

THE LEAGUE OF WOMEN VOTERS OF CONCORD-CARLISLE

BULLETIN

LWVCC Website: www.lwvcc.org

March 2014

P.O. Box 34 Concord, Massachusetts 01742-0034

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CALENDAR

MARCH

- 12 Wed LWVCC Local Program Planning, 1360 Monument St. (Beeuwkes) 6:30-8:30 PM
- 19 Wed LWVCC Agriculture Study Consensus Meetings, two sessions
41 Canterbury Court (Cindy Nock) 9:30-12:00 noon
89 Crescent Rd. (Erin Pastuszenski) 7:00-9:30 PM
- 23 Sun LWVCC Carlisle Town Meeting Preview, Clark Room, Town Hall 2-4:00 PM
- 25 Tues Concord Town Election Polls open 7:00 am-8:00 PM
- 26 Wed LWVMA Day on the Hill, State House, Boston 10:00 AM

APRIL

- 2 Wed LWVCC Board Meeting, 89 Crescent Rd. (Erin Pastuszenski) 9 coffee, 9:15 mtg
- 13 Sun LWVCC Carlisle Candidates Forum, Clark Room, Town Hall 3-5:00 PM
- 14 Mon Last Day to Register for Concord Annual Town Meeting
- 16 Wed LWVCC Concord Warrant Review Meeting, Mtg Room, Keyes Rd. Bldg 8:30 AM
- 23 Wed LWVCC Special Board Meeting for Warrant Review, Fowler Library 9 coffee, 9:15 mtg
- 28 Mon Carlisle Town Meeting, Corey Auditorium, Carlisle School 7:00 PM
- 30 Wed LWVCC Book Group, Author Discussion with Katharine Esty 10-11:30 program
Pot luck lunch follows, 342 Sudbury Rd. (Anne Hayden) lunch 11:45-1:00 PM

MAY

- 4 Sun Concord Town Meeting begins, CCHS Auditorium 2:00 PM
- 5-8 M-TH Concord Town Meeting, CCHS Auditorium 7:00 PM
- 6 Tues Carlisle Town Election Polling open 7:00 am-8:00 PM
- 7 Wed LWVCC Board Meeting, 398 Lowell St. Carlisle (Launa Zimmaro) 9 coffee, 9:15 mtg
- 21 Wed LWVCC ESC Meeting, Newbury Court (Anita Barker) 8:00 AM
- 21 Wed LWVCC Annual Meeting, TBA

JUNE

- 4 Wed LWVCC Board Meeting, 1360 Monument St. (Nancy Beeuwkes) 9 coffee, 9:15 mtg.
- 6-10 Fri-Tues LWVUS National Convention, Dallas TX

Members are invited to attend monthly Board meetings.

Please contact Cindy or Dee if you would like to attend any of them.

The League of Women Voters is a non-partisan political organization of men and women formed in 1920 and dedicated to the principles of self-government established by the Constitution of the United States. The League works to promote political responsibility through informed and active participation of citizens in government.

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CO-PRESIDENTS' LETTER

Cindy Nock and Dee Ortner, Co-Presidents

March 2014

Dear League Members,

Have you heard them yet? The birds are chirping the arrival of Spring - and not a snowless day too soon!

Already in Concord we've had hearings on Warrant Articles held by the Finance Committee, Planning Board and Board of Selectmen. They are still being televised on CCTV, if you missed any. In Carlisle, the LWVCC is holding a Town Meeting Preview on several high-interest articles in late March. And this year, Carlisle will hold its Town Meeting on April 28th, before Concordians head to the high school for our multi-day TM, which starts on May 4th.

In preparation for these events, the League is busy reviewing our positions, asking questions at hearings and listening to what our fellow townspeople are saying at various committee and board meetings. *This is what we do* so that we can inform all of our members (and non-members), hold discussions for our membership that result in informed decisions, and have our collective voice heard. And this is what the citizens of our towns expect from us, the League of Women Voters of Concord and Carlisle.

But, you know all of this. What you may not know or have heard about, is that we held a high-turnout candidate forum for one contested and two uncontested races in Concord. The questions posed were respectful, probing and truly engaging. So many additional questions were hand-delivered during the event that candidates received a list of unasked questions, just in case they wanted to respond on their websites or in letters to the editors.

We're also in the closing portion of a national study on agriculture. The Committee tasked to research and organize this effort has developed such enthusiasm that it is working with other groups within our towns and elsewhere to provide more opportunities to better inform our citizens of the complexities involved in the production and delivery of 'good' food.

We'll stop here. You can read more about what else is happening in the League on the following pages.

We encourage you to make your voices heard and cast your votes at the polls and at our Town Meetings. And, don't forget, Annual Meeting will be in May – we'd love to see you there!

