

The VOTER

League of Women Voters
of Greater Las Cruces
(575) 524-VOTE (8683)
Web Site: www.lwvglc.org
January 2013



New Year Rings in Two League Events

Campaign Finance After Citizens United Public Information Presentation

Tuesday, January 8, 2013, 6:30-8:00 p.m.
Las Cruces City Council Chambers
700 N. Main Street

Free and Open to the Public

Sponsors

League of Women Voters of Greater Las Cruces
New Mexico Common Cause

(Continued on page 2)

Lunch with a Leader

Monday, January 14, 2013, 11:30 a.m. - 1:00 p.m.
Good Samaritan Social Center, Creative Arts Room
3011 Buena Vida Cir

South Central Regional Transit District A Project Overview

Jack L. Valencia, Jr., Project Manager Consultant

Mr. Valencia will give an overview of a project that
seeks to establish services that connect current

(Continued on page 2)

Calendar

January 3 (Thursday) - 2-4 p.m., **Board Meeting**, Branigan Library, Roadrunner Room.

January 7 (Monday) - **Deadline to make reservations for Lunch with a Leader.**
RSVP Roberta Gran, Tel: 373-8490, Email: robertagran@q.com.

January 8 (Tuesday) - 6:30-8 p.m., **Campaign Finance after Citizens United: A Public Information Presentation**, City Hall Council Chambers, 700 N. Main. Sponsored by LWV of Greater Las Cruces and NM Common Cause (see above announcement). Free and Open to the Public

January 10 (Thursday) - 2 p.m., **Current Events Book Club** - First Meeting, hosted by Marjorie Burr, 695 Stone Canyon Dr., Las Cruces, Tel: 522-2528, Email: burrmb@aol.com

January 14 (Monday) - 11:30 a.m. - 1:00 p.m., **Lunch with a Leader, South Central Regional Transit District: Project Overview, Speaker: Jack L. Valencia, Jr.**, Good Samaritan Social Center, Creative Arts Room, 3011 Buena Vida Circle. Lunch: \$10. **Reservations are required.** If you don't cancel your reservation, you will be charged for lunch.

Notable Dates in January

9 - Birthday - Carrie Chapman Catt (1859-1947)
11 - Birthday - Alice Paul (1885-1977)
21 - Martin Luther King, Jr. Day (1929-1968)

15 - NM Legislative Session Begins
22 - Roe v. Wade (1973)

The VOTER

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**The League of Women Voters of
Greater Las Cruces**

P.O. Box 8322
Las Cruces, NM 88006-8322
(575) 524-VOTE (8683)
Web Site: www.lwvglc.org

President - Bonnie Burn

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STUDY GROUPS

Affordable Housing
Vicki Simons -522-4813
Christina Little-373-1882

Education
Jane Ashe - 532-8087
Sue Cain - 647-8250

**Impediments to Voting in
Doña Ana County**

Johnnie Aldrich - 522-1544
Roberta Gran - 650-8490

**Mental Illness Services
in Doña Ana County**

Becky Beckett - 522-8171
Mickey Curtis - 532-5655

Metropolitan Court
Marjorie Burr - 522-2528

Action Committee
Vicki Simons - 522-4813

Web Master - Dale Yeo

Newsletter Editor
Bonnie Burn - 526-0013
burnb@comcast.net

Campaign Finance *(Continued from page 1)*

To better understand the impact of the Supreme Court's decision in Citizens United and to get ready for the 2013 New Mexico State legislative session, the League and Common Cause are sponsoring a public information presentation about campaign finance.

A panel of five members will (1) review the scope of the Citizens United decision (Peter Ossorio); (2) present options for campaign finance (Stephen Fischmann); and (3) describe the experience of using public financing available to candidates running for the Public Regulation Commission (Jason Marks). A brief history of the League's efforts on behalf of campaign finance will be given by Bonnie Burn. Viki Harrison, Executive Director, NM Common Cause, will give information about the legislative priorities that Common Cause is pursuing. A question and answer period will be included in the program. Opportunities for legislative advocacy will be raised during closing remarks.

