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# THE ALABAMA VOTER

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## FROM THE CO-PRESIDENTS *Happy New Year, Everyone!*

We begin 2011 with a new governor and legislature, who have already enacted some of the ethics reforms that have been on the League's agenda for many years. We stand ready to encourage them to continue the good work. A copy of the recent Facts & Issues on the legislature has been sent to every legislator, new and old.

The state has many other problems, including budget, taxes, environment, health care, and education. Our advocacy team will continue to monitor legislation and issue calls to action when League positions warrant it. Please respond as an individual when asked. The State presidents will continue to advocate as our official voice.

This is also a state convention year. Please be willing to serve or recommend those you think appropriate to the nominating committee, who will be preparing a slate of officers and directors. The convention will be co-hosted by the Mobile and Baldwin County Leagues and held in that area on April 30 – May 1.

*Here's wishing you all a successful League year.*

**Kathy and Charlotte**

## STATE BOARD TO MEET FEBRUARY 19

The winter meeting of the Board of Directors of the LWVAL will meet in Montgomery At the American Legion Hall from 10:00 AM to about 3:30 PM. All members are welcome. This meeting agenda will include pre-planning for Convention, the status of state studies (health care and charter schools), and reconsideration of legislative priorities in the light of the special session's activities. If your league has items to suggest, please notify Kathy Byrd at [kcbbyrd@aol.com](mailto:kcbbyrd@aol.com).

— From Joyce Lanning, *Environmental Chair* —

## Natural Resources Volunteer Opportunities:

- ◆ Help update *Environmental Management in Alabama: Facts & Issues*
- ◆ Identify and accept Observer Corps opportunities for local and state government environmental boards and agencies.
- ◆ Plan Ahead for Earth Day, April 22, 2011 – with many celebrating on Saturday the 23<sup>rd</sup>. Locate and link with the events already on the calendar for your area.
- ◆ Participate in the Permanent Joint Legislative Committees on Energy Policy or on Water in Montgomery – more information available after the Legislative session starts in March, 2011.
- ◆ Help with monitoring Natural Resources bills introduced in the state legislature.
- ◆ Recruit members with environmental interests for these and other opportunities to fulfill our Natural Resources mission.

For more information, contact Joyce Lanning, Natural Resources Chair, [jalanning@bellsouth.net](mailto:jalanning@bellsouth.net), 205-870-0808.

## Help Us Update the Current Issue of *Environmental Management in Alabama: Facts & Issues*

Our State League produced an excellent document reviewing the management of land, air and water resources in Alabama with links to Alabama Department of Environmental Management (ADEM) regulations and phone numbers. You can find the document link at the bottom right of our web site, as well as access it at <http://www.lwval.org/FIEnvironMgmnt.html>.

But even the best research can be overcome by time, and this work was completed twelve years ago. It needs our attention to bring it up to date. A revised Facts and Issues would be useful on its own but also could serve as a basis for an environment study, should the membership decide to authorize one.

Currently, the foundation for our Natural Resources responses are the national League positions, our brief 2003 statement on natural resources and the Coastal Zone Management position updated in 2009 after study by the LWV Baldwin County (see [http://www.lwval.org/LWVALCoreDocs/General/LWVAL\\_Program\\_09-11.pdf](http://www.lwval.org/LWVALCoreDocs/General/LWVAL_Program_09-11.pdf)).

*Education Chair Laura Hill reports that study materials on charter schools will be available by the end of January.*

### *In Memoriam*

The League of Women Voters of Alabama expresses our deep sympathy to Ruth Wright of Auburn on the recent death of her husband, Dr. Thomas Wright.

# ETHICS REFORM:

## *A Report From Nancy Ekberg*

The LWVAL has long supported ethics reform, so we participated in the Public Hearing held the evening before the Legislature met to discuss the seven bills Governor Riley provided for the ethics reform Special Session last month.

A letter crafted by Co-Presidents Kathy Byrd and Charlotte Ward was sent to all legislators.