Yours in League,
Cindy Nock and Dee Ortner, Co-Presidents

Editor's note: Included in this Bulletin is a transcription of the informative talk that Dr. Alexander Keyssar gave on Voter Rights at the January Members Breakfast. It is the four page insert that you will find in the center of the bulletin. Kudos to Cindy Nock for willingly listening to hours of tape and transcribing the talk for the enlightenment of all of our members. .

MEMBER NEWS

NEW DIRECTORY IN MAIL

We hope you have received the LWVCC 2014 Membership Directory. If you notice any errors or missing information, such as the estimate of the year you first joined the LWV, please contact me. Send an e-mail to: membership@lwgcc.org or vandeverP@aol.com with questions, information and time availability.

So far this year we have added 26 new members, including three Household Memberships. Please feel free to contact me if you would like to get together to talk about the League and your particular interests. It has been a joy to meet so many of you and learn about the incredible assets our new members provide.

We are a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues and influences public policy through education and advocacy. *Non-partisan* means that the League never supports or opposes any political party or candidate and *political* means that we study issues of interest to our members and work to influence the outcome of those issues. If you have a particular issue of concern, you can contact me at the above email address or our Co-Presidents, Cindy Nock and Dee Ortner, at: Co-Presidents@lwgcc.org. We thank you for your continued support as members and donors of time, money, enthusiasm and dedication to the League of Women Voters of Concord-Carlisle.

Paula Vandever, Membership Chair
Committee members include: Lauren Bakewell, Nancy Beeuwkes, Mary Chapman, Irmie Doane & Barbara Lewis

SAVE THE DATE

CONCORD WARRANT REVIEW

Please join us for a meeting to review the Concord Warrant on Wednesday morning, April 16, 8:30am, at the Keyes Road conference room. Moderator Eric Van Loon and Selectman Carmin Reiss will be there to discuss the status of various articles and provide current information about them. Since the Warrant closes in early January, there are inevitable changes to wording (within the original scope of the article) or articles that may not be moved for various reasons. By April 16, we can expect more information about the recommendations of the Board of Selectmen (BOS), the Finance Committee, Planning Board, and the School Committees on various articles. Moderator Van Loon will speak to what articles may be on the consent calendar this year. This meeting provides a chance to ask all your pre-Town Meeting questions!

The League Board will then meet on Wednesday, April 23, 9:15am, in the Fowler Library meeting room, to discuss and determine whether the League will speak to any of the articles in support or opposition or take no action at Town Meeting. All members are welcome to attend this meeting.

The League Board will follow the same process with the Carlisle Town Warrant however a date has not been set yet.

Ardis Bordman, Chair
Concord Town Initiative Committee

WHAT IS SUNSHINE WEEK?

For the past three years, our League has sent a letter to the Concord Journal drawing attention to Sunshine Week. [See this year's letter on the next page.] The Florida Society of Newspaper Editors (FSNE) launched Sunshine Sunday in 2002 in response to efforts by some Florida legislators to create scores of new exemptions to the state's public records law. Several states followed Florida's lead, and in June 2003, the American Society of Newspaper Editors (ASNE) hosted a Freedom of Information Summit in Washington where the seeds for Sunshine Week were planted. With an inaugural grant from the John S. and James L. Knight Foundation, which has continued to support this effort, Sunshine Week was launched by the ASNE in March 2005. This nonpartisan, non-profit initiative is celebrated in mid-March each year to coincide with James Madison's birthday on March 16.

Sunshine Week is a set aside time to focus on the public's right to know what its government is doing and why. Massachusetts has an Open Meeting Law and a Public Records Law (akin to Freedom of Information at Federal level). These laws spell out what is required of State and local governments regarding posting of agendas and minutes, the right of the public to access records and documents with few exceptions, and much more.

The Open Meeting Law defines what is a meeting, a deliberation, a public body, and the need to avoid serial deliberation (discussing business from one person of a board/committee to another without public knowledge). The law even states a copy charge of a maximum of 20 cents per page and 50 cents for computer printouts. There are various time limits for requests, responses, and appeals. The laws tell you the

extent and limits of public information. You can access A Guide to the Massachusetts Public Records Law at www.sec.state.ma.us/pre/prepdf/guide.pdf and the Open Meeting Law at <http://www.mass.gov/ago/openmeeting>.

Almost 200 years ago, James Madison wrote, "A popular government, without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy; or, perhaps both." His words remain a call to action today.

*Ardis Bordman, Chair
Town Government Initiative*

NATIONAL PROGRAM PLANNING

LWVCC held its annual national program planning session on the afternoon of February 12 at the home of Barbara Lewis in Carlisle. Under LWVUS rules each League can make two recommendations for a new study or for a review of an existing National position. Our first recommendation was: Review and update the existing LWVUS position on Campaign Finance in light of the recent Supreme Court decisions and establish League criteria for a constitutional amendment and/or legislation pertaining to Campaign Finance Reform.

We did not make a second recommendation as such, but we commented that there was strong interest in extending the Agriculture Study since there had been insufficient time between the availability of study materials and the date when local consensus was due to cover the material fully.

