

Fall 2008

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## **President's Message**

"This has been - and remains - the election of a lifetime," said David Broder. And, certainly, the LWVNH's September Board meeting exemplified that sentiment. It was hard to attend to the agenda as we all wanted to discuss the election, including our recent primary.

And New Hampshire's Leagues are busy fulfilling our mission - creating informed voters. Local Leagues will host several debates this fall. We are speaking to 120 eighth graders in Raymond about the rights secured by our constitution and to a Head Start parents council about the importance of voting.

In this Voter, you'll read about our collaboration with the Brennan Center for Justice and see a list of questions we hope you will ask NH candidates when you meet them at neighborhood coffees and other campaign events. You will also learn where you can join a NH Citizens Alliance project to get single women out to vote. Lots going on.

In the midst of all these activities, we don't want to forget to **ask others to join us**. Only if we include membership at all times, will we have even greater vitality to accomplish our goals.

Enjoy the election of a lifetime; create a new voter or two and, perhaps, a new League member!

**Jane Armstrong, President**

**THE QUIZ - Liz Tentarelli has designed this quiz to see how much you know about what will be going on in the November election.**

**Since when has the “winner take all” system been used by (nearly) all states to allocate electoral votes?**

*Since 1836, but it had been a gradual process of changing state election law piece-meal in each state. The “winner take all” system was NOT advocated by the Founding Fathers, and it is NOT anywhere in the Constitution.*

**What are the two current exceptions to “winner take all” system?**

*Maine (since 1969) and Nebraska (since 1992).*

**Does the Constitution require electors to be directly elected by the voters of each state?**

*No. The Founding Fathers were in disagreement about the wisdom of letting voters be directly involved in electing the President. They left it up to the states, and in early elections the state legislatures generally appointed the electors. By 1824, still only three-quarters of the states had specified that voters would choose the electors. However, by 1876 state election laws had made direct voting for electors the norm. It is not part of the Constitution; the change came about through changes in election law in each state.*

**How did the Founding Fathers view the Electoral College?**

*They saw it as a deliberative body, and the electors were expected to use their independent judgment. But since 1796, when political parties began nominating candidates for President and Vice-President, electors have been expected to vote as the party dictates. Essentially electors have become a rubber stamp.*

**How many electoral votes are needed to win the Presidential election? Quick now—make your former civics teacher proud!**

*Two hundred seventy, which is a majority of the 538 electoral votes that equal the number of Congressional members and Senators in the states plus the District of Columbia’s electors.*

**And how many of those votes does New Hampshire cast?**

*Only 4.*

**Why do candidates spend so much time and money here and in a few other small states? Aren’t California’s 54 votes and New York’s 33 votes much more important?**

*Not really. The “winner takes all” system makes California’s and New York’s electoral votes almost a by-gone conclusion. In fact, two-thirds of all the states are effectively disenfranchised because they are so heavily one party or the other that the candidates can almost ignore them. But New Hampshire is no longer a party-predictable state, and neither are 16 other states that are also “battleground” states-*

*These states, including Florida (with 25 votes), Nevada (4 votes), Colorado (8 votes), and New Hampshire, receive 99% of the candidates' advertising dollars.*

**Given the current system, is a vote for a Presidential candidate in California or New York worth less than a vote in New Hampshire or Nevada?**

*Probably. While selfishly that may be a good thing for us in the Granite State, it certainly goes against the "one-person, one vote" principle of the League.*

**Is there something we could do differently?**

*The idea of a Presidential election by nationwide popular vote is nothing new, nor is abolition of the Electoral College (a position the League has had since 1970). However, that would require a Constitutional Amendment—a 2/3 vote in both houses of Congress, followed by a yes vote in 3/4 of the state legislatures within 7 years (and we know how that went down with the Equal Rights Amendment in the '70s).*

**What would make for a fair and just Presidential election?**

- To be fair and just a system must*
- make all states competitive*
- guarantee that the candidate with the most popular votes nationwide wins the Presidency*
- make every vote equal.*

**So what's to be done to meet the three criteria for a fair and just Presidential election?**

*A nationwide popular election would do it. But without a Constitutional amendment, we need to get creative. The League has decided to study this issue this year. Here's one possibility being looked at: An interstate compact, among any states with a total of 270 or more electoral votes, pledging that all their votes would go to the Presidential candidate who earns the most popular votes in ALL the 50 states combined, no matter how their particular states voted.*

