

# LEAGUE OF WOMEN VOTERS OF ALABAMA PROGRAM 2005-2007

as adopted by the LWVAL Convention on May 1, 2005

## LWVUS SUPPORT POSITIONS

- **Representative Government:** Voting Rights, Election Process, Citizen Rights, Congress and the Presidency.
- **International Relations:** United Nations, Trade, U.S. Relations with Developing Countries, Arms Control, Military Police and Defense Spending.
- **Natural Resources:** Natural Resources, Resource Management, Environmental Protection and Pollution Control, Public Participation, Agricultural Policy.
- **Social Policy:** Equality of Opportunity, Fiscal Policy, Health Care, Meeting Basic Human Needs, Child Care, Early Intervention for Children at Risk, Violence Prevention, Gun Control, Urban Policy.

**Impact on Issues contains the history and details of each of these items.**

## LWVAL SUPPORT POSITIONS

The League of Women Voters of Alabama has also developed a series of program positions through the years. They are the result of study and consensus/concurrence on the part of the members of the League of Women Voters of Alabama. They have been adopted at different times and have different forms.

### GOVERNMENT

#### **Budget Process** 1987 (Updated 1995)

The League of Women Voters believes that the state budgeting process should be an open process that includes public input in the setting of budgeting priorities, reflects programs needed and wanted by the people of Alabama, and finances state programs realistically.

The League, therefore, supports action to

- A. Make information about the budgetary process as well as the enacted budget easily available to the public, using such means of communication as news releases, television coverage of hearings, distribution of budget materials to libraries and courthouses, and the Internet.
  1. The public should be informed about budgetary proposals as they are being developed and amended. Public comments should be solicited.
  2. The public should have easy access to the enacted budgets and explanations of their contents.
- B. Require that the Interim Committee on Finance and Budget, or other legislative committees created to analyze state budgetary needs and proposals or make budgetary recommendations to the legislature, hold public hearings across the state to inform the public and receive citizen input.

- C. Limit funding of non-state agencies to agencies determined to be of sufficient value to the state to deserve such support. Until such an assessment of non-state agencies is done, proration should begin with cuts in appropriations to all non-state agencies before any cuts are made in state agency budgets.

### **Campaign Finance Reform 1995**

The League of Women Voters of Alabama believes that the methods of financing campaigns should ensure the public's right to know, combat corruption and undue influence, enable candidates to compete more equitably for public office, and allow maximum citizen participation in the political process.

### **Constitution Reform 1967 and 1973 (Updated 2002)**

The Alabama Constitution should protect the people in the exercise of their civil liberties and provide a framework for government, broadly defining authorities, responsibilities, and relationships between branches of state government and between state and local governments. It should contain neither statutory law nor restrictive details that necessitate continual amendment.

- I. A broad grant of authority should be delegated to those local governments that choose to adopt a plan for home rule to enable them to address local problems independently of the state legislature and/or the state electorate.
  - A. The constitution should provide guarantees that the local electorate will determine the choice of local government. It should also guarantee that cities and counties have the right to construct charters to meet local conditions, as long as they adhere to a constitutional process with adequate safeguards. The constitution should require the legislature to provide optional plans of local government for cities and counties that choose not to construct their own local charters. The legislature should have the responsibility for ensuring the organizational adequacy of local government plans. The constitution should also guarantee the local electorate the right to alter the plan or charter once adopted, if the changes meet constitutional requirements.
  - B. Counties and municipalities that adopt, through proper procedures, home rule charters or local government plans provided by the legislature should then exercise all powers of government not inconsistent with their charters, the state constitution, or general state law. Cities and counties will have the option to retain their current form of government with limited powers unless the constitution mandates that local governments choose a charter government or one of the optional plans.
  - C. The constitution should encourage maximum intergovernmental cooperation in seeking solutions to problems that cross the boundaries of political subdivisions.
- II. The three branches of state government should have authority sufficient to perform their distinct responsibilities independently, and they should function as co-equals within the traditional framework of checks and balances.
  - A. The Legislature should meet annually.\* It should select its own leadership. Legislators should receive adequate annual salaries. The legislative apportionment process should guarantee fair representation to all citizens of the state.

*\*Adopted in Amendment 339 in 1975*

- B. The Executive Branch should be subject to periodic reorganization to achieve maximum efficiency and economy. The governor should prepare and recommend a yearly comprehensive budget to the legislature.
- C. The Judicial Branch should be organized as a unified court system.\* A compensation commission should recommend salaries of judges.\* Judges should be chosen by a form of merit selection with reappointment subject to approval of the voters.