Recommendations from all Leagues will be reviewed by the LWVUS board to decide on program recommendations to the delegates at the June convention.

Nancy Cronin, National Program



**LEAGUE OF WOMEN VOTERS®
OF CONCORD-CARLISLE**

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Making Democracy Work

March 10, 2014

Ms. Kathie Ragsdale, Editor
The Concord Journal
150 Baker Avenue Ext.
Concord, MA 01742

RE: Sunshine Week

To the Editor:

March 16-22 is Sunshine Week, an annual nationwide discussion about the importance of access to public information, and what it means to each of us and to our community. It is a time to remember the important role that each of us has in keeping Concord healthy, vibrant and strong.

We all have the right to know what our government is doing—both its successes and failures. Exercising our right to know gives us – the public – power. It allows us to hold elected officials accountable on election days and beyond.

For decades, members of the League of Women Voters have worked for open government. We work to ensure that all voices are heard as decisions are made about our community's future. We invite all of you to join us by making your voice heard not only on election days but also throughout the year.

We also encourage everyone to attend local School and Town government meetings and to visit the School (www.concordschools.net) and Town websites (www.concordma.gov) to read about what our local boards and committees are doing. In particular, we urge everyone to learn about the Town Warrant Articles and participate in Concord's Annual Town Meeting, starting Sunday, May 4, and to vote in the Town election on March 25.

Sincerely,

Dee Ortner
Cindy Nock
Co-presidents
League of Women Voters of Concord-Carlisle

VOTER SERVICE

Barbara Lewis (Carlisle) and Erin Pastuszenski (Concord)

Contact Erin or Barbara anytime, by phone or at VoterService@lwvcc.org, if you'd like to get involved with the League's work on voting and elections.

Coming up: Local Elections and Town Meetings

Concord:

- Town Election – Tuesday, March 25, 7am-8pm
- Voter Registration Deadline for Town Meeting – Monday, April 14
- Annual Town Meeting – Sunday, May 4, 2pm, continuing Mon/Tue/Wed, 7pm, CCHS

Carlisle:

- LWVCC Warrant Preview – Sunday, March 23, 2-4pm, Carlisle Town Hall
- LWVCC Candidates' Forum – Sunday, April 13, 3-5pm, Carlisle Town Hall
- Finance Committee Hearing – Monday, April 21
- Annual Town Meeting – Monday, April 28, 7pm, Corey Aud., Carlisle School
- Town Election – Tuesday, May 6, 7am-8pm

LWVCC to Hold Carlisle Warrant Preview March 23

The League will host a forum March 23 on several major issues expected to be before the voters at Carlisle's April 28 Annual Town Meeting. The forum will explore proposed articles on education, land use, town budget, and the use of the historic Highland Building. Carlisle voters are encouraged to attend the League forum on Sunday, March 23, from 2 to 4 p.m., in the Clark Room at Carlisle Town Hall. Contact Barbara at VoterService@lwvcc.org to volunteer to help.

Carlisle Candidates' Forum April 13

Don't miss an opportunity to see the candidates who are running for local office in Carlisle at the League's Candidates' Forum, in the Clark Room at Town Hall on Sunday, April 13, 3 to 5 p.m. All voters are invited. If you'd like to volunteer to help, please contact Barbara Lewis.

LWVCC Informs Concord Voters about Local Candidates

At the League of Women Voters' Concord Candidates' Forum on Sunday, March 2, an audience of over 70 people filled the Town House Hearing Room. They heard from all of the candidates who will appear on the March 25 ballot: Eric Van Loon (candidate for reelection as Town Moderator), Michael Lawson (candidate for Board of Selectmen) and two candidates vying for one seat on the School Committee, David Garrison and Wallace Johnston. Each candidate responded to a wide range of questions from the League and from the public. Nancy Carapezza, LWV of Wayland member and a former President of the LWV of Massachusetts, moderated the forum.

The *Concord Journal* covered the event, and LWVCC's forum video is now showing on Channel 8 and may be viewed on demand at CCTV's website, www.concordtv.org. In addition, the LWVCC's Voter Guide to the candidates will appear in the March 20 edition of the *Concord Journal*; the candidates' statements will be posted on the League's website, www.lwvcc.org.

Rounding out our efforts this election season, LWV “Vote Tuesday” signs will remind voters to go to the polls on March 25.

The League thanks the candidates for participating in the forum and the voter guide; our sponsor for use of the Town House, Town Clerk Anita Tekle; our moderator, Nancy Carapezza; CCTV, particularly Kester Krueger; and all of our wonderful League volunteers, including Debbie Barr, Nancy Beeuwkes, Enid Boasberg, Ardis Bordman, Di Clymer, Marge Daggett, Irmi Doane, Ashley Galvin, Louise Haldeman, Jen Johnson, Laura McKenna, Cindy Nock, Dee Ortner, Erin Pastuszanski, and Rebecca Purcell. Our volunteers are the best!