The program will be broadcast live on the city's government television station, Comcast Cable Ch. 20, and can be viewed on your computer: log onto www.las-cruces.org, click on Quick Links and select CLC-TV.

Here is some background information that you may find helpful. New Mexico has three public campaign financing systems: a state system covering races for Public Regulation Commission and appellate judges, and two municipal programs in Albuquerque and Santa Fe. In June 2011, the U.S. Supreme Court reaffirmed the constitutionality of public campaign financing in the *Arizona Free Enterprise v. Bennett* decision. The ruling, however, struck down one mechanism used in some public financing programs that also affected New Mexico's Voter Action Act, and that is allowing additional public funding if an opponent rejected public funding or spent more than the initial grant.

After public financing, disclosure in campaign finance is a second important issue. A comprehensive overhaul of the Campaign Reporting Act is needed to reflect the changing atmosphere of today's political climate. Managing campaign contribution limits, keeping lobbyist reports available online, opening legislative conference committees, defining independent expenditures, and requiring reporting of political expenditures within three days would strengthen that Act.

Regional Transit *(Continued from page 1)*

routes and bring additional access to those who live in three counties, Doña Ana, Sierra, and Otero, and eight municipalities, Las Cruces, Alamogordo, Sunland Park, Truth or Consequences, Elephant Butte, Mesilla, Hatch, and Williamsburg. Public transportation is very important for local economic development. The use of public transit to access school, the workplace, medical services, shopping, etc., can mean a savings of \$6,000 to \$7,000 per year in vehicle costs.

Mr. Valencia has a wide range of hands-on-experience in federal, state and local government in transportation and transit related fields. He served as executive director of the NM Passenger Transportation Association and is a former elected official.

President's Message

Happy New Year, Everyone: May 2013 be healthy, happy, and prosperous.

January ushers in a number of birthdays and anniversaries.

First, we recognize two important suffragists:



Carrie Chapman Catt (1859-1947) whose birthday is January 9, and **Alice Paul** (1885-1977) whose birthday is January 11. Although separated in age by 26 years, both worked tirelessly to ensure the ratification of the 19th Amendment to the U.S. Constitution that gave women the right to vote.

Ms. Catt was the last president of the National American Woman Suffrage Association and spearheaded the establishment of the League of Women Voters.



Alice Paul headed the National Women's Party whose members pursued a more radical approach to winning the vote for women. Notably, they were arrested and imprisoned for a time in an effort to remove them from picketing in front of the White House during World War I

and to convince them to relinquish their demand for women's right to vote. As soon as the 19th Amendment was signed into law, Ms. Paul initiated the Equal Rights Amendment and lobbied for it until she died in 1977. The amendment continues to need three states to ratify it.



The annual celebration of this American Civil Rights hero occurs on January 21. Beginning in the mid-1950s, **Martin Luther King, Jr.** (1929-1968) led the Civil Rights Movement by using nonviolent civil disobedience. Through his activism, he was

instrumental in ending legal segregation in the south and other parts of the nation, as well as the enactment of the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

The U.S. Supreme Court case (1973), Jane **Roe**, et al. v. Henry **Wade**, District Attorney of Dallas County, celebrates its 40th anniversary on January 22. Decided simultaneously with a companion case, Doe v. Bolton, the Court ruled 7-2 that a right to privacy under the due process clause of the 14th Amendment extended to a woman's decision to have an abortion but that right must be balanced against the state's two legitimate interests in regulating abortions: protecting prenatal life and protecting women's health. Since the decision was announced, this landmark case has caused controversy and has divided the U.S. into two camps: pro-choice and pro-life.

