throughout the country on whether the National Popular Vote Compact would be a proper way to achieve that goal. Please read the articles in this *Channel Voter* and the February issue, come to any of the March discussion units and the Community Forum to learn about the NPV Compact, and join us at the April units where we'll give our input on the consensus questions.

*Linda Phillips, President*

### **FLASH! — SPECIAL ELECTION SET FOR MAY 19**

The economic crisis has resulted in a special statewide election which will be held in May. As part of the state budget legislation, several propositions will be on the ballot — in addition to one that had been scheduled for a later election.

The League will be busy this spring. As of this writing, the state League is considering whether they will make recommendations on any of the measures. We will certainly need to help voters through our Voters Service projects. **We need all the help we can get!** Contact Susan Shank (zshank@cox.net) or Linda Phillips (lindakp5@cox.net) for information and to volunteer.

*The Channel Voter is published eight times a year, monthly except for January, June, July, and August, by the Santa Barbara League of Women Voters, 328A E. Carrillo St., Santa Barbara, CA 93101.*

## LEGISLATIVE INTERVIEW: CONGRESSWOMAN LOIS CAPPS

Anticipating a busy year of advocacy, LWVUS has asked local Leagues all over the country to meet with their Congress members, and state Leagues were asked to contact their senators. We all asked the same questions, which focused on the League's top national priorities of health care and climate change, and on how Congress can work together more effectively.

On January 12, Carole Marks and Linda Phillips of LWVSB and Helen LaMonte of LWV Ventura County discussed three questions with Rep. Capps:

1. *What should the federal government do to ensure that every American has health coverage?*

As one of three nurses in the House, health care is Capps' top priority. She pointed out that the new administration is also committed to implementing comprehensive health care reform, and especially to the goal of extending health care access to all Americans. She especially looks forward to working with Henry Waxman as the new chair of the Energy and Commerce Committee, and to her own leadership role as the Vice Chair of its Subcommittee on Health. She was a cosponsor of legislation to reauthorize and improve the State Children's Health Insurance Program (SCHIP), and excitedly told us that she hoped it would pass in the next week, greatly increasing the number of children eligible for government subsidized health care programs. Since our meeting, the bill has been enacted into law.

She was particularly concerned about the effect of the recession economy on health care access and hoped that the economic stimulus bill would include grants to the states for Medicaid benefits, which are currently threatened (especially in CA) because of state budget crises. She considered it very important that the economic stimulus also target the development of health information technology. She continues to work for educating health care providers, including many more nurses to counteract the severe nursing shortage. She has cosponsored legislation that would give grants to state and local governments to figure out the best way to cover their local populations (particularly important to us since we support a single payer system for California), and she supports expanding Medicare to extend optional coverage to seniors age 55 to 65.

2. *Do you support legislation to set a declining cap on greenhouse gas emissions, based on the best-available science, in order to combat global climate change?*

Rep. Capps serves on the Energy and Commerce Committee and its Subcommittee on Energy and

Environment, which will be drafting legislation to reduce global warming, and which was about to hold its first hearing. She also serves on the Natural Resources Committee and its Subcommittee on Insular Affairs, Oceans and Wildlife.

She supports caps or any other means to reduce greenhouse gas emissions, and was a cosponsor of the Safe Climate Act in the last Congress, which would have given EPA the ability to establish economy-wide cap-and-trade climate legislation. She also cosponsored legislation to overturn the Bush Administration decision to deny California's request for a waiver to adopt stricter automobile global warming emissions standards.

On the Natural Resources Committee, she is working on legislation to help coastal states deal with the effects of climate change on the ocean, such as sea level rise and acidification. She emphasized the urgency of the global warming problem: "We have to act NOW!"

3. *What will you do to help reduce the level of partisanship at the federal level that has blocked progress on a number of important national issues in recent years?*

Rep. Capps is committed to lowering the partisanship so we can all work to solve the serious issues our country faces. She feels it is an important topic and has always tried to work in a bipartisan manner. One major way she mentioned was by cosponsoring legislation with someone of the opposite party. In crafting legislation, she feels one needs to appeal to both sides, to bring everyone on board, to pass legislation. The 110th Congress passed 230 bills, of which 70 were done in a bipartisan manner.

She felt the bills passed regarding ethics reform were particularly helpful. These far-reaching reforms banned lobbyist paid meals and trips; tightened disclosure requirements for lobbyists; and required full disclosure of all earmarks. She stressed that the stimulus package (at least at the time of our interview) had no earmarks, and that none would be allowed at all without disclosure.

Another aspect that she stressed was the need for civility in general, and in particular the way the majority party works with the minority party. "It's up to the majority party to make civility work." In closing, she asked us for our suggestions on improving bipartisanship.

We look forward to continuing to work closely with Congresswoman Capps on these issues and more.