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At the national convention in June, the delegate body voted to accept a non-recommended study item, the **National Popular Vote (NPV) study**. The goal to eliminate the Electoral College is fraught with all sorts of problems, including the fact that getting a Constitutional Amendment passed is almost impossible. So, last year, the LWV of New York undertook a study on the issue of NPV. Just before their consensus was scheduled, the LWVUS stepped in to stop them, because state and local League units do not have the right to conduct a study on a national issue. Thirty-eight league units recommended it for consideration at convention, but LWVUS did not. So it passed as a non-recommended item. Most of the work for the study has already been done by the NY league. This information will be shared with state and local leagues, with the goal of consensus being reached in the spring of 2009.

## **Ask the Candidates**

The State Board developed the following questions on issues significant to the LWV as suggestions for you to ask the candidates when you meet them during the next two months.

*...Water is a public trust that must be protected for all life and for our future. What will you do if elected to protect NH's ground water?*

*...When it can cost \$100,000 to run for state senate and nearly \$5 million to run for governor of New Hampshire, only people with access to money can run for office. But we need to attract the best talent and the widest range of perspectives to represent us in Concord. A commission is looking at ways to implement a system of public funding of elections in NH. Would you support such a system?*

*...As a society we agree that some things are important enough to fund with public money so that everyone can benefit...such as public schools, roads and bridges, libraries, police and fire departments, for example. But elections in NH are paid for mostly by large corporations, wealthy individuals and lobbyists. Do you think that elections are also a public good? Would you vote to adopt a publicly funded election system in which candidates who opt in can run for office on public money and thus remain accountable only to voters and not donors?*

*...What tax incentives would you propose to promote the development of clean renewable energy and create green jobs that will stay here in NH, boost our economy and improve air quality?*

*...What do you propose to do to lower property taxes? Are you willing to consider new taxes? If not, how do you propose we pay for the education-funding shortfall without raising property taxes?*

## **Ballot Design**

The Brennan Center for Justice did a study on ballot design and issued a report "Better Ballots" (See [www.brennancenter.org](http://www.brennancenter.org)) They wanted to discuss some of these results with Secretary Gardner and the League facilitated that meeting.

Secretary Gardner had several questions about the ballots. First, because New Hampshire no longer allows "straight ticket" voting, he wanted to make sure that change was as clear as possible on this fall's ballots. There was a big discussion on whether to "right justify" or "left justify" candidates' names in their columns. It was interesting to me to see how much details matter and what concern Secretary Gardner and his office had for getting this exactly right. The Brennan Center agreed to do a "usability test" on the proposed ballots. They asked for volunteers at the polls on primary day in Auburn and at the Broken Ground School in Concord. Voters were offered two different ballots to see which was the easier to understand.

Sue Capano monitored the Auburn, NH polling place and she reports: "My assignment was to speak with voters who had just voted and ask them to assess two different ballots for clarity. Some voters were willing but many couldn't spare the 15 minutes needed. As they left the study table, most who participated said it was very interesting and they were glad they had agreed to take part."

### **NH Coalition for Public Funding of Elections**

The League is working hard as a member of this coalition to see that New Hampshire passes legislation to publicly fund our election campaigns. Last winter we asked for your help in passing HB794, a bill setting up a commission to find a funding source for election campaigns. That bill passed, and now the commission is working on its very difficult task as the state grapples with many budget issues.

Peg Fargo, vice-president of the LWVNH, testified at a commission public hearing stating that "Since 1972 the LWV has supported campaign finance reform at the federal level and leagues in all 50 states have made it a priority focus for their state governments." She added, "New Hampshire needs public funding to reinforce our citizen legislature and promote the active participation in government by all citizens."

The commission meets every Friday, at 10:30 AM in room 104 of the Legislative Office Building. All meetings are open to the public. The Coalition intends to support the work of the commission and to create an active group of people willing to help pass public funding legislation in the coming session. One of the League's contributions to the effort will be to make our office available to Cathy Silber, the coalition's staff person. She will be in the LWV office when she needs to work in Concord. If you wish to be a part of this effort please email the league office at [league@lwnh.org](mailto:league@lwnh.org) or call the office at 225-5344.