Bonnie Burn



Membership Update

New Phone Number

Nancy Phillips
(575) 649-5591



Friends of the League

- John Ameriks, M.D.
- Anonymous
- Biad Chile Ltd. Co.
- Reed R. Burn
- Joseph P. Camunez, D.D.S.
- Donald Dressp
- Edward Jones - Connie Lee
- Jackie and Adrian Edwards
- Nancy and Ken Hall
- Win Jacobs
- Diane and Michael Lilley
- Louise P. Lockhart
- Barbara Myers
- Francisco Mario Ortiz Law Firm
- Jean Ossorio
- Kathryn Schultz
- Wanda Skowlund
- David Sudimack, DDS
- Sunspot Solar Energy
- Donna and Tom Tate
- Williams Design Group, Inc.
- Zia Engineering & Environment Consultants

Thank You



Supreme Court to Hear Challenge to the Voting Rights Act - Although we heard it in the media, the national League is alerting local Leagues about the U.S. Supreme Court's decision to consider eliminating Section 5, Pre-Clearance, of the Voting Rights Act of 1965.

This federal law has been the government's main tool for fighting discrimination at the polls and most recently voter suppression attempts such as photo voter-ID, reduced early voting periods in parts of Florida, and new redistricting maps in Texas.

Section 5 applies to nine states—Texas, South Carolina, Arizona, Georgia, Louisiana, Mississippi, Alabama, Virginia and Alaska—and recently parts of Florida, California, New York, North Carolina, South Dakota, Michigan and New Hampshire have been added to the list.

These states were named because of certain voting practices. The original coverage formula looked at whether states imposed unfair devices such as literacy tests, whether less than 50 percent of the voting age population was registered to vote, ensuring that election materials were in languages of minorities making up more than five percent of voting-age citizens. Under the preclearance law, states wishing to make changes to election procedures—from redrawing congressional district boundaries to changing the locations of polling places—have to receive approval from the U.S. Department of Justice or undertake expensive litigation to achieve the change.

Shelby, Alabama, brought the case before the court arguing that the law is outdated, discriminates against the southern states and is unconstitutional. In 2006, however, Congress found there was still adequate evidence of discrimination in these states to justify keeping the formula in place.

The law was first enacted in 1965 and has been reauthorized three times by Congress, the latest being 2006 for a period of 25 years (with strong bipartisan support).

Fixing Challenges to Voting: After experiencing some problems with voting during the 2012 general election, LWVUS is seeking concrete reform opportunities to address President Obama's

challenge, "we have to fix that." LWVUS has identified four election administration reform priorities:

1. Secure Online Voter Registration would help financially strapped state and local budgets and reduce information entry errors. Fifteen states have already begun to upgrade their voter registration systems to meet the needs of our modern mobile society. All citizens have to have access. Currently some states restrict registration only to voters who already have driver's licenses, which is discriminatory.
2. Permanent and Portable Statewide Voter Registration within a state. Once registration to vote is properly established, it remains active whenever the voter moves within that state. Updating the registration would be required. Renters, young people and lower-income voters who move would not be kept from voting.
3. Expanded Early Voting would reduce the variety of options from state to state and include states that currently have no early voting (e.g., Connecticut, Rhode Island, and Pennsylvania). Early voting enables this important action to fit into busy schedules, reduces the crush of voters on election day, and makes the process more efficient. Making available multiple voting locations and expanded hours including evenings and weekends would facilitate the process.
4. Improved Polling Place Management by ensuring adequate resources such as voting machines, ballots, voter registration lists, polling places and poll workers. Poor conditions result in lower voter turnout. The goal should be to make the system work effectively so that all eligible voters can participate in our election process.

Mr. President, Fix the Federal Elections

Commission (FEC): LWVUS and nine partner-organizations signed a letter to President Obama urging him to repair the broken agency by appointing new commissioners. Currently, five commissioners are serving expired terms and three refuse to enforce campaign finance reforms with which they disagree. FEC was founded in 1975 by the U.S. Congress as an independent agency to regulate campaign finance legislation.

