

The Montgomery Voter

April 2008

**The League of Women Voters of Montgomery
P.O. Box 231323, Montgomery, AL 36123-1323
334 264-VOTE or 334 270-0539**

Initiative & Referendum (I & R) Meetings

April 16 – Discussion of I & R Pros and Cons – noon

April 23 – Special Consensus Meeting on I & R – noon
(Special Board Meeting to follow)

If you would like to order the \$5 church lunch for either meeting, call Ursula Nolte (834-6541) by the Sunday before the meeting.

The President's Message

by

Anne Permaloff

As the text box above indicates, the Board is calling a second General Meeting for April 23rd due to the storm-related cancellation of the March meeting. On April 16th Helen Tavish will lead the discussion on Initiative and Referendum. Study materials on I & R were distributed in the February and March *Voters*.

This month's *Voter* contains the consensus questions that will be considered at the April 23rd meeting. Please bring the questions to that meeting.

If you cannot be present on the 23rd, please answer the consensus questions after attending the April 16th meeting or after reading the materials if you do not attend on the 16th. Mail them to me so that I have them by April 21st. Send them to 637 Horseshoe Curve, Pike Road, AL 36064 or email your responses to grafton_mtgy@bellsouth.net.

This *Voter* also contains materials that will be considered and voted upon at the General Meeting in May. You will find proposed budgets for the LWVM and the LWVM Education Fund as well as the recommendations from the Nominating Committee, Program Committee, and the Bylaws Committee.

As of this date the Nominating Committee has been unavailable to identify a member willing to serve as Secretary for 2008-2010. The Secretary takes minutes of the Board Meetings and the General Meetings. If you are willing to serve in this capacity, please contact one of the members of the committee: Martha Blackwell (Chair), Edith Davis 271-4052, and Trudy Gambles 264-2362.

The LWVAL has issued a call to 2008 Council. All League members are invited to attend Council which will be held at the Birmingham Zoo. If you are interested in attending, let me know. I will be driving to the meeting in my van and have room.

Finally, I must announce Merlin Newton's resignation from the Board. Merlin will continue as an active member of the League but has decided she must reduce her activity level for a while.

BUDGET COMMITTEE REPORT: Members --Valeria Harman (Chair) and Joyce Nicoll

**Montgomery League of Woman Voters
Projected Operating Budget 2008-2009**

RECEIPTS:

Dues 48 Members @ \$50.00 each	\$2,400.00
Estimated Carry Over Regular Account	900.00
Estimated Carry Over Savings Account	1,242.00
Transfer from Education Account	<u>400.00</u>
TOTAL PROJECTED RECEIPTS	\$4,941.00

DISBURSEMENTS:

Per-Member Payment (PMP) to LWVAL	\$ 450.00
Per-Member Payment (PMP) to LWVUS	1,195.00
Operating Expenses:	
Telephone	600.00
Post Office Box	50.00
Office Expenses: Postage, Printing & Supplies	400.00
Hospitality and Meetings	200.00
Publication (<i>The Voter</i>)	400.00
Donation (Church of the Ascension)	150.00
Security Deposit (Church of the Ascension)	200.00
Delegate & President Travel	<u>600.00</u>
TOTAL PROJECTED EXPENSES	\$3,671.00

**Montgomery League of Women Voters
Projected Education Fund Budget 2007-2008**

RECEIPTS:

Funds on Hand	\$2,426.00
Estimated Donations	<u>500.00</u>
TOTAL PROJECTED INCOME	\$2,926.00

DISBURSEMENTS:

<i>Who Represents You?</i> Update	\$ 500.00
Candidates Forum	200.00
Misc., Postage, etc.	<u>200.00</u>
TOTAL PROJECTED EXPENSES	\$ 900.00

BYLAWS COMMITTEE REPORT (Members: LWVM Board)

No changes are recommended.

NOMINATING COMMITTEE REPORT

Members: Martha Blackwell (chair); Edith Davis, Trudy Gambles

Recommendations to fill expiring terms:

2nd Vice President (2008-2010): Ursula Nolte

Treasurer (2008-2010): Joyce Nicoll

Secretary (2008-2010): To be announced – see President’s Message

Directors (2008-2010): Trudy Gambles, Helen Tavish, and Susannah Stewart

And to complete the 2007-2009 term of Merlin Newton: Barbara Reed

2008-2009 PROGRAM RECOMMENDATIONS

The Board recommends that existing program positions be re-adopted and that the Local Government Study continue.

The study schedule for the coming year would focus on the development of a Facts & Issues paper followed by League discussion and consensus development in the late spring of 2009.

LWVM Calendar

(Meetings are held at the Church of the Ascension unless otherwise noted)

April 16 – General Meeting – Discussion of Initiative and Referendum materials led by Helen Tavish, noon – 1 p.m.

April 23, Special General Meeting – Consensus meeting on Initiative and Referendum, noon-1 p.m. Special Board Meeting follows.

May 3 – LWVAL State Council – Location: One Wild Place, Birmingham Zoo – 10 am–3:30 p.m. Details will appear on the LWVAL website (www.lwval.org)

May 21 – LWVM Annual Meeting (and luncheon), 11:30 a.m.-1 p.m. Special Location: Young House.

Agenda: Elections, adoption of Montgomery League program for 2008-2009, adoption of the Budget for 2008-2009, committee reports.