Voter Service Committee

The Voter Service Committee held a meeting on February 27 at the Fowler Branch of the Concord Public Library, and the discussion there became the basis for a preliminary plan for our activities this summer and fall. Meeting notes are available, and if you’d like a copy, please contact Erin at VoterService@lwvcc.org.

The next meeting of the Committee will be in April, date to be announced in Monday Member News. If you are interested in the committee or in helping out with voter registration (for students and others), candidate forums for the state elections this fall, or other voter engagement projects, please call or email Erin or Barbara to find out how you can get involved.

PUBLIC HEARINGS ON TOWN GOVERNANCE SET FOR MAY

The Town Governance Study Committee (TGSC) was appointed in March 2013 by the Board of Selectmen (BOS) to review the Town Charter and governance. It has met every two weeks since then to research, discuss and make preliminary recommendations for any changes. Its working groups have researched and reported on the following topics: Town Charters Comparison, Town Meeting, Elected Officials, Library, Technology, Town/School Coordination, and General Governance Principles.

The Committee will publicize its preliminary recommendations in April and will hold two public hearings at 7:00pm on Wednesday, May 14 and Tuesday, May 20. After the hearings it will prepare final recommendations for the BOS, taking into account public comments at the hearings.

Some of the preliminary recommendations include: keeping Open Town Meeting and making it more accessible, not adding a recall provision to the charter, and suggesting that the BOS appoint an audit committee and a technology committee. A technology committee could develop ways that information technology could be used to promote broader and more active citizen participation in Concord government.

The TGSC’s final recommendations and the Selectmen’s response can have long term effects on Concord governance. The League should be prepared to comment on these recommendations at the hearings. Your participation is important when we review the TGSC’s report. Information about the TGSC can be found at www.concordma.gov under Boards and Committees, Town Governance Study Committee.

Nancy Cronin, LWVCC Observer

**TAKE PART IN
CONCORD CITIZEN SURVEYS**

Participation and involvement in local government has many choices. The hearings for the 2014 Town Meeting were televised and can be viewed on demand at <http://concordtv.org> at your convenience as well as all regular Board of Selectmen and School Committee meetings.

At this time you can participate directly by taking part in two town surveys. One asks about recreation facilities. You can access this survey at the Recreation Commission website, click Recreation survey at http://www.concordman.gov/pages/ConcordMA_Recreation/Concord%20Recreation%20Survey. You can also print the form and mail it to the Concord Recreation Department, 90 Stow Street, Concord MA 01742.

The other asks about Concord bicycling and road safety at <https://www.surveymonkey.com/s/HealthyConcordBikeSurvey>.

Heller and Heller Consulting is working with the Recreation Department to review existing Town recreational facilities and programs and develop planning for the future needs of the town for the next 5-7 years. Their report is expected to be complete in June.

It is important that survey responses reflect the view of as many citizens as possible. Take part!

*Ardis Bordman, Chair
Town Government Initiative*

**KATHARINE ESTY WILL DISCUSS
HER NEW BOOK IN APRIL**

On April 30, 2014, the LWVCC will host an author's discussion with League member Katherine Esty. She will talk about her new book, *Twenty-Seven Dollars and a Dream: How Muhammad Yunus Changed the World and What It Cost Him*. The program will begin at 10:00am with this presentation and at 11:30am we will break and have a pot luck lunch. The meeting will be held at Anne Hayden's house, 342 Sudbury Rd. in Concord.

Muhammad Yunus was the creator of the microcredit movement that has empowered millions of poor women around the world. For this achievement he was awarded the Nobel Prize for Peace in 2006, the US Presidential Medal of Freedom in 2009 and the US Congressional Gold Medal in 2013.

In her book, Katharine Esty shows how one person was able to change the world. Katharine's personal impressions of Yunus and her experiences in Bangladesh give added personal insight and perspective to this story.

All League members and their friends are invited to attend this program and pot luck luncheon. RSVPs are requested so that the seating can be arranged for the meeting. Contact Anne Hayden by phone (978-369-8526) or email (anne.hayden@comcast.net).

*Anne Hayden, Chair
LWVCC Book Group*

NEW MINUTEMAN REGIONAL AGREEMENT GOES TO SPRING TM

This spring the sixteen member communities that make up the Minuteman High School (Voc Tech) Regional District will vote on a new Regional Agreement. The proposed new agreement must be approved by the Town Meetings of **all 16** towns before it can take effect. The new agreement has been developed over the last two years with inputs invited from every town, town manager, selectman, and finance committee to meet many of the shortcomings of the old agreement as the district gears up to renovate or rebuild the school.

The new Regional Agreement is more complex and detailed, especially related to assigning capital costs, than the old one. This article is a brief overview of material from the Minuteman website developed by Carrie Flood, Concord's representative to the Minuteman School Committee. For more information, see <http://minuteman.org/superintendent/regional-agreement-ratf-raas>.