### **Granite State Coalition Against Expanded Gambling**

LWV is part of the Granite State Coalition Against Expanded Gambling and Sally Davis represents the Board at their meetings. Their website is informative and will be an important way of learning of their plans for the next legislative session. ([www.noslots.com](http://www.noslots.com)) We expect a strong effort to establish casinos in NH because of current and projected budget problems. If you are especially interested in acting to support our position opposing increased gambling in NH, contact Sally at [rsdavis@emlot.com](mailto:rsdavis@emlot.com). or the Coalition.

If you would like to follow legislation on a particular issue in the next legislative session, contact Sally Davis ([rsdavis@emlot.com](mailto:rsdavis@emlot.com)) and she will let you know what bills and committee hearings to follow. During the session, she sends out emails listing bills and would be glad to add you to her mailing list beginning in January.

## **Report from LWVUS Convention 08**

by Susan Olson Capano

I was privileged to represent the State League at Convention early this summer in Portland, Oregon. It was an exciting event, filled with opportunities to learn about League and current issues, as well as to renew my enthusiasm about our organization. Almost 700 delegates were present.

Among the workshops that I attended were

- Money Matters 2, covering legal requirements for every league unit and rules for using Ed Fund money;
- National Popular Vote for President, a movement designed to bypass the need for a Constitutional amendment to eliminate the Electoral College;

Fantastic guests who spoke included:

..... Barbara Roberts, former governor of Oregon, who has an interesting idea for Presidential Primaries (but NH would no longer be 'first'). The 50 states would be split into 10 groups, and each group would have a common primary day, with the group order changing for each presidential election.

.....John Kitzhaber, physician and former governor of Oregon, who spoke on Health Care for the 21<sup>st</sup> Century. He believes that health care should be universal, like education, and said that the biggest problem is treating the chronically ill. 10% of our population burns up 70% of the money spent on health care. . He suggested that people with chronic conditions should be closely monitored by medical staff, so that they don't end up in critical care facilities.

.....V. Ram Ramanathan, professor from UC-San Diego, who addressed Climate Change. He described the atmosphere and how it serves as a blanket which keeps us warm, and we are in the process of making it thicker. He gave us a list of regional consequences and things that can be done to slow the process until new technology is developed for further improvement.

.....Heather Kaplan, Senior Policy Advisor on Climate Change for Oxfam America, spoke about the effects of our pollution on parts of the world like sub-Saharan Africa, which emits less than 4% of the world's pollution.

.....Rebecca Love Kourlis, former Colorado Supreme Court Justice, who now works for the Institute for the Advancement of the American Legal System at the University of Denver, addressed the need to make legal services available to everyone and to reduce excessive litigation.

Among the decisions made in Plenary Sessions:

- The LWVUS Board is permitted to meet electronically when necessary;
- The LWVUS Board is required to send information about proposals for convention to the Leagues;
- Approved the Health Care study;
- Approved the Climate Change Education and Advocacy proposal;
- Approved the National Popular Vote study.

## **Education Fund News**

It is with deep regret that the State Board accepts the resignation of Mary Friling, long-time treasurer of the Ed Fund. Mary is moving out of state. Before becoming treasurer of the Ed Fund, Mary served several terms as treasurer of the state league.

Mary's knowledge and efficiency was legendary, and she will be greatly missed. We wish her well in her new location.

The State Board has appointed two new NH Education Fund Board directors: Mary Davies from the Concord Area League (previously from LWV Minnesota) and Kate Nelligan, Member-at-large

**New State Board appointee** At its September meeting the State Board welcomed Marilyn Lieto, the new Upper Valley League liaison with the State Board. Marilyn moved to Groton, NH in 2006 and soon joined the Upper Valley League. She is definitely not a new league member having first joined shortly after she graduated from college. She has been a very active LWV member in five previous states and comes to New Hampshire from West Virginia where she was a state board member. She is especially interested in Social Policy and Health Care.

Welcome Marilyn! We look forward to your participation in New Hampshire

## **Women's Action for Voter Empowerment (WAVE)**

WAVE, a project of NH Citizen's Alliance, plans to canvass 11,000 women in Manchester, Nashua and Concord to establish a list of single non-voting women. From that list they have a goal of getting 20% of unregistered voters and 50% of infrequent voters to vote in November. Key constituencies will be women living on their own, low and moderate income families and people of color.

Volunteer opportunities include weekly canvasses, phone banks, and assistance on Election Day activities. If you are interested in participating, contact Sarah Chaisson Warner, Civic Engagement Director at 603-622-0303 or at swarner@nhcitizensalliance.org.