Look Back: Breakfast for Doña Ana Elected NM State Senators and House Legislators

Bonnie Burn, Reporting

Seven elected NM Legislators attended the 2012 Legislative Breakfast held on December 1, 2012 at Good Samaritan Social Center, Creative Arts Room. They were NM State Senators Ron Griggs, William Soules, and Joseph Cervantes, and NM State Representatives Mary Helen Garcia, Phillip Archuleta, Doreen Gallegos, and Rudy Martinez. Joanne Ferrary, who was tied with Terry McMillan (incumbent) in the House District 37 race, attended as she awaited the outcome of a recount of votes for that District. Mr. McMillan declined our invitation. Lynn Ellins, newly re-elected County Clerk, and newly elected County Commissioner Wayne Hancock also were present. City Councilor Olga Pedroza, a new League member, attended as well. More than 40 League members were present.

After a sumptuous breakfast buffet, members and guests listened as legislators introduced themselves and talked about priority issues and committee assignments they hope to achieve. The legislative breakfast was a relaxed event and the discussion was lively.

Redistricting brought many changes to both chambers of the legislature. Of the seven legislators present, three are veteran legislators:

- Representative Mary Helen Garcia, who ran without opposition,
- Representative Rudy Martinez, District 39, which now includes voters in western Doña Ana County, and
- Senator-Elect Joseph Cervantes, who previously served in the House of Representatives.

The remaining four were newly elected.

Implementing the constitutional amendments involving the **Public Regulations Commission** opened the discussion. As Senator-Elect Cervantes pointed out, constitutional amendments arise when legislators do not want a governor-veto on legislation. During the 2013 session, legislators will have to work out the details for implementation.

Establishing the health care exchanges required by the Affordable Care Act (ACA) will be a priority issue. Because Governor Martinez vetoed legislation that would have established an exchange

in 2011, the state is moving forward by creating the New Mexico Health Insurance Exchange within the New Mexico Health Insurance Alliance. The League of Women Voters of New Mexico is following this issue closely.

While on the issue of health care, Becky Beckett, mental health advocate and League member, encouraged legislators to ensure that mental health services are adequately covered by ACA.

The question was asked about liability exemption for the Spaceport. Will legislators pass laws that would exempt spacecraft suppliers from liability for passengers should the spacecraft crash or blow up? New Mexico passed a law to exempt the carrier from liability through 2018 but not parts suppliers. The Spaceport is a large investment, and it is generally thought that liability legislation will be passed to protect that investment. Colorado, Florida, Texas and Virginia have adopted permanent liability exemption laws for both carriers and suppliers but California has not. The laws, called informed consent, are much like those that exempt ski areas from law suits by skiers who waive their rights for claims when they buy a ski pass. Although companies say they will go elsewhere, it is generally thought that New Mexico has a very safe environment for space activity.

An unexpected interest in minimum wage arose. New Mexico minimum wage is \$7.50, which is greater than the federal minimum wage, \$7.25. Those workers who receive tips as part of wages, and certain other workers such as minors under 18, students working after school hours, domestic workers, government employees, farm workers and certain seasonal employees are exempt from the New Mexico minimum wage. Two cities in New Mexico have special minimum wage rates: Santa Fe (\$9.92) and Albuquerque (\$8.50).

Lynn Ellins closed the program by walking members through the process that was used to do the recount of votes for House District 37 that would end the tie between incumbent Terry McMillan, who was the final winner of the election, and challenger Joanne Ferrary.

A Brief Overview of Campaign Finance Reform

With permission to reprint from an article published in The Voter, LWV of Central New Mexico, and written by Josephine Porter, League Member

Campaign finance reform is the common term for the political effort in the United State to change the involvement of money in politics, primarily in political campaigns.