*Linda Phillips, President*

## SUPPORT FOR THE NATIONAL POPULAR VOTE COMPACT

**B**ecause 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](http://www.lwv.org)) by the LWVUS National Popular Voter Compact Study Committee.**

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## LUNCHEON WITH CONGRESSWOMAN LOIS CAPPS

On January 31 a group from the Santa Barbara League traveled to San Luis Obispo for a very pleasant and informative event, luncheon at the Madonna Inn with Lois Capps as featured speaker. Her topic was the prospects for action in the new session of Congress on offshore oil, alternative energy, and other matters dear to the hearts of all members of the League.

Ms. Capps pointed out that this is a "pivotal time" for environmental protection – we must not only pass legislation but also make changes in the way we live. On the legislative front, the economic stimulus bill includes a number of programs to improve the efficiency of our energy use, for example in government buildings and on highways, where infrastructure improvements will decrease traffic congestion and resultant fuel waste. Our

country will be greener with the support of businesses such as those developing wind and solar energy, businesses of which we have examples locally.

Ms. Capps said that the election of Mr. Waxman as chair of the House Energy and Commerce Committee, of which she is a member, was very significant. She hopes there will be greenhouse gases legislation by Memorial Day. She is also interested in legislation that would help local governments plan for the impacts of federal ocean policy, for example, the location of alternative energy projects. Ms. Capps opposes the expansion of the offshore oil industry along the California coast and urged the League to be a leader on this issue.

*(Continued on page 5)*

# 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](http://www.lwv.org)) by the LWVUS National Popular Voter Compact Study Committee.**

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## LUNCHEON WITH CONGRESSWOMAN LOIS CAPPS - (continued from page 4)


This event was conceived and hosted by the San Luis Obispo County League, which generously termed it as sponsored by the South Central Coast Environmental Task Force – in other words, they did all the work and our regional group (which also includes Leagues from Santa Maria, Ventura County, and Santa Monica) got some of the credit. We others in the group are appreciative and will try to follow on their example in the future.

*Jean Holmes, South Central Coast Environmental Task Force*

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## TRANQUILLON RIDGE

When the State Lands Commission considered the Tranquillon Ridge offshore oil project at a meeting in Santa Barbara, the League was among the approximately 100 public speakers on the proposal. Speaking for the statewide League as well as the local Leagues in this county, I made these points: the precedents of fixed end dates for oil projects and a net increase of no greenhouse gas emissions outweighed the risks of increased production from Platform Irene; also the removal of platforms and onshore infrastructure would take away an incentive for slant drilling projects in those areas in the future. Unfortunately, two of the commissioners turned down the project in spite of these concessions, primarily because they feared the message that approval would send to Washington.

*Jean Holmes, Energy Committee*

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## SANTA BARBARA CELEBRATES MARTIN LUTHER KING DAY

On January 19th, 2009, Santa Barbara again celebrated and honored Dr. Martin Luther King Jr.'s birthday and his contribution to our country and the world. The pre-march celebration at De La Guerra Plaza, organized by Frances Moore, began with a Unity Circle in which participants were blessed by a song and cleansing sage from members of the Chumash tribe. Michelle Lawyer sang Dr. King's favorite spiritual, "Precious Lord, Take My Hand and Lead Me Home." Joan Melendez performed an interpretive dance to the hymn "Amazing Grace." The Santa Barbara Ring Shout Project performed traditional and new music to honor and remember the people of Africa who were brought here centuries ago and enslaved. Bill Spencer of the Santa Barbara Brotherhood was the gracious emcee. A contingent of Santa Barbara League members, carrying our sign and led by our president, Linda Phillips, joined over a thousand marchers. They proceeded up State Street to the Granada Theater, singing "We Shall Overcome" to honor Dr. King and all who supported and marched with him.

Marchers were welcomed to the newly renovated Granada Theater for a rousing program of speeches, song, and dance. The program included a wel-

come by Willie Shaw and Dr. Wallace Shepherd, co-chairs of the MLK Day Steering Committee, and remarks by Bill Spencer. The featured speaker was Khalil Shaheed, an internationally known composer, musician, educator, and band leader. Dances were performed by young students from EmbodyDance Program and the Santa Barbara Dance Institute. Prizes were presented to local students for their winning poems and essays on the topic, *Is There Justice For All?* "Lift Every Voice and Sing," the Black National Anthem, was rendered by a specially formed mass choir, along with the audience. This and more was all planned and carried out by the MLK Celebration Steering Committee. Toni Schultheis, represented the LWVSB at the Steering Committee meetings.

Afterward Bev King and team presented a free Community Fellowship lunch at the First United Methodist Church. It consisted of wholesome, freshly prepared minestrone soup, crusty breads, and fresh fruits. The homemade cookies provided by generous League members and other members of the community finished off the meal with sweetness.