New protocols:

- **4-year rolling average** of enrollment of students to be used in assessing the communities for the operating budget and capital costs. This will smooth the assessments from year-to-year. For years towns have complained about the "surprises" each spring in Minuteman's assessment due solely to the variation in the number of students enrolled "this year" in contrast to "last year".
- **Weighted voting** will be the usual practice in voting at committee sessions. Using the October 1 enrollment of a town relative to the total number of students from the member towns, a "weight" or percentage is given to each town. Under normal Committee practice, a greater than 50% of the weighted vote of the members present would constitute approval of a motion. (See Note.)
- The appointing authority for a new committee representative would be Board of Selectmen (or Mayor in case of a city) except that a town by bylaw or Charter provide for appointment by the Moderator.

New Changes in School Committee votes:

- **Annual Budget approval** must be by a 66.67% of the **total** weighted vote of the full committee, not just those present.
- **Future amendments** must first be approved by three fourths (3/4) of the full committee, not just those present, each town having only one vote. If approved, the amendments must then be passed by each member's legislative body (as is the case now) and with the approval of the Commissioner of Education.
- **To incur debt** two thirds (2/3) of the full committee, not just those present, must approve, each town having only one vote. Then the legislative bodies of all member communities must approve. If one or more communities fail to approve, then there is a second, more lengthy, procedure as specified by state statute (See Regional Agreement on the website).
- **Admission of a new community** must have a three fourths(3/4) vote of the full committee, not just those present, each town having only one vote. Since this constitutes a change to the Regional Agreement, the legislative bodies of all members must approve as well as the Commissioner of Education.

Withdrawal of a community:

A member community may withdraw from the district, if the legislative body of the member community votes by a two thirds (2/3) vote to do so AND with the approval of a majority of the legislative bodies of the member communities AND with the approval of the Commissioner of Education. The withdrawal would not take place for three years.

Note: At the School Committee meeting on March 11, the Committee voted on a late proposal to change the definition of a "weighted" vote. In the new language, a weighted vote will be made up of **50%** by weight from the 4-year rolling average of students and **50%** by equal share (50 /16 = 3.125% per member).

*Marge Daggett, Observer
LWVCC Minuteman High School*

2014 RIVER STEWARDSHIP AWARD NOMINATION

Due April 10th

The League of Women Voters and the Wild and Scenic River Stewardship Council are soliciting nominations for the 12th Annual River Stewardship Award

Do you know someone who is an outstanding advocate for the Sudbury, Assabet and Concord Rivers? Is there an inspiring project or creative program that protects the beauty and health of our rivers or is dedicated to building an environmental legacy for future generations? We seek individuals, organizations, youth, teachers, businesses, government employees and others whose work will inspire children, families, and town and school leaders to protect and preserve our wild and scenic rivers.

As pioneers in conservation, the League of Woman Voters in partnership with the Wild and Scenic River Stewardship Council present the River Stewardship Awards. Twenty-nine miles of the Sudbury, Assabet and Concord Rivers have been federally designated as Wild and Scenic Rivers because of their outstandingly remarkable resources including ecology, recreation, scenery, history and literature. The River Steward Award honors unsung heroes within the river communities who are doing their part to promote, preserve and protect the Sudbury, Assabet and Concord Wild and Scenic Rivers today, and for future generations.

The purpose of the River Stewardship Award is to honor individuals or organizations whose actions promote, preserve, and protect the watershed. Eligible communities for the awards include, but are not limited to, the shoreline towns of Framingham, Wayland, Sudbury, Lincoln, Concord, Bedford, and Carlisle.

The League of Women Voters and the Wild and Scenic River Stewardship Council encourage nominations for the twelfth Annual River Steward Award. Send nominations to Mary Antes, 11 Old Farm Circle, Wayland, MA 01778 by April 11, 2014. Nomination forms are available at the Town House, the Natural Resources Commission office, and both libraries, or online at the Concord-Carlisle LWV website www.lwvcc.org. Contact Mary Antes, 508-358-2571 or mantes2@verizon.net with any questions.

2013 Award winners included: Amber Carr for her work spanning many towns and several years; Steve Tobin, Greg Peterson, Sally Swift, and Christa Collins of Carlisle; Gordon Shaw of Concord; The Lowell Leaders in Stewardship (LLS) Class of 2013; Bill Place of Sudbury; and the Wayland Wellhead Protection Committee (Sherre Greenbaum, Jennifer Riley, Tom Sciacca, Linda Segal, and Kurt Tramosch).

Past Concord winners include: Gordon Shaw, Susan Beede, Susan Erikson and her Thoreau School 5th grade class, Nat Marden, Dr. Bryan Windmiller, Sally Farrow, Elizabeth Sluder, the Thoreau School Riverwalk Committee, The Rowan family, Bob Lemaire, C. C. King, Marian Thornton, Emma Schumacher, Elena Colman, Katie Lebling and the Mill Brook Task Force.