*\*Adopted in Amendment 328 in 1973.*

III. The taxation and finance provisions in the constitution should provide for the flexibility to address changing conditions, an equitable distribution of the tax burden, and the economical use of the state's financial resources.

- A. In its provisions for public indebtedness,
  - 1. The constitution should permit the state and properly constituted local governments to engage in works of public improvement.
  - 2. With reasonable safeguards, the state should be allowed to finance capital improvements by issuing general obligation bonds that pledge its full faith and credit, in order to secure more advantageous rates than those for indirect borrowing through agencies.
  - 3. Debt limitations in the constitution should be expressed as a percentage of some reasonable measure of the state's wealth, not in monetary terms.
- B. The state's system of taxation should be broad, equitable and efficient for the taxpayers of the state. It should balance regressive and non- regressive taxes.
  - 1. The constitution should contain no fixed tax rates.
  - 2. The constitution should place no limitations on ad valorem and income taxes.
  - 3. The constitution should neither mandate nor prohibit earmarking of taxes.

With the prerequisite of an open accountable legislature, responsive to all the people, the legislature should be allowed flexibility in tax decisions to meet changing needs through statutory law rather than constitutional amendment.

- C. To enable local governments to address local issues independently of the state legislature, local governmental entities should be granted taxing authority in their duly adopted plans or charters.

IV. The League of Women Voters of Alabama supports a convention of citizens for the purpose of rewriting the state constitution.

**Election Law Reform** 1972 and June 1988 (Updated 1995 and 2003)

The League of Women Voters supports uniform election laws and procedures throughout the state to ensure the integrity of the election system.

At minimum these elections laws should include the following:

- A. Simple and easy to understand procedures for registration and voting.
- B. Uniform residency requirements.
- C. A statewide computerized voter registration system.
- D. Uniform application of election laws.
- E. Consistent use of terminology by election law and election officials.
- F. Uniform polling hours statewide from 7 a.m. to 7 p.m.\*

*\* Accomplished in 2003*

- G. Designation of the Secretary of State as the Election Official for the State of Alabama. The Secretary should have the authority to
  - 1. Prepare a specific, required course of instruction for all election officials
  - 2. Inform candidates of fair campaign practices.

**Ethics in Government** May, 1991 (Updated 1995, 2003)

Ethics law should provide clear and enforceable state law regarding ethical conduct for elected and appointed officials, public employees and lobbyists. The law should establish that public office will be used for the public good and not private gain and should provide a legal basis for public confidence in the integrity of government.

I. The Alabama Ethics Code should

- A. Provide processes and procedures for ethical conduct at the state, county and city level for elected and appointed officials, public employees and candidates for elective office.
- B. Require that the Ethics Commission function as an independent and impartial body.
  - 1. It should have sufficient authority to perform its responsibilities. The Commission should have subpoena powers and be able to levy fines against those late in filing statements of economic interests.
  - 2. The Commission should have guaranteed and adequate funding.
- C. Designate officials to inform candidates, public employees, and public officials of the procedures and rules they must follow.

II. Statements of economic interest must be submitted to the Commission by the following:

- A. All elected public officials and candidates for offices.
- B. Appointed officials and public employees who are paid \$50,000 or more a year (the amount to be adjusted periodically).
- C. Appointed or elected officials at any level of compensation and holding any title who have the authority to make purchases in excess of \$1,000 or to collect or disburse funds.

III. Public meetings should be open to all citizens except during discussion of a person's character or good name. Public officials should be diligent in following the Open Meetings Law (Sunshine Law). The Open Meetings Law (Sunshine Law) should be maintained and applied to the state legislature and its committees; state boards, commissions and committees; and regional, city and county commissions, councils and boards. Timely public notification of these meetings should be required. The state Open Meetings Law (Sunshine Law) should include a provision to nullify decisions made in illegally conducted meetings.

IV. Candidates for elective office should be required to disclose all contributions and names of contributors to their campaigns before the election. They should be provided with timely individual notices of their reporting obligations.

V. All governmental entities in Alabama should be required to take sealed bids on their major purchases and expenditures. These purchases should be widely advertised to allow any qualified parties to bid and all bids on a contract should be available for public scrutiny.

## **Finance and Taxation** January 1989 (Updated 1995)

The League of Women Voters of Alabama supports action to reform the state system of finance and taxation. Alabama's present regressive tax structure places the heaviest tax burden on low income people, who pay a larger percentage of their income in state taxes than any other income group. In addition, the present system of earmarking tax revenues causes inequities in funding the responsibilities of state government. The state revenue system should be broad and equitable.