That letter (which appears in its entirety on the LWVAL web site) was read at the Public Hearing by Nancy Ekberg, representing Kathy and Charlotte. It was well received. Ethics Chair, Jim Sumner commented on it and a news story cited the League's sponsorship of ethics reform.

Addressing **Senate Bill 1**, which will give the state Ethics Commission the power to issue subpoenas, the League statement reads:

*Based on an intensive study of ethics laws in Alabama and other states and thorough discussion among members in local Leagues throughout Alabama, the League believes ethics legislation must accomplish the following:*

*1. Provide the necessary powers to allow the Ethics Commission to function as an independent and impartial body, including independent subpoena powers.*

The enacted Bill did just that, but also provided a means for individuals to challenge the subpoena within 30 days to an appropriate court that can review the charges and can dismiss the subpoena if evidence shows the charges are unwarranted.

Addressing **House Bill 9**, which will ban transfers of money between political action committees, the League statement said:

*Closely related to ethics law reform is the need to end all PAC-to-PAC transfers.*

The enacted Bill did outlaw PAC-to-PAC transfers.

Addressing **Senate Bill 14**, which will limit what lobbyists and principals may give to legislators, the League statement said:

*Ethics legislation must lower or eliminate the amount lobbyists can spend per legislator (or the legislator's immediate family) per day before reporting the amounts spent.*

The enacted bill did ban all spending by lobbyists on legislators. Some spending for educational conferences and other special activities are permitted in the enacted Bill.

**BECAUSE THE LEAGUE DOES NOT HAVE A SPECIFIC POSITION ON THE FOLLOWING, THE LEAGUE STATEMENT DID NOT ADDRESS THOSE ISSUES:**

**Senate Bill 3** which bans legislators from holding jobs in which they receive pay from the State. This is the "double dipping" legislation. The Bill passed.

**House Bill 10** which forbids pass-through pork, which has here-to-fore allowed state money that was appropriated to an agency or school, to be diverted by a legislator to something not specified in the bill. The Bill passed.

**House Bill 11** which will require anyone who lobbies the Executive Branch or Judicial Branch to register as a lobbyist. The Bill passed.

**Senate Bill 2** which bans public employees from using payroll deductions to pay dues to any organization that uses the money for political purposes. The Bill passed

This last Bill was criticized by some lawmakers and the media who stated that it was payback from the Governor who objected to campaign activities by the AEA in support of Gov. Elect Robert Bentley and in opposition to Bradley Byrne. Bradley Byrne was the Governor's appointee to the Two-Year College Chancellorship, who investigated double-dipping in the two-year college system .

**SOME CRITICAL ISSUES INCLUDED IN THE LEAGUE'S STATEMENT WERE NOT ADDRESSED IN THE SEVEN BILLS.**

Among them were:

The need to guarantee observation of the Sunshine Laws and clear public notification of all meetings.

The need to file statements of economic interest to the Ethics Commission by all elected public officials and all candidates for office, appointed officials and public employees who are paid \$50,000 or more a year and 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.

And the requirement that all governmental entities should take sealed bids on major purchases and expenditures.



# ANYONE INTERESTED IN REDISTRICTING?

*Kathy Byrd*

As we all are aware, the 2010 census was taken, and now the federal government is crunching the data. One use of these data is reapportionment, which begins with determining the gains and losses in the number of residents in each state, then determining whether individual states will gain or lose congressional seats. Another use of the data of particular interest to the League of Women Voters of the United States, and state leagues as well, involves redistricting. During this process, census figures from the 2000 census are compared with the figures from the 2010 census to determine changes in the racial make-up and location of citizens within the respective states. Each congressional district should have the same racial proportions as the others across the state, so district lines must be drawn to allow for that balance. The problem, of course, is that there are many ways to draw the lines to appeal to some of the “powers that be,” to ensure they remain “powers that be.” The shapes of individual districts can therefore take on interesting shapes (i.e., gerrymandering).