INITIATIVE AND REFERENDUM CONSENSUS QUESTIONS

General Questions Related to Initiative and Referendum (I & R)

1. Do you approve of the initiative process as an appropriate method of direct democracy for creation of:
 - a. Statutes Yes No
 - b. Constitutional Amendments Yes No

2. Do you approve of the referendum process as an appropriate method of direct democracy for ratification of:
 - a. Statutes Yes No
 - b. Constitutional Amendments Yes No

The writing of a new Alabama Constitution will almost certainly include debate over initiative and referendum (I & R) proposals. In order to be part of the debate and take a position on any proposals, the LWVAL needs to understand member consensus positions related to likely proposal content. The following questions relate to proposals based on the experience of other states and should be answered whether you approve of I & R or not.

3. Which of the following initiative options do you prefer?
 - a. Direct – Initiative passed by the voters goes into effective without legislative action
 - b. Indirect – Legislature given specified time period within which to act on the proposal
 - c. Allow either direct or indirect process to be part of the initiative wording
 - d. Allow both direct and indirect process to be part of the initiative wording

4. If indirect initiative is adopted, which of these formats do you consider acceptable?
 - a. Legislative passage of the proposal as written makes it law; no citizen vote occurs.
 - b. Passage of a legislative alternative keeps the initiative proposal off the ballot
 - c. Passage of a legislative alternative places both the citizen and legislative versions on the ballot.
 - d. With no legislative proposal passed, the initiative proposal is placed on the ballot

List letters of the acceptable formats: _____

List the letter(s) of the format(s) you prefer: _____

5. Should any proposed initiative address only a single subject?
Yes No

6. Should proponents of an initiative be required to file documents with initiative details (exact wording and title and summary statement for the ballot) prior to beginning the process of collecting petition signatures?
Yes No

7. Should the proposed initiative be reviewed and approved for:
- | | | | |
|----------------------|-----|----|------------|
| | | | Review by: |
| a. Language | Yes | No | _____ |
| b. Clarity | Yes | No | _____ |
| c. Constitutionality | Yes | No | _____ |

In the space beside each choice above, please list the letter(s) of the offices/groups from the list below that would be acceptable to conduct the review.

- a. Attorney General
- b. Legislative Reference Service
- c. Legislative Fiscal Office
- d. Supreme Court
- e. Special commission
- f. Alabama Law Institute
- g. Secretary of State
- h. Other (Please specify _____)

8. Should these reviews be done:
- a. At the time of initial filing
 - b. After certification of petitions

9. Should the wording of the initiative title and summary statement that will appear on the ballot make clear the effect of a “yes” vote and a “no” vote?

Yes No

10. Should an impartial analysis of the initiative’s impact be prepared and disseminated to the public on:

- | | | | |
|-------------------------------------|-----|----|--------------|
| | | | Analysis by: |
| a. Impacts on existing law | Yes | No | _____ |
| b. Impact on current service levels | Yes | No | _____ |
| c. Fiscal impacts | Yes | No | _____ |

Please use the list from question 7 to identify which office/group(s) would be acceptable to perform the analysis.

Signature Gathering and Certification

11. Should those proposing an initiative be required to file a statement identifying themselves and describing their organization before beginning to collect signatures?

Yes No

12. Should they be required to file timely and periodic financial statements identifying those individuals and organizations contributing monies and/or spending monies in support of the signature gathering and certification phase of the process?

Yes No

13. Should those individuals gathering signatures be required to sign an oath that they witnessed each signature and to the best of their ability believe the signatures are valid?

Yes No

14. Should signatures on initiative petitions be limited to registered voters?

Yes No

15. What time limit, if any, should be placed on signature gathering?

- a. 6 months from filing
- b. 1 year from filing
- c. 2 years from filing
- d. No time limit
- e. Other (Please specify _____)

16. Should there be a requirement that signatures be collected from a wide geographical area?

Yes No

(Note: We have not considered initiatives that are not of statewide application. If a League wishes to comment on possible local initiatives, please attach those comments.)

17. Should the number of required signatures be based on a:

- a. Percentage of the population
- b. Percentage of registered voters
- c. Percentage of those voting in the previous election
- d. Percentage of those voting for a specific office in the last election
- e. Other (Please explain _____)

18. Should the percentage required be the same for statutory and constitutional initiatives?

- a. Yes, the same
- b. No, higher for statutory
- c. No, higher for constitutional

The Campaign

It is generally agreed that voter education is critical and that information about the initiative and its effect should be available in printed form and on the Internet.

19. What other forms of voter education are needed?

20. Besides initiative proponents and opponents, who should be involved in voter education?

21. Should the filing of timely and periodic disclosure of financial contributions and expenditures be required of those seeking to influence the outcome of an initiative campaign?

Yes No

22. Should public funds ever be used in support or opposition to an initiative?

Yes No

If Yes, when or what stage of the process? _____

If No, are there any exceptions you would allow? Explain. _____

The Vote

23. When should initiatives be placed on the ballot?

- a. General elections only
- b. Any regularly scheduled election (primary, general, runoff)
- c. Special election if the next regularly scheduled election is more than one year from the date of initiative petition certification
- d. Other (Please specify _____)

24. a. Should a simple majority be sufficient to pass an initiative?

Yes No If No, what percentage?

b. Should a larger majority be required for passage of a constitutional amendment initiative than a statute?

Yes No If Yes, How much?

25. Should there be a limit on the number of initiatives that may appear on the ballot at any one time?

Yes No

26. If a limit is placed on the number of initiatives on the ballot, which of the following criteria should be used to determine which of several initiatives should appear on the ballot? (Select one)

- a. Order of initiative filing
- b. Number of valid signatures an initiative receives
- c. Other (Please specify _____)

27. If an initiative is defeated, should there be a limit on when it may again appear on the ballot in substantially the same format?

Yes No

If Yes, how long should it be before it can appear on the ballot again? _____

28. Are there other issues that you believe should be addressed in relation to I& R?
Please explain.