*Toni Schultheis, Director, Social Policy*

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## SAVE THESE DATES

**APRIL 19 - EARTH DAY**, SB Courthouse Sunken Gardens - Sunday, 10 a.m. – 5:30 p.m.

**MAY 9 - LWVSB SPRING GARDEN PARTY**, TBA - Saturday afternoon

**MAY 15 - 17 - LWVC CONVENTION**, Long Beach - Friday thru Sunday

**MAY 19 - SPECIAL STATEWIDE ELECTION.**

**JUNE 6 - LWVSB ANNUAL MEETING**, Holiday Inn, Goleta - Saturday, 9:30 a.m. – 2:00 p.m.

*Carole Marks, Second Vice President (Administration)*

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## MEMBERSHIP NEWS

**Please welcome new members:**

**Suzanne Brothen  
Beverly Herbert  
Lynda Van Patter**

**Change of e-mail: Jessica Dean is no longer using her e-mail.**



The featured speakers at our February forum on "Social Policy in the Face of Economic Crisis" were: (top row) Kathy Gallaher (Director, SB County Department of Social Services); Roger Heroux (Executive Director, Bringing Our Community Home); Lynn Karlson (Executive Director, Youth and Family Services Branch of the Channel Islands YMCA); (bottom row) Ann Detrick (Director, SB County's Alcohol, Drug, and Mental Health Services); and Belen Seara (Executive Director, PUEBLO).

*Photo by Tom Heck*

### HELP NEEDED

The Membership Committee needs members for the following tasks:

- a. Name Tag Tables at Wednesday Forums.
- b. Greeting guests, members, distributing names tags, welcoming, introducing new members to others at Forums.
- c. Recruitment:
  - i. Mailing packets to prospective members.
  - ii. Recruiting of national members to local League.

## COMING NEXT MONTH: FORUM ON GLOBAL WATER

WATER is essential to life on earth. Protecting this precious resource and avoiding conflicts over its possession and use is the topic of a Santa Barbara City College Adult Education program, *Thirst for Security: Global Water and Tomorrow's Armed Conflicts*, presented by the Coalition for Global Dialogue. LWVSB is a cosponsor of this event, which will take place on Saturday, April 18, 9 a.m. to 12:30 p.m., in the Fe Bland Auditorium at Santa Barbara City College. For more information, contact Lessie Nixon.

*If you know someone who might be interested in the League, please pass along this form:*

### MEMBERSHIP FORM to join LEAGUE OF WOMEN VOTERS OF SANTA BARBARA

- Here's my annual membership dues of \$60\*
- Second member in same household \$30
- Student \$30
- Please send me more information about League
- I can't join right now; here is my contribution of \$\_\_\_\_\_ to support the League.

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Make check payable to: League of Women Voters of Santa Barbara, 328 A E. Carrillo St, Santa Barbara, CA 93101

*\*Discounted dues are available for special circumstances. Contact Joanie Jones - 683-1937.*

## CALENDAR – MARCH 2009

### Discussion Units: National Popular Vote Compact

- 3 Tuesday**      **Dinner Unit:** 5:30 p.m. Madam Lu's Café, 3542 State St. Contact: Lolly Quackenbush.
- 4 Wednesday**      **Carpinteria Unit:** 10:00-11:30 a.m. Home of Jane Benefield [NB change of venue for this month]. Contact: Barbara Godley.
- 4 Wednesday**      **Evening Unit:** 7:30 p.m. Home of Pat Shewczyk.
- 11 Wednesday**      **Afternoon Unit:** 2 p.m. Maravilla Clubhouse, 5486 Calle Real, between Patterson and Kellogg. Contact: Marjorie Nefstead.
- 13 Friday**      **Board Meeting:** 10 a.m., League office, 328 E. Carrillo, Suite A. Open to all members.
- 16 Monday**      **Channel Voter deadline for April issue.**
- 18 Wednesday**      **Community Forum:** "The National Popular Vote Compact" 12-2 p.m. [NB New, earlier starting time!] Louise Lowry Davis Center, corner of De La Vina & Victoria Streets. Speakers: **Gail Dryden, LWVUS' NPV Study Committee, and Dr. John Woolley, UCSB, Professor of Political Science.** Brown bag lunch. Drinks and cookies provided.

## LOOKING FORWARD TO APRIL 2009

### Discussion Units: National Popular Vote Compact

- 1 Wednesday**      **Carpinteria Unit:** 10:00-11:30 a.m. Carpinteria Woman's Club, 1059 Vallecito Rd., Carpinteria. Contact: Barbara Godley.
- 1 Wednesday**      **Evening Unit:** 7:30 p.m. Home of Sheila Kamhi.
- 7 Tuesday**      **Dinner Unit:** 5:30 p.m. Madam Lu's Café, 3542 State St. Contact: Lolly Quackenbush.
- 8 Wednesday**      **Afternoon Unit:** 2 p.m. Maravilla Clubhouse, 5486 Calle Real, between Patterson and Kellogg. Contact: Marjorie Nefstead.



**LEAGUE OF WOMEN VOTERS  
OF SANTA BARBARA, INC.  
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