**The LWVUS is anxious to have the processes monitored across the nation. Mary Wilson, immediate past LWVUS President, is heading up the LWVUS effort to make sure the processes are done fairly and properly.**

**The timeline for redistricting varies somewhat from state to state.** To determine what the schedule is for Alabama, LWVAL Co-President Byrd contacted Ms. Bonnie Shanholtzer, head of the Alabama Legislative Reapportionment Office. Ms. Shanholtzer gave us permission to present verbatim her reply:

The State Constitution does require redistricting to be done the year after the “official completion” of the U.S. Census. The census count has been completed, however the results of that process is not yet available. The delivery of the completed information has to be by April 1, 2011. Thus, we will not receive the information until that time.

Upon receipt of the info it has to be merged into our system along with voter, election and other info. After receiving the info, it will take us perhaps

a couple of weeks to have the database complete.

Although the Constitution states redistricting must be done during the first regular session following the release of the census, the federal courts have ruled that a special session may be called to deal with reapportionment as long as it is done in a “timely manner”. As the 2011 Legislative Session will begin on March 1 and can continue until June 13, we will not be prepared to work on redistricting until mid April, 2011. Therefore I am not sure the Legislature will be able to get a plan prepared and through the process by end of the 2011 Session. A special may be called later in 2011 for this process. As we have Congressional elections in 2012 a plan must be passed by the Legislature, signed by the Governor, and approved by the U.S. Justice Dept. (they require 60 days for preclearance), before qualifying for elections in 2012. We will need to have a plan through this process by early February of 2012.

We have a little more time on Legislative redistricting as we will not have the next (after 2010) Legislative elections until 2014. We would need a plan through

the entire process by early Feb. 2014. However, I do not expect the Legislature to wait this long until a plan is done. I do anticipate the Congressional redistricting to be done in a special in late summer or early fall of 2011 and Legislative possibly in the regular or a special in 2012. These dates are just a “guess”—who knows what the Legislature will do? If it is not done in a “timely matter”, the courts may draw the plans.

The Permanent Legislative Committee on Reapportionment will probably be appointed during the Organizational Session in January, 2011. This will be a 22 member Committee - twelve members appointed from the Alabama Senate by the Lt. Governor, and 12 members appointed from the Alabama House of Representatives by the Speaker of the House. This Committee will recommend the plans to be passed by the full Legislature.

We have been contacted by LWVUS to see whether we wish to become involved with the redistricting process in Alabama—primarily by monitoring the process, with guidance from Mary Wilson from LWVUS. Let us know if you might be interested.



# Any Hope for Constitutional Reform?

Since two Leaguers are actively involved with Constitutional Reform through the ACCR, your editor asked them for their views on CR's chances in the upcoming session. Nancy Ekberg, who represents ACCR Inc., the lobbying branch, sent this reply:

*As the volunteer lobbyist for ACCR Inc., I have been to the Special Session and the Organizing Session. I have met many new legislators and for the most part they are willing to listen to the need for reform. Whether they will actually get on board and vote for legislation in the Session that begins March 1st, remains to be seen. We in ACCR Inc. will have legislation and have sponsors in the House and Senate as we have in the past, but we may have more than one type of legislation. We will have legislation for a constitutional convention and are talking with our ACCR Inc. Board and the legislators about additional forms of legislation as well. So please be enthused about the Legislative Session because the new members are supposedly there because they see a need for reform and not the "status quo." Hopefully, this means, reforming our Constitution will have a chance.*

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## From Marilyn Garrett, ACCR Foundation:

The Alabama Citizens for Constitutional Reform Foundation board has embarked on a plan called "Bring It Back Home" to help citizens understand why the state needs a new constitution. Since our legislators listen to their local constituents (hopefully) we want local citizens to implore their legislators to allow citizens to vote for a constitutional convention.

Since the LWV has been working for a new constitution for many years, I hope you will help with the Alabama Citizens for Constitutional Reform, Inc. (ACCR) campaign to Bring It Back Home. We have been awarded a \$75,000 grant from the Mary Reynolds Babcock Foundation to work on this campaign but in order to receive the second half of the grant, we must raise \$37,500.