*Janet Rothrock, LWVCC member
River Stewardship Award Committee*

CAMPAIGN FINANCE UPDATE

The LWVMA Campaign Finance Study Committee (CFSC) with support from the LWVMA Board has not let cold temperatures and snow drifts throw us off track as we tick-off our checklist in preparation for the 2014 National LWVUS Convention in Dallas, June 6-10.

In early January, LWVMA sent a request to Leagues across the nation asking for support at LWVUS Program Planning meetings. We believe Leagues are looking to clarify the meaning of the League's position on Campaign Finance. The position has not been reviewed [since 1973](#)¹ despite monumental changes handed down by the Supreme Court. We should know LWVUS's response to this appeal for clarification soon.

The *Democracy in the Balance* (DIB) program on Campaign Finance initiated immediately after the 2010 Supreme Court decision by LWVCC, and LWVCC's commitment to influence LWVUS Conventions in 2010 and 2012 continues to build partners and momentum as we head for Convention 2014!

The Build-up to Convention 2014

Working with the LWVUS Task Force on Campaign Finance, the CFSC pulled together material to write a Primer on Campaign Finance this winter. It is a 40-page document that provides a history and overview of money in politics, pros and cons of the various remedies and discussion questions to initiate conversations.

A third edition PowerPoint Presentation (the first was prepared by LWVCC for Convention 2012) was also produced by the CFSC this winter and is being presented to

various local Leagues and other civic groups in Massachusetts, with refinements based on audience feedback. LWVUS Campaign Finance Task Force Chair, Toni Larsen, presented the program to the LWVUS National Board in early March.

Our objective is that the Primer and Presentation will become the prototype for a LWV National Program that will be distributed to Leagues throughout the nation as a resource for public education in their communities on this important topic.

At the 2010 Convention, LWVCC recommended to the LWVUS Board that it consider the need for an Amendment to correct the Supreme Court's ruling in *Citizens United*. In 2012, LWVCC spear-headed a Resolution to Convention calling on LWVUS to advocate for a Constitutional Amendment to allow States and Congress to regulate money in elections. The Resolution passed by an overwhelming majority of delegates but LWVUS has not acted. LWVMA will submit a new Resolution at 2014 Convention with more specific language that supports a particular amendment resolution currently before Congress to allow regulation of money in elections ([SJR 19: Senator Thomas Udall, New Mexico](#)² or [HJR 20: Thomas McGovern, MA](#)³).

LWVUS will include a workshop on campaign finance reform in its priority issues' workshops at Convention. CFSC is also developing its program for Convention. We will caucus to advocate for our resolution and work with the LWVUS Task Force to roll-out the CF Tool Kit.

Becky Shannon, LWVMA CFC Chair

¹ <http://www.lwv.org/content/campaign-finance>

² <http://beta.congress.gov/bill/113th-congress/senate-joint-resolution/19>

³ <http://thomas.loc.gov/cgi-bin/query/z?c113:H.J.RES.20.IH:/>



CASINOS IN MASSACHUSETTS THE STORY CONTINUES

The Massachusetts Gaming Commission has completed the first part of its task by awarding the Town of Plainville a license to open a slot parlor. The citizens of Plainville who voted in favor of it are happy along with the horse handlers, vets, and the declining but devoted fans of harness racing. The hope is that the presence of the slot parlor will enable the sport to continue.

The facility will be operated by Penn National Gaming and have over 1,000 slot machines. When the work starts construction jobs will appear, and if the facility succeeds other jobs as well. The catch? The facility is 20 miles from Twin Rivers in Rhode Island. It is not clear if there are enough customers for both facilities to remain viable.

Plainville has been promised considerable revenue and will certainly receive a large sum “up front” as well as continuing revenue. The Commonwealth will also receive revenue. Whether it continues over time will depend on many factors. The experience in other states has indicated that the first optimistic predictions often need to be readjusted as reality sets in.

With the slot parlor out of the way at least for the moment, the Commission now moves on to the more exciting problem of who will get the license for the three full strength casinos. The biggest and most entertaining contest will be between the proposed casino in Everett and the one at Suffolk Downs. While these will get the most headlines, two other licenses will also be granted.



Surrounding all this is the fact that the move to “Repeal the Casino Law” is gathering steam. Proponents wish to bring this back as a ballot question but as the Attorney General has questioned its constitutionality, there will need to be a determination by the SJC.

The AG’s ruling was that Repeal would result in an uncompensated land taking. The applicants paid heavy and non-refundable fees which apply even if the application was not successful. If the SJC rules that it can go to the ballot and if the public votes for it, the matter will not end. Should the law be declared void there will certainly be a push to return some funds even if already expended.

One question that has never been answered is how many casinos can thrive in a given area. Much may depend not only on proximity but on what else the casino offers in the way of entertainment. All of the proposals offer many amenities, at least on paper.

As an illustration, New York State recently passed a constitutional amendment allowing for nine non-Indian casinos. Saratoga, New York is fighting against allowing a casino fearing the negative effect on its famous horse racing track. Several prominent Indian Nations in New York State who now control a large number of casinos are also very concerned about the competition. The Massachusetts Gaming Law is well-crafted and as it stands now would avoid some of these problems.