The League, therefore, supports the following as part of total tax reform:

- A. Any new taxes which become necessary should be based on ability to pay, in order to lessen reliance on regressive taxes.
- B. The present mix of Alabama's taxes should be changed so that there is more reliance on property tax and income tax and less reliance (dependence) on general and selective sales taxes.
- C. The sales tax on food should be eliminated, as it was for prescription drugs, but sales tax exemptions that are designed to benefit specific groups should be reduced.
- D. Local government entities should be given more power to tax themselves.
- E. Any new taxes and any increased revenues resulting from reform should not be earmarked. The LWVAL continues to support a revised constitution that neither provides for nor prohibits earmarked taxes.
- F. The constitutional restriction limiting the income tax, Alabama's most progressive revenue source, should be removed.
- G. There should be no constitutionally-fixed tax rates.
- H. No specific monetary debt ceiling should be stated in the constitution. However, the constitution should mandate a specific debt limit that is a percentage of a reasonable measure of a state's wealth.

## **Legislative and Executive Branches** 1973 (Updated 1995)

The League of Women Voters of Alabama supports the strengthening of the Legislature that it may more effectively function within the traditional framework of checks and balances among the co-equal branches of government. We recommend that the Legislature meet annually and the legislators receive an adequate annual salary. We believe that a constitutional mandate for the Legislature to select its own leadership is necessary to insure greater independence of the legislative branch and that there should be constitutional guarantees of adequate representation for all citizens. We support the reorganization as necessary of the executive branch to achieve maximum efficiency and economy. This should include formulation of a unified budget by the executive, subject to legislative approval.

In order to insure the independence of the Alabama Legislature and to increase its effectiveness, the League of Women Voters of Alabama supports:

- A. Election of the Speaker of the House by secret ballot;
- B. Election of each committee chair by the relevant committee;
- C. Use of efficiency and effectiveness criteria for determining the number of standing committees;
- D. Maintaining and strengthening the Legislative Fiscal Office.

In order to increase the responsiveness of the Legislature, the League further recommends easy public access to information on all legislative votes and records.

## **PUBLIC TRANSPORTATION**    January, 1999

The League of Women Voters believes that the state of Alabama, like most other states, should share in the fiscal responsibility for providing public transportation as it does for highway construction. Public transportation is defined as those forms of surface transportation which serve the public as a whole as opposed to the private automobile. These include, for example, fixed pools, park-and-ride lots, light and intercity rail, but not highway construction. In order to provide a stable funding source without further earmarking, this function should be included in the existing constitutional mandate earmarking gasoline and some other vehicle taxes for construction and maintenance of highways and bridges only. It believes further that local governments should be given the freedom to tax themselves for transportation needs without prior legislative approval.

1. Revision of Constitutional Amendment 93 of 1952, as amended by Amendment 354 of 1976, to include public transportation in the permitted uses of gasoline taxes.
2. Permission for local entities to provide for local transportation needs, including taxation with voter acceptance, without specific legislative approval.

## **HUMAN RESOURCES**

**Criminal Justice**    1975, 1976, 1977 and 1979 (Updated 1995 and 2003)

The League of Women Voters favors an adequate budget to support criminal justice needs throughout the state.

In order to deal with the problems of reintegration of offenders into the community and to minimize the use of traditional incarceration, the League of Women Voters supports maximum efforts to expedite trial and to ensure swift and consistent justice. It also supports the concept of rehabilitation as a major goal of the criminal justice system.

The League recognizes the need to deal with the special problems of the juvenile offender by the development of programs and policies designed to aid in rehabilitation and prevention of further delinquency.

- I. The League supports the following actions in relation to bail and pre-trial confinement:
  - A. Reform of bail and pre-trial release practices with use of release on recognizance when possible. Cash bail should not discriminate against the poor, should be administered through the courts, and should be publicly accountable.
  - B. Revocation of release for noncompliance with the terms of release, should occur only if the accused has had adequate notification of appearance, place and time.
  - C. According persons held pending trial the presumption of innocence and the privileges consistent with this assumption.
  - D. Granting the right to appeal a decision to detain pending trial.
  - E. Crediting to a sentence all time spent in custody pending trial.
  - F. Use of citation or summons by appropriate officials rather than arrest procedures where appropriate.
  - G. Use of counseling programs as alternatives to pretrial detention.
  - H. Provision of medical treatment in a medical environment when needed for those held in custody.
- II. The League supports the following actions with regard to the Alabama prison system:
  - A. Use of a classification system run by adequately trained personnel.

