



League of Women Voters of Eden Area

VOTER

Vol. 52 No. 1 Political Responsibility Through Informed and Active Participation January, 2009

CONGRESSIONAL AND LEGISLATIVE INTERVIEWS IN FEBRUARY

Each year, Leagues throughout the state will be interviewing Legislators, focusing in on the important issues of the day. The purpose is to give Legislators a chance to exchange ideas before the League focuses on specific legislation.

The interviews give legislators an opportunity to learn about League positions and to share their priorities with us.

We, in turn, learn more about the Legislators and gain information useful in planning our activities for the upcoming year.

Interviews take about an hour and are usually scheduled in February during the day when Legislators are in their districts.

Interviews are done by teams of three or four members and questions are provided by the LWVC.

If you are interested in participating in one of these interviews with our congressional legislators, please contact Marianne Dimick at maddk9@dimicklaw.net or 510-581-9326.

HEALTH CARE FORUM MARCH 28

Health Care is at the top of the priority list at the national, state and local level.

The LWVC is advocating along with hundreds of other like-minded but disparate organizations in support of the Single-payer Health Care Plan.

The newly elected President Obama is offering a different health care plan. Our governor has vetoed the proposed Single-payer Plan and offered another version.

How can we make sense of all these different plans? Which one can we afford?

The League and AAUW are working on a forum to help our community make an informed decision.

SAVE THE DATE
March 28, 2009 - 9 a.m. to noon

The place will be announced soon and sent to members in the next VOTER and by e-mail reminders.

PRESIDENT'S MESSAGE

Happy New Year and happy new day!

I am writing this note to you on the evening of Inauguration Day – a day I spent uncharacteristically glued to the television set; a day that will be remembered and celebrated in America for generations; a day in which we watched history unfold before us; a day full of hope for a new and better America; a day in which we finally begin to heal our racial divide, and a day when we exchange grudges for friendship, unilateralism for cooperation and pessimism for optimism. A day, in short, which has demonstrated just what is right with our country and with the democratic process.

* * *

Our Holiday Affair was a huge success. The concert was so enjoyable that we are looking into another event at the Douglas Morrison Theater in the fall for all of you Gilbert and Sullivan fans. Special thanks to our supervisors, Nate Miley, Gail Steele and Alice Lai-Bitker for donating basketball tickets for our auction and to Congressman Pete Stark's office for the highly collectible Congressional ornament.

* * *

Saturday, January 24, was our League Program Planning meeting, an important time for League members to voice their opinions on state and local issues. After some lively debate on the issues and the positions we were reviewing, it was time to prioritize the issues for LWVC. The complete results are posted on our website. State and local finances were the number-one issue our league was concerned about. Child care was number two and redistricting was number three. We voted to retain all of the local issues.

Please remember that all members are welcome to attend our Board meetings. They are held on the second Wednesday of the month at 5:30 p.m. at Supervisor Miley's office. We still have some vacancies on the Board for directors that I would love to have filled. If you have a particular interest in the community, the state or nation, please consider joining the board to find others that will share your passions on health care, housing, the Green World, sustainable communities or legal aid, just to name a few.

Marianne Dimick

BOARD BRIEFS January 14, 2009

! Received report that Holiday Party was a success and added approximately \$1,000 to our treasury while providing a fun time for all.

! Discussed upcoming Program Planning meeting and the LWVC positions within the categories of Government, Natural Resources and Social Policy. Agreed on various assignments for food, printing, and presentations.

! Approved a budget or the Program Planning Meeting of \$100 for food and printing.

! Discussed Legislator interviews and the suggestion to invite other members to join board members at the interviews.

! Discussed co-sponsoring a health care event with AAUW.

! Did preliminary planning for LWVEA health care forum scheduled for March 28.

The next Board meeting is February 11 at 6 p.m. All LWVEA meetings are open to the public.

Memorial Gathering for Lois Mahaney Jan. 30

Friends and family of Lois Mahaney, who passed away on October 7, 2008, will be gathering on January 30 from 11:30 to 2:00 p.m. at the San Lorenzo Village Homes Association to celebrate her life.

The memorial and celebration was planned as a way for members of various organizations to which she belonged and dedicated her life — The League of Women Voters, American Association of University Women, California Retired Teachers, and the Tai Chi Chih class which she taught for many years — to say a fond farewell.

Lois was a very positive person who willingly undertook every task with vim and vigor. She was adamant about women's rights and the public's right to participate in government decisions and worked on projects all her life to further make a positive difference. She was a hard worker, dependable, dedicated and had a wry humor that made her a delight to be around.

If you have not RSVP'd for the luncheon, we invite you to attend—Lois would not have wanted to exclude anyone, although she did not want a fuss made about her. In her memory, if you would like to contribute to one of her favorite scholarship funds, you may send to CA Retired Teachers Association (CRTA) Scholarship Fund, c/o Rita Hammer, Scholarship Chair, 26443 Montana Way, Hayward, 94544-3363.

LEAGUERS PITCH IN AND GET IT DONE

A big thank you to the ten Leaguers who showed up to help assemble election/ ballot material for a Homeowners' Association election that our League has contracted to conduct.