Two full time persons have been hired to work with county coordinators in all 67 counties to begin working to educate the electorate about the need for a new constitution. Publications, mailings, and supplies for workshops are needed.

To make a tax deductible contribution you may make a check payable to ACCR Foundation, Inc. and send it to ACCR Foundation Inc., P.O. Box 10746, Birmingham, AL 35202. Or you may go to our web site, [www.bringitbackhome.org](http://www.bringitbackhome.org) and contribute online via credit card . Check out the website which is very informative.

# OBSERVER CORPS

We are fortunate to have a new Mobile member, Carol Adams-Davis, who has taken on the Observer Corps position for ADEM and will add to our information on current environmental management issues and practices.

If you are interested in becoming an Observer Corps member for a state-level entity, please contact one of our co-presidents: Charlotte Ward ([w\\_cutis@bellsouth.net](mailto:w_cutis@bellsouth.net)) or Kathy Byrd ([kcbyrd@aol.com](mailto:kcbyrd@aol.com)). For more about Observer Corps, see the Observer Corps Guide on the [lwv.org](http://lwv.org) web site.<sup>1</sup>

## LWVUS Climate Change Task Force – 2011 Focus on State and Local Action

Joyce Lanning continues to serve on the national League's Climate Change Task Force and helped prepare the tool kit mentioned above. Given the major setbacks in 2010 to action to support reduced climate disruption at the national level, **the CCTF is developing targeted grassroots tools in the following four areas:**

**RENEWABLE ENERGY.** Encourage Leagues to work for state policies that promote/expand the use of renewable energy, such as Renewable Portfolio Standards (a certain percent of electric power from renewable resources), net metering, and green power/green pricing.

**ENERGY EFFICIENCY.** Encourage League support for policies and programs that promote energy efficiency in buildings. This would include such topics as building standards/codes, funding for energy audits and retrofits, and Energy Efficiency Resource Standards (energy savings for electric and natural gas distributors).

**TRANSPORTATION.** Encourage Leagues to work for state and/or local policies that help reduce emissions from this important sector. This would include information about vehicle emission standards, alternative fuels, low-carbon fuel standards and land use policies.

**EPA AUTHORITY TO REGULATE GHGs.** Encourage Leagues to educate their communities about the EPA and the Clean Air Act as a way to build support for action to protect the agency from anti-EPA threats in Congress.

For example, below are excerpts from a recent submission to the Mobile Press-

Register by new Alabama Public Service Commissioner Twinkle Cavanaugh. Her dismissal of climate science findings and her anti-EPA sentiments call for a thoughtful response to the realities of changes we may expect from our long-term climate and a review of the benefits to Alabama from EPA enforcement of the Clean Air and Clean Water Acts.

*Like so many things about Washington, bureaucrats and activists want to keep us in the dark about the costs of implementing the various environmental laws mandated by the federal government.*

*It is time that we pull back the curtain and begin to shed some light on the subject.*

*Many of these mandates and spiraling costs are based upon the questionable science associated with "climate change" theories and speculation, and Alabama's economy could suffer tremendously because of those who are peddling the medicine show tonic of "global warming."*

*But it is time that we all raise our voices to stop the bureaucratic power of Washington from undercutting our economy and hurting our families. Join me in asking our representatives in Congress to intervene and check the EPA's power. ([http://blog.al.com/press-register-commentary/2011/01/insight\\_psc\\_is\\_committed\\_to\\_lo.html](http://blog.al.com/press-register-commentary/2011/01/insight_psc_is_committed_to_lo.html))*

In the past, Alabama has used the availability of cheap labor as a selling point to industry. Ms. Cavanaugh seems to be suggesting that the availability of cheap, dirty energy is the way to create jobs and prosperity for Alabama families. The LWVUS position is that the EPA should be allowed to do its Congressionally-mandated job of protecting our health by preventing dangerous pollution.