- B. Rehabilitation opportunities offered for all inmates regardless of the length of their sentence or the offense committed. We support programs focusing on substance abuse as well as assistance to inmates in overcoming a lack of education. Emphasis should be placed on basic skills with a high school equivalency diploma as the minimum goal.
- C. Priority given to prison industries that provide inmates with vocational training that they can use after release.
- D. Minimizing the use of traditional incarceration. Should more prisons be built, smaller minimum security facilities should be located in areas where work release opportunities exist.

III. The League supports the following actions in the area of juvenile justice:

- A. Creation and maintenance of a family court system.
- B. A standard maximum legal age for juveniles set at 18.
- C. Creation and maintenance of community facilities to treat status offenders under the jurisdiction of the juvenile court.
- D. Coordination by the Department of Youth Services (DYS) of services for delinquent youth and status offenders, including services provided by private agencies regulated and subsidized by DYS.
- E. Establishment of uniform standards and procedures for the screening and diversion of juvenile offenders to non institutional programs and agencies.
- F. Uniform probation services supported by state funding.
- G. Appropriate time limits on periods of institutionalization rather than indeterminate periods.
- H. Use of parole for juveniles held in state juvenile institutions.
- I. Community aftercare programs and local case worker supervision for those released from juvenile institutions.

**Day Care** 1984 (Updated 1995 and 1977)

The LWVAL believes quality day care, defined in its broadest sense to include child care, elder care, and care for those disabled, should be available to those who need it.

To accomplish this goal, we support the following:

- A. The development of a variety of resources to meet the need for quality day care, both full-time and part-time, including before and after school child care. Employers, private day care providers and government should be encouraged, with the aid of such devices as tax incentives, to help make quality day care affordable for all families.
- B. Licensing should ensure that acceptable standards are maintained. The licensing standards should be enforceable and allow variety in programs. Exemptions from the standards should not be permitted. Enforcement of licensing standards should be conducted by qualified staff with manageable case loads, and sufficient power to close unsafe day care facilities.
- C. Consultation services and training should be offered for providers to improve quality.
- D. Zoning regulations for day care should be consistent with zoning for elementary schools and churches.

**Department of Human Resources** 1987 (Updated 1995, 1997 and 2003)

The LWVAL advocates taxes sufficient to support social welfare programs. The Department of Human Resources (DHR) must have adequate funding in order to administer those programs designed to deliver services to the needy. The federal government should be responsible for the bulk of financial assistance; however, state and local governments should share in the costs of their programs. DHR services should not be reduced. When needed, additional funding for DHR should be provided from the General Fund Budget.

The state should appropriate adequate money to:

- A. Fund any federal government shortfall in the food stamp and welfare cash benefit programs from the General Fund, if necessary, rather than reducing services.
- B. Increase welfare cash benefit payments.
- C. Maintain and expand, when possible, existing programs such as the statewide work program, assistance to two-parent families in need, protective services for abuse prevention and early intervention, and in-home care services to the elderly, blind and disabled.
- D. Work toward a General Assistance Program to help those in need who are not eligible under existing programs.

**Education** 1964, 1966, 1980, 1984, 1985, 1999 (Updated 1995, 1997, 1999, 2003)

The League of Women Voters of Alabama supports maintaining and improving a system of free public schools in Alabama based on the belief that a free public education which provides equal opportunity for all its citizens is an investment in the future.

Improvement may be achieved through action in support of the following:

- I. Legislation that will assure adequate financing for the total needs of Alabama public schools. Such legislation should create a long term program for quality education.
- II. Provision of free textbooks for public schools as part of a total needs approach.
- III. Creation and maintenance of a process for selecting and distributing free textbooks. That system should meet the following criteria:
  - A. Selection and final adoption of textbooks by a committee composed of outstanding members of the teaching profession chosen by methods free of political influence.
  - B. Selection of the best textbooks nationally available based on valid educational objectives.
  - C. Ordering and distributing textbooks on a nonprofit basis by the State Department of Education and the local Boards of Education.
- IV. Continued federal funding of the following current K-12 programs, which schools with a low level of local support could not afford without federal funds. These federal programs, which contain no requirement for a national curriculum, include the following: child nutrition, special education, Title I (supplementary instruction in reading and mathematics), professional development for science and mathematics teachers, equipment and teachers for vocational education, and programs aimed at helping children at risk and providing a safe, drug-free environment.
- V. Extension of public kindergartens, including support of permissive legislation enabling counties to conduct such programs.
- VI. The League of Women Voters believes that an excellent higher education requires improved cooperative planning, coordination, and equitable support for the public institutions of higher learning in Alabama. Granting appropriate authority to the Commission on Higher Education (ACHE) and improved teacher training are two means of achieving excellence.
  - A. In regard to ACHE the League of Women Voter supports the following:
    - 1. Sufficient authority for ACHE to carry out its mandate.
    - 2. Mutual efforts by ACHE and the institutions of higher learning to eliminate unnecessary duplication of programs.
    - 3. A study by outside consultants of the state's needs in medical education emphasizing the possibilities of consolidation of existing facilities.
    - 4. Identification of the strengths and future needs of engineering education within the state.