Ballots and instructions had to be folded, two different envelopes stamped, two sets of labels affixed to envelopes and all materials stuffed and sealed. It took approximately 75 hours to get all this done. All went into the post office on schedule.

The hard-working Leaguers were Gail Lundholm, Liz Bathgate, Helen Oertle, Alison S. Lewis, Sylvia and Sal Tedesco, Jean West, Connie Rusk, Nancy Van Huffel and Suzanne Barba.

BALLOT COUNTERS NEEDED

The LWVEA needs to recruit another ten members (and friends of members) to help us count ballots for a Homeowners' Association election tentatively set for Tuesday, March 24, 2009, at 7:00 p.m. in Castro Valley.

We say "tentative" because if a quorum of ballots is not received by a certain date, then the voting may be extended for two more weeks and the date for counting reset.

However, if you would consider donating approximately 2-3 hours of your time for one evening, we hope you will volunteer to help the League in this one-time project.

The tasks are to open the ballot envelopes and then keep track of the votes for the one candidate assigned to each League member as read out by the Inspector of Elections.

The League gets paid for supervising these elections, so these activities not only bring in funds to support our work, but they keep our dues low to boot.

If you have questions or wish to sign up to help, please contact Suzanne Barba at 538-9678 or email to suzbarba@comcast.net. Thanks.

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 U.S.

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.

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PROP 11 – REDISTRICTING:

THE NEXT STEPS

Now that Proposition 11 (Redistricting) has passed, the State Auditor has expressed his commitment to making the selection/ recruitment process to fill the Redistricting Commission as open and broad as possible. With that in mind, he has announced a series of “interested persons” meetings throughout California to solicit input from the public. This is your opportunity to participate.

The idea is to have a relatively open agenda, and to simply take notes on whatever it is that people want to come forward to speak about. This is a good time to talk about the importance of broad outreach, to resolve any concerns about how to interpret the language of Prop. 11 in favor of inclusion, and possibly even to establish a record on how the rest of the process should work.

This is not yet the stage for people interested in serving on the Commission to submit applications. These meetings are intended to solicit opinions from the public about the criteria for selection of commissioners.

To get your name onto an e-list to receive regular updates, please e-mail Barbara Paget at BarbaraP@bsa.ca.gov.

The next “Interested Persons” meeting will be held Friday, February 27, 2009, 10:00 a.m. to 4:00 p.m. at Marks Auditorium, 455 Golden Gate Ave., San Francisco, CA.

Phase One Underway for South Bay Salt Pond Restoration Project

*By Gail Schickele, LWVBA
Bay Area Monitor*

A mosaic of tidal wetlands and managed pond habitat is shaping the southern periphery of the San Francisco Bay as Phase One of the South Bay Salt Pond Restoration Project restores land once despoiled by urbanization and industry. Phase One will restore 3,069 acres and create, upgrade, and maintain public access trails and facilities.

The massive project is a giant step to refurbish 15,100 acres of industrial salt ponds acquired from agribusiness Cargill Salt in negotiations facilitated in 2003 by Senator Diane Feinstein. The \$100 million public acquisition was funded by the U.S. Fish and Wildlife Service (FWS, \$8 million), the State Wildlife Conservation Board (WCB, \$72 million) and private foundations. It's the largest restoration

project on the West Coast and one of the largest in the U.S.

The 15,100-acre purchase represents the biggest single acquisition in a broader campaign to restore 40,000 acres of lost tidal wetlands to San Francisco Bay.

The project area consists of 54 ponds ranging from 30 to 680 acres in size in three distinct pond complexes bordering South San Francisco Bay. The entire project area is surrounded by the highly urbanized landscape of the South Bay, also known as Silicon Valley. The area — roughly the size of Manhattan Island — stretches across 24 miles from Redwood City to San Jose to Hayward.

Shortly after the property was purchased, the FWS together with the California Department of Fish and Game (DFG) and the California State Coastal Conservancy (SCC) launched a four-year public process to design a restoration plan for the property. The final plan was adopted in 2008.

Breathe Easy: Air District No-Burn Rule Now in Effect

By Chris Ingraham, LWVBA
Bay Area Monitor

Given the comparisons of President-elect Obama to FDR, it's not unreasonable to wonder if Obama will reprise Roosevelt's weekly Fireside Chat. But if he does so this winter, in the Bay Area he might need to do so in front of a natural gas fireplace. The Bay Area Air Quality Management District is now enforcing its wood burning regulation, which prohibits homes and businesses throughout the nine-county region from burning fires outside or in chimneys during days of particularly low air quality.

The new regulation began as a hotly debated subject at public workshops last year, when the Air District showed preventative concern for the diminished quality of air during Bay Area winters. Over a series of these workshops, people weighed in on the Air District's proposal to prohibit residents from using their own fireplaces in order to preserve healthful winter air. Some people showed concern about an unjust invasion of personal liberty, but the vast majority agreed that air quality during the winter months has become sufficiently problematic to justify a new, stricter regulation. Last July, Regulation 6, Rule 3: Wood-Burning Devices, passed successfully before the Air District's Board of Directors. The new regulation on wood-burning devices is now in effect.