*Louise Haldeman, LWVMA Casino
Specialist*

March 2014 Domestic Violence Prevention Information

This month's information is provided by Intimate Partner Violence Project, Inc. a newly formed non-profit to offer domestic violence services in the city of Malden, MA. If you want to help, contact information can be found below.

Nancy James, March, 2014

Why Do Batterer Programs Matter?

In Massachusetts, our courts frequently direct men who have been convicted of Domestic Assault and Battery (as well as other related domestic crimes) to *Certified Batterer Intervention Programs*. This court mandate meets a requirement of probation and often is in lieu of incarceration. The Department of Public Health regulates and certifies these programs, which are 40 weeks long. Fees are based on a sliding scale and are not covered by insurance. The groups are co-led by a woman and man team and are not considered therapeutic. They are designed to be educational and are highly participant interactive.

Certified Batterer Intervention Programs continue to be an important part of the response to domestic violence. During the 40-week course, group leaders have ample opportunity to become acquainted with their group members. The first 8 weeks are spent defining terms (for example, "domestic abuse" includes emotional, financial, sexual as well as psychological abuse). There is also a session devoted to discussing the effects on children. Considerable time is spent asking these men to explore their behaviors and to challenge themselves to think differently about their values and beliefs. Perhaps most importantly, these batterer programs are permitted to contact former and current partners to get helpful input.

Batterer Intervention Programs provide both education and second chances for families across the Commonwealth. They expect participants to take responsibility and be accountable for their behaviors. When successful, these characteristics can serve to enhance both safety and the quality of life for affected families.

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Dr. Alexander Keyssar's Talk on Voter Rights LWVCC Breakfast on Jan 25, 2014

A woman says "Voting is a right, it's a natural right" and a rather conservative man says "It's not a natural right, it is a conferred right."

After a pause the woman replies "Well, if it is a conferred right, who conferred it on you?"

Anecdote taken from Alexander Keyssar's book

The Right to Vote: The Contested History of Democracy in the United States.

There are concerns about the current state of American Democracy, especially after the decision of the Supreme Court to declare unconstitutional parts of the Voting Rights Act (VRA) and the passage of numerous state voter ID laws that seem designed to make it harder to vote. I'd like to offer some historical context for this situation.

We are close to a crisis in American Democracy, although crisis may be too strong a word and challenge too weak. The nature of political life has three characteristics:

- 1) We are in a completely unregulated environment in terms of any meaningful restrictions on campaign contributions.
- 2) There is a huge growth in income inequality in our society after a 30-40 year period when income inequality was narrowing. This trend has not only reversed but there has been a dramatic shift upwards in the wealth redistribution; we are talking not about the upper 10 or 20% but about the upper 1/10 of the upper 1% in control of the wealth in this country.
- 3) There is an effort to narrow the voting franchise at the ballot box. The Voter ID laws that are being passed in some states are trying to fix a problem that does not exist: in-person voter impersonation. These voter ID laws would probably have the side effect of discouraging eligible voters from coming to the polls.

These three things are linked to each other --- and are unraveling of the Grand Bargain.

The early years of the 20th century, the same time period when the League was forming, was a time dominated by a reaction to the extraordinarily rapid growth of the private sector, that is - corporations. This is the period when railroad became a verb. Railroad companies wielded immense power and controlled congress. The League of Women Voters along with other progressive organizations convinced large numbers of Americans that these large corporations and the consolidation of wealth to so few were incompatible with Democracy. Nationalizing major corporations such as the railroads was a popular view as was breaking up large corporations or severely regulating them.

In the 1912 elections, 70% of the votes went to progressive or socialist candidates. There was a major conflict between the people and private enterprise and this conflict was resolved by the Grand Bargain. The Bargain unfolded over several decades and has several tradeoffs and parts. One part was that private enterprise would be maintained; corporations would not be nationalized or broken up but they would be regulated. Another part of the Bargain was that over time a modest welfare state was created to protect citizens against the uncertainties and the inequalities created by the market economy. Part of the Bargain was the recognition that market economies have a lot of virtues and produce a lot of innovations but they also produce a lot of chaos and damage along the way, so people need to be protected. This has led to minimum wage laws, unemployment insurance, old age insurance, the social security system and eventually Medicare and Medicaid and most recently the Affordable Care Act. Another part of the Bargain is the recognition of the legality and value of unions.

The last piece is that democratic political institutions –electoral institutions – had to be reinvigorated. The notion was that if you were going to let private concentrations of power continue to exist you had to have an engaged and involved polity and allow people to get involved in the state and express their desires to the state. It had to be easier to participate in politics, and politics had to be cleaned up and made more democratic. This started with the Tillman Act, the 1909 Act that banned corporate donations to elections. This is the federal law that was overturned by the *Citizens' United* decision.