# LWVUS Toolkit for Climate Action

There is an excellent resource regarding organizing and communicating about climate change on the LWV website – a Toolkit for Climate Action, which has a brief guide to acquaint the user with the many sections and resources. To use the guide, go to the Toolkit home page at

[http://participate.lwv.org/c/9217/p/salsa/web/common/public/content?content\\_item\\_KEY=3766](http://participate.lwv.org/c/9217/p/salsa/web/common/public/content?content_item_KEY=3766)

You will see a section at the bottom titled “Using the toolkit” which includes a link to the guide

[http://participate.lwv.org/c/9217/p/salsa/web/common/public/content?content\\_item\\_KEY=4870](http://participate.lwv.org/c/9217/p/salsa/web/common/public/content?content_item_KEY=4870)

There’s also a link to information about submitting comments to the toolkit mailbox, filling out the evaluation form, and joining the climate change email list

[http://participate.lwv.org/c/9217/p/salsa/web/common/public/content?content\\_item\\_KEY=4869](http://participate.lwv.org/c/9217/p/salsa/web/common/public/content?content_item_KEY=4869)

*The Task Force welcomes your participation and feedback!*

## Greater Birmingham League’s “Railroad Park Ramble”

The LWV Greater Birmingham responded to the national League’s recommendation to participate in the 10/10/10 “Work Party for the Planet” by helping organize a walking and bicycling event to our wonderful new Railroad Park. The event was a fun and educational experience, with multiple purposes: to support the “Our One Mile” Greenway planning project, the new Railroad Park and to encourage people to use person-power for more of their short trips.

If the healthy walking and biking choice is the easy choice, we can improve health, increase short-term air quality and cut down on greenhouse gas emissions to address climate change.

Over 75 people signed in and a lot more participants didn’t. They filled out over 45 bikeability and 45 walkability checklists which were turned over to the Our One Mile greenway planners.

Without the recommendation of the LWVUS providing the impetus for this collaborative, community-building action, we would have missed out on a challenging and rewarding opportunity. We’ll see if we can mount an activity for Earth Day 2011.

For the group picture go to [lwvgb.org](http://lwvgb.org) to see pictures (2010 Flashback) and read about the Ramble in **“Bikers, walkers weigh in on Birmingham Railroad Park plan (with gallery),”** an Oct. 11, 2010 front page article by Marie Leech in *The Birmingham News* on al.com.

(Endnotes)

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### <sup>1</sup> References:

Observer Corps Guide - [http://www.lwv.org/AM/Template.cfm?Section=Home&section=Observer\\_Corps&template=/CM/ContentDisplay.cfm&ContentFileID=3590](http://www.lwv.org/AM/Template.cfm?Section=Home&section=Observer_Corps&template=/CM/ContentDisplay.cfm&ContentFileID=3590)



# *Looking Forward to State Convention*

## **Mark your calendars now for state convention in the Mobile area the weekend of April 30 – May 1.**

The Baldwin county and Mobile Leagues will be co-hosts, and will announce the site and hotel arrangements later. Convention business always includes the election of a new slate of officers and directors and the adoption of state study items.

The nominating committee, headed by Yvonne Brakefield , who can be reached at the following mail, phone, and email addresses: 3451 Cliff Road, Birmingham, AL 35205, 205 322-8337 home, 205 516-8235 cell, 205 682-4863 work, [ybrakefield@mac.com](mailto:ybrakefield@mac.com). If you know of someone just right for a state board position, Yvonne and her committee would love to hear from you. It is important for every league to be represented on the state board. And it is OK to volunteer yourself.

The state health care study and education update, emphasizing charter schools, will need to be continued, but there are also pressing environmental issues the League is not now in a position to address. Should we consider a new environmental study? The Alabama League is not very big, and all studies require the commitment of a number of people. What are you concerned enough about to work for? Participation by all members is necessary for success both in conducting studies and in advocacy.

The biennial convention is a wonderful time to get acquainted with fellow Leaguers from all over the state, and also a time for serious work. Plan to come and get involved in both aspects.

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**THE LEAGUE OF  
WOMEN VOTERS  
OF ALABAMA**