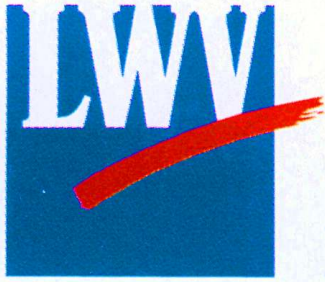
The rule is designed to reduce dangerous emissions caused by wood smoke, which on especially bad nights accounts for a third of the fine particulate matter in the air. Particulate matter is what you see when you see a filmy layer of haze hanging over a valley. Basically, it's stuff that's not air — in the air. In 2006, the federal government set a new standard for unhealthy air, based on the density of particulate matter. If, on average over any 24-hour period, fine particles 2.5 microns in diameter or smaller surpass 35 micrograms per cubic meter of air, then that air is deemed unhealthy. **In the Bay Area, these levels will probably be reached about 20 times between now and the end of February, and on those Winter Spare the Air Alerts, residents in the nine counties will be banned from burning fires.**

The new regulation also: requires cleaner burning EPA-certified stoves and inserts in new construction and remodels; limits residential and commercial "black" smoke exceeding 20 percent opacity; prohibits the burning of garbage, plastic and other harmful materials; and requires that firewood sold in the Bay Area be labeled with disclosures about its moisture content, and that manufactured logs or pellet fuel be labeled with announcements about the no-burn rule.

Letters are being sent to hotels, realtors, restaurants and other commercial enterprises. There are exemptions for buildings or homes whose sole source of heat is wood, and for outdoor grills, pizza ovens, and barbecues.

For enforcement, the Air District will send inspectors to targeted areas to look for wood smoke rule violations. **There is also a hotline, 1-877-4-NO-BURN, for people to find out the burning status and make a complaint. Just don't tell your neighbor you're tattling; after a first-time warning, fines from several hundred to several thousand dollars may be levied.**

One in seven Bay Area residents suffer from a respiratory illness that makes them susceptible to wood smoke. Asthma, bronchitis, recurrent coughing and shortness of breath, among other ailments, are often exacerbated by poor air quality. Mortality rates and hospital admissions due to lung and cardiovascular problems are higher on days with high quantities of particulate matter in the air.



LWVC Files Amicus Brief Opposing Proposition 8

SACRAMENTO, CA – The League of Women Voters of California filed an amicus brief with the California Supreme Court today supporting the legal challenge against Proposition 8.

Proposition 8 amends the California Constitution to provide that only marriage between a man and a woman is valid or recognized in California. The legal challenge to Proposition 8, which passed on November 4, 2008, seeks to invalidate the proposition. Among those spearheading the challenge are the City and County of San Francisco, the County of Santa Clara, the City of Los Angeles, the County of Los Angeles, and numerous individual Californians.

LWVC President Janis R. Hirohama said: “The League believes that Proposition 8 is unconstitutional and should be invalidated. It sets a dangerous precedent by singling out a particular group and depriving that group of a fundamental right. In doing so it threatens the rights of us all.”

The League’s amicus brief argues that Proposition 8 is an invalid amendment to the California Constitution because it violates the overriding, fundamental constitutional principles of protection of equality and human dignity. The League also argues that Proposition 8 does not apply retroactively to invalidate same-sex marriage that took place just before the measure took effect, because there is no clear indication of voter intent that it apply retroactively.

The LWVC has long opposed measures that threaten individual rights, including Proposition 22 in 2000, which also limited marriage to only being between a man and a woman. “We oppose Proposition 8 because we believe in protecting individual rights and no person or group should suffer legal discrimination,” said Hirohama.

The law firm of Pillsbury Winthrop Shaw Pittman LLP provided pro bono representation to the League in the filing of the amicus brief.

MEMBERSHIP DUES

In reviewing our membership records, we note that at least 20 of our tried and true League supporters have let their membership lapse. We know it is only because you forgot or have procrastinated. If this applies to you, use the application on the back page and please send in your \$50 ASAP. Thanks. Your dues support our work.



**League of Women Voters
of Eden Area**

P.O. Box 2234, Castro Valley,
CA 94546 - 510-581-9326

Representing the cities of Hayward
and

San Leandro, and the unincorporated
areas of Castro Valley, San Lorenzo,
Cherryland, Fairview, Ashland and
Hillcrest Knolls.

www.lwvea.org

Calendar of Events

January 31 - Bay Area League Day, article pg.1

February 7 - Alameda County Council @ 9:00 am
20993 Redwood Road, Castro Valley

February 11 - Board Meeting @ 5:30 pm
20993 Redwood Road, Castro Valley

March 5 - The Big Read @ 12:000 noon
Location to be announced

March 11 - Board Meeting @ 5:30 pm
20993 Redwood Road, Castro Valley

March 28 - Healthcare Forum
Location TBA

LEAGUE OF WOMEN VOTERS

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