Andrew Jackson (D-1829-1837) was the first presidential candidate to campaign. In the late 1820s, President Jackson began a political patronage system that rewarded his cronies. Political appointees, no matter what their position, paid a portion of their pay, referred to as an "annual tax" back to the political machine. This practice continued until the Supreme Court finally quashed it in 1882. Jackson's campaigns were also marked by some of the first attempts by corporations to influence politicians. Jackson claimed that his charter battle against the Second Bank of the United States was one of the great struggles between democracy and the power of money. The bank, in turn, spent over \$40,000 from 1830 to 1832 in an effort to stop Jackson's re-election.

In his 1858 campaign for the U.S. Senate, Abraham Lincoln used his own money and bankrupted himself.

After the Civil War, parties increasingly relied on wealthy individuals such as the Vanderbilts and the Astors for support and for whom they provided many favorable actions.

In 1872, some wealthy New York Democrats pledged \$10,000 each to pay for the costs of promoting the election. On the Republican side, one supporter of Ulysses S. Grant contributed one-fourth of the total cost of Grant's campaign. One historian noted that never before was a candidate under such great obligation to men of wealth. Vote buying and voter coercion were common in this era.

By the end of the 1800s, fundraising from corporations for presidential campaigns had become so accepted that in 1896, in the William McKinley versus William Jennings Bryan race it is said the Republican National Committee systematized fund-raising from the business community for McKinley. They assessed banks 0.25% of their capital, and corporations were assessed in relation to their profitability and perceived stake in the prosperity of the county.

Finally in the early 20th century the tide began to turn. Progressive advocates, muckraking journalists, and political satirists argued to the general public that the policies of vote buying and excessive corporate and

moneyed influence were burying the interests of millions of taxpayers. They advocated for strong anti-trust laws, restricting corporate lobbying and campaign contributions and greater citizen participation and control, including secret ballots, strict voter registration, and women's suffrage.

Teddy Roosevelt, a strong trust-busting and anti-corporate-influence advocate fearing defeat, turned for his second term to bankers and industrialists for support. He claimed that it was legitimate to accept large contributions if there was no implied obligation. He did propose making corporate contributions for any political purpose illegal but provided no restrictions on contributions from private individuals who owned and ran corporations.

The Tillman Act (1907) prohibited corporations and interstate banks from making direct financial contributions to federal candidates. Many other laws limiting contributions and expenditures followed, but they were largely ineffective, unenforced, and had loopholes. Among these laws, the Tillman Act alone stands to this date.

In 1971, Congress passed the Federal Election Campaign Act that required broad disclosure of campaign finances. In response to the Watergate scandal, in 1974, Congress passed amendments to this Act that established a comprehensive system of regulation and enforcement, including financing of presidential campaigns and creation of the Federal Election Commission. Contributions and expenditures by campaigns, individuals, corporations and other political groups had limits placed on them.

Buckley v. Valeo (1976) struck down restrictions on campaign and individual expenditures by individuals and groups as unconstitutional violations of free speech (unless the candidate accepts public financing). The Supreme Court found that spending money to influence elections is a form of constitutionally protected free speech, and on that basis struck down the limitations on campaign expenditures. Candidates could also give unlimited amounts of money to their own campaigns, while the limits on individual contributions, disclosure, reporting provisions, and public financing schemes were upheld. Ultimately, this case remains the starting point for the Supreme Court to analyze the constitutionality of campaign finance restrictions that culminated in the 2010 Citizens United decision.

LEAGUE OBSERVER REPORTS

The League's Observer Corps can enable greater coverage and information gathering, provide early warning of upcoming issues of concern, increase League's visibility, and assist in networking with other groups. We appreciate the reports that are submitted by Observers. Following the League practice of publishing nonpartisan, objective reports, the information submitted may be edited for content and brevity.

Las Cruces School Board Meeting, November 13, 2012, 6:30 p.m. Roberta Gran, Observer

All Board Members were in attendance.