5. Implementation of ACHE's study based on long term planning recommendations that support League positions.
- B. In regard to teacher education, the League supports the following:
1. Maintenance of high admission standards for entry into the institutions of higher education with greater emphasis on standardized test scores and preparation in mathematics, computer skills, and foreign language.
  2. Programs of teacher education which
    - a. Include preadmission and interim evaluation of all degree candidates.
    - b. Emphasize subject matter expertise.
    - c. Provide additional training for teachers already in the classroom.

**Health Care** 1986 (Updated 1995 and 1997 and 2003)

The LWVAL supports the availability of adequate health care for all Alabama citizens. This object should be accomplished through an equitable planning regulatory system that is subject to checks and balances and representative of both consumers and providers, and through the development of delivery systems that take into account the specific needs of children, the elderly, rural and disadvantaged persons. Access to minimal health care is a basic human right that should be met by an expanded network of providers and coordination among providers.

The League of Women Voters, therefore, supports action on the following:

- A. State public health planning should be organized to ensure that the deliberations and recommendation of the decision-making boards and committees are ultimately accountable to the people of Alabama. Their placement in the organizational structure of the executive branch and their interacting authorities should promote independence from political considerations.
- B. The main criteria for processing Medicaid contracts should be quality of service and qualified reviewers.
- C. Admissions for treatment should be based only on medical considerations.
- D. Conformity with federal regulations on the use of new techniques or advanced technology should be maintained.
- E. Decisions of the Certificate of Need Board relating to relocation of hospitals and placement of new technology should be based on strict adherence to regulations accurately reflecting the needs of the population to be served.
- F. An aggressive campaign to reduce infant mortality should include mobile clinics, utilization of nurse practitioners and midwives, and a variety of educational strategies about family planning and prenatal care.
- G. The indigent care load should be shared by all health care providers, both public and private.
- H. Counties should be required to pay for their indigent population, but they should be billed through the state in order to speed up the collection of moneys and to provide records reflecting the magnitude of the problems.
- I. Emphasis on health maintenance and disease prevention should be encouraged through establishment of wellness clinics or programs and through public education.

## NATURAL RESOURCES

### **Natural Resources 2003**

LWV of Alabama supports measures to promote an environment beneficial to life through the protection of natural resources in the public interest. In agreement with the position of the LWVUS, the LWVAL believes that natural resources should be managed as interrelated parts of healthy ecosystems. Resources should be conserved and protected to assure their future availability. Pollution of these resources, especially air and water, should be controlled in order to preserve the physical, chemical, and biological integrity of the environment and to protect public health.

### **Coastal Zone Management 1980 (Updated 2003)**

The LWVAL supports regulations and enforcement by the controlling state and national agencies and local land use plans to protect the dunes, to reduce loss of wetlands, to limit sediment accumulation in Mobile Bay, to protect the right of public access to the shore, and to mitigate the effects of damage by construction. LWVAL supports comprehensive land use planning in these geographical areas of particular concern to promote the long-term welfare of the land, water, and people.

## **STUDY OF THE ALABAMA LEGISLATURE 2003-2005**

*Revision adopted by LWVAL Board on July 12, 2003*

**A study of the Alabama Legislature to examine its effectiveness in dealing with statewide issues and its openness and responsiveness to all Alabamians.**

Phase I of the study will examine the following three items:

- a. The Legislature's management of the budget process.**
- b. How the structure and functioning of the two houses affect the Legislature's ability to address the needs of the state.**
- c. Legislative practices that affect the Legislature's openness and responsiveness to all Alabamians.**

Phase II will address the following item:

- d. The appropriateness of various forms of Initiative and Referendum as possible additions to the legislative process.**