During the same period, initiatives and referendums became a part of the democratic process, and the secret ballot and a variety of other measures made it easier for people to vote. This culminated in the enormous series of events in the 1960s which were focused on race but not exclusively about race. For example, New York State had an English language requirement to vote until 1966. That political Grand Bargain became, for a period of about 30-40 years, the accepted institutional structure of the American state and the American polity; we would have a private enterprise system, but we would have a strong democracy to check some of the excesses, we would have a public welfare system, we would have unions.

But for various reasons a counterattack to the Grand Bargain has emerged in the last 20-30 years. It has become increasingly strident and in some areas increasingly successful. Some major themes have included attacks on the regulation of business, attacks on the institutions of the social welfare system such as how well to fund social security, should it be privatized, etc., and attacks on the wielding of electoral power by poor and working class people.

The axis of conflict in American political life today is over this attempt to dismantle the Grand Bargain that had been at the center of life in the 20th century. What we are seeing in the electoral and voting sphere is linked to larger social and economic conflicts. The people who are dismantling the voter systems and passing voter ID laws are not people who just don't like certain people voting; they are afraid of the outcomes of elections. There is also an interesting precedent in what has been happening in the last 15 or 20 years with respect to voting.

There are two high water marks of democratic belief and ideology in the course of the last 230 years; one is the 1960's and the other is in the aftermath of the civil war when there was an extraordinary shifting of opinions and promotion of ideas that just ten years earlier would have been heretical. Two of these were led by a man from Natick, Massachusetts named Henry Wilson, a senator from Massachusetts and a Vice President of the United States. Henry advocated for a set of very democratic reforms that even he said he didn't believe in just five years earlier, but his mind had been changed by the Civil War and the reconstruction period.

Legally what made this period a high water mark were the 14th and 15th amendments which guaranteed the right to vote for African Americans, and guaranteed due process – that everyone was entitled to the due process of the law and equal protection under the law. After these amendments passed, African American men gained a significant amount of power. In the latter part of the 19th century there were hundreds of black people voted into office including senators, members of congress, and mayors. African Americans were not immediately disenfranchised.

In the north there were tremendous numbers of immigrants coming in and taking over the politics of major cities. This led to counter reactions, such as the passage of Jim Crow laws in the South which resulted in the wholesale disenfranchisement of blacks in the south. Less well known is what happened in the North, with the disenfranchisement of immigrants.

The first literacy tests and grandfather clauses were passed in Connecticut and Massachusetts: one couldn't vote if he couldn't pass a literacy test BUT one didn't have to take the literacy test if one's grandfather had voted. Some states at the turn of the century required voters to present naturalization papers, voting hours were restricted with polls closing before working class people got out of work.

I don't think it is a coincidence that the recent spate of restrictive voter laws has occurred in an era when Black political power has expanded greatly and immigrants are becoming an increasing political force in American politics. The fact that this has

happened before, that it is happening again, should remind us that struggling and campaigning and working hard to maintain democratic institutions should be understood as the norm and not the exception.

Democracy is not something that you achieve once, put in place and then live happily ever after. Conflict over democratic engagement is the norm and not the exception. The long pattern of American history is a pattern of ups and downs and undulations. It is not a steady path. African Americans were enfranchised in the late 1800s with the 15th amendment and Blacks were re-enfranchised in the 1960s with the Voting Rights Act, which begs the question “Why did they have to be enfranchised twice?” Women could vote in some states like New Jersey from 1790 to 1807 but they lost that right and didn’t get it back until 1920.

So what can we do in light of recent developments around laws disenfranchising voters? The Voting Rights Act Amendment (VRAA) has been introduced in Congress. It is a modernization of the VRA and attempts to update the formula for which states are covered under the VRA. It is a sensible, modest, bipartisan amendment and bases its formula on recent violations (in the past 5-15 years). It is likely to pass the Senate but unlikely to pass in the House. It does not include the introduction of Voter ID laws as a violation of the VRAA. However, the recent decision in Pennsylvania shows that it is not “free and easy” to make voter IDs available to the citizenry. These laws should continue to be challenged and the outcomes will continue to vary by region. It is unknown what the lower federal courts will do but for now there is a lot of pushback against these laws disenfranchising voters.

Pay attention to a proposed Constitutional Amendment guaranteeing the right to vote to all Americans in all elections. There is no affirmative right to vote in our US Constitution. Some state constitutions have it and there are other democratic countries that have it. This idea gained momentum following the Presidential election of 2000 when the Supreme Court ruled that it could decide the election because, as Justice Scalia stated, “There is no constitutional right to vote, particularly for president.” An amendment of this sort would not only be rhetorically powerful but legally and constitutionally important because it would change the legal environment such that if any procedural barriers to voting were passed you would then be impeding a fundamental constitutionally guaranteed right to vote. In the year 2014 it doesn’t really seem unreasonable for Americans to have a right to vote guaranteed in their constitution.

Transcribed by Cindy Nock