Superintendent Rounds announced that the LCPS School Board was selected as the NM School Board of the Year.

As reported in *The VOTER*, October 2012, LCPS is participating in a program, School Turnaround, developed by the University of Virginia. Gabe Jacquez gave a report, Thirty Day Wrap-Up, on the progress made by Mesa Middle School. The turnaround leadership team attended a workshop in Virginia to work on a turnaround plan. They created 30-day short term goals that focus on professional development of staff and student engagement that leads to student success. Technology, modeling, lesson design, rigor, relevancy, and student engagement are components of the plan. There is also a 90-day plan that focuses on similar components.

Students tested at 75% proficiency on the NM Standard Based Assessment (NMSBA) at mid-year while the district goal was 50% or better. The district has initiated new efforts such as student-led conferences that include parent participation, "learning walks" that give faculty an opportunity to visit other classrooms to observe new ideas about teaching, and develop plans for students who have Ds and Fs so that special attention can be paid to areas of instruction that would help them.

Superintendent Rounds reported on budget requests for the next legislative session. Among those requests was a discussion about turf requirements for sports fields. Synthetic turf is more cost effective, can be used year-round and results in a \$950,000 savings, which is about the initial outlay of capital to purchase it. Options for purchasing it include capital outlay, funding available to Doña Ana County legislators, and perhaps gate receipts from sporting events.

Opening School Survey Results: Superintendent Rounds reported that the survey was aimed specifically at receiving a high percentage of input from principals, teachers, and administrators. Survey took place on the first day of school at all schools. The survey rated very high in all aspects of the physical plant, academic and materials readiness/availability, and ease of communication from parents. Support from the central office in communication and expectations from the principals, teachers, and administrators rated extremely high. Seventy percent of surveys were returned, from 93 sent out. Seventy-seven per cent of respondents gave the evaluation an A or B. Discrepancies in comfort levels in heating and cooling temperatures at different times of year were discussed although these components were not included in the survey.

There were first readings on school policies:

- Regarding GBEBB Policy, Staff Conduct with Students, has had wording changes in specific areas to more clearly define rules of conduct and contact with students. Some referred to social networking, giving rides, discrimination, inappropriate language, and giving gifts or money.
- Graduation/Credit Requirements policy has been rewritten to comply with state requirements. For example, for graduation exercises a principal should supervise specific commencement positions, the ceremony should respect religious differences, and speeches must be approved.

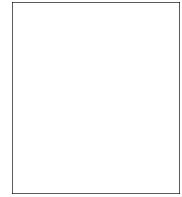
A second reading involved:

- Regarding KB and KB-R Policy for parent involvement and family engagement. There were no changes, but there were a few suggestions in the board's packets referring to the dual language council and parent advisory council.



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FIRST CLASS



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 Citizens United
 January 8, 2013
 6:30-8:00 p.m.
 Las Cruces City Council Chambers
 700 N. Main Street**



**Current Events
 Book Club**

**First Meeting
 Thursday, January 10, 2013
 2:00 p.m.
 Marjorie Burr's Home, 695 Stone
 Canyon Dr., Tel: 522-2528,
 Email: burrmmb@aol.com**

**January 2013
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Membership Application

Membership: Individual (\$60), 2nd Household Member (\$30), and Students (\$25)
New Members joining after November 1 pay half-dues.

Name: _____

2nd Household: _____

Address: _____ **City/State/Zip:** _____

Phone: _____ **Cell:** _____ **Email:** _____

\$ _____ Contribution to the League Make Check payable to LWV of Greater Las Cruces

\$ _____ Contribution to the Education Fund (Tax Deductible) Make check payable to
 League of Women Voters Education Fund

All checks should be mailed to

League of Women Voters of Greater Las Cruces, P.O. Box 8322, Las Cruces, NM 88006-8322

The League of Women Voters of Greater Las Cruces, 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.