



# voter

*At local, state and national levels  
the League works to influence public policy  
through education and advocacy.*

*February, 2009*

## Save the Dates

**Wednesday, Feb. 4 – 6:00 PM**  
**LWVEN Post Holiday Party**  
Café Testarossa, Jericho Tpke.

**Wednesday, Feb. 11 – 1:30 PM**  
**LWVEN Board Meeting**  
Home of Lorraine Newman  
2655 Park Circle, East Meadow  
735-4876

**March is:**

*Women's Equality Month*

*Women's History Month*

**Monday, March 2**

**Transit Advocacy Day in Albany**  
Demonstration to advocate for  
public transit to be the first priority  
in transportation funding.

**Wednesday, March 4 - 1:30 PM**  
**LWVEN Board Meeting**  
Home of Janet Spar, 735-8673  
3664 Richard Lane, Wantagh

**March 15-21 - Sunshine Week**  
(Openness in Government)

**Wednesday, March 18 - 1:30 PM**  
**LWVEN General Meeting**  
Topic: New President's Not Quite  
100 First Days in Office  
Speaker: Prof. Meena Bose,  
Hofstra Univ. - Levittown Library  
See March VOTER for details.



## Barbara's Corner:

The League of Women Voters of the US celebrates its 89th birthday on Feb. 14th. (The LWV of NYS actually began a year earlier.)

We look forward to continuing our history of fostering meaningful citizen participation in our government processes and vigorous public dialogue on public policy issues.

One of the issues we are concerned about is **affordable housing**. On Feb. 12, The Nassau-Suffolk Coalition for the homeless is having its annual "**Have a Heart for the Homeless**" candlelight vigil. The issues to be discussed are homelessness and the lack of affordable housing. It will be at:

Farmingdale State College Plaza  
Roosevelt Hall multi-purpose room  
6:00 – 8:00 PM.

They will be accepting donations of unused diapers, unopened toiletries, and non-perishable food. If several members are interested in going, we could carpool. Call me at 221-1948.

On another issue of significant interest to League, President Obama recently signed the Ledbetter Fair Pay Act, which will remedy a key part of the Supreme Court's recent crushing decision in Ledbetter v. Goodyear Tire & Rubber Co., which held that employees only have 180 days under Title VII to challenge a discriminatory decision on their compensation – even if the discriminatory pay persists or becomes worse over months and years. Title VII is the law that outlaws workplace discrimination based on race, sex, religion and national origin. The bill establishes that the statutory limitations period begins anew each time an employee receives a discriminatory paycheck.

This equal pay for equal work legislation is a start. Next, we need real Pay Equity legislation, which would provide equal pay for work of comparative value.

*The death of democracy is not likely to be an assassination from ambush. It will be a slow extinction from apathy, indifference, and undernourishment.*

~Robert M. Hutchins,  
Great Books, 1954

## League of Women Voters® of East Nassau

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### County Legislature Meeting Schedule

Monday, Feb. 9	10:00 AM
Monday, Feb. 23	10:00 AM
Monday, Mar. 9	10:00 AM
Monday, Mar. 23	10:00 AM

The Nassau County Legislature meets in the Legislative Chamber, 1<sup>st</sup> floor, 1550 Franklin Ave, Mineola, 571-4252. An admittance pass must be obtained on the first floor.

### Town of Hempstead Meeting Schedule

Tuesday, Feb. 10	7:00 PM
Tuesday, Feb. 24	10:30 AM
Tuesday, Mar. 3	10:30 AM
Tuesday, Mar. 24	7:00 PM

The Hempstead Town Board meets at Town Hall, in the Nathan H. Bennett Pavilion, 489-5000.

### Town of Oyster Bay Meeting Schedule

Tuesday, Feb. 3	10:00 AM
Tuesday, Feb. 24	7:00 PM
Tuesday, Mar. 10	10:00 AM
Tuesday, Mar. 31	7:00 PM

The Oyster Bay Town Board meets at 54 Audrey Ave., Oyster Bay, 624-6390.

**Call before  
attending.  
Schedules  
are subject  
to change.**



## LWVEN Board of Directors – 2008-2009

### OFFICERS

<b>President:</b>	Barbara Epstein	221-1948
<b>Vice Presidents:</b>		
<b>Environment:</b>	Lorraine Newman	735-4876
<b>Voter Service/HAVA:</b>	Norma Schaeffer	489-3133
<b>Bulletin Circulation/     Special Events:</b>	Mary Price	731-0812
<b>Secretary:</b>	Shirlee Bergman	249-5276
<b>Treasurer:</b>	Barbara Josepher	921-8749

### DIRECTORS:

<b>Administrative Assistant:</b>	Judy Schmertz	221-1576
<b>Affordable Housing:</b>	Barbara Epstein	221-1948
<b>Bulletin:</b>	Paula Blum	785-3213
<b>Budget:</b>	Lesley Pollak	731-1066
<b>Education:</b>	Maxine Stolzer	938-1172
<b>Health Care, Advocacy:</b>	Polly Nager	796-6211
<b>Immigration:</b>	Carole Goldfarb	626-3338
<b>Membership:</b>	Bobby Stim	731-1067
<b>Membership, PR:</b>	Elsie Yurasits	292-8045
<b>Programs:</b>	Janet Spar	735-8673
<b>Special Districts Study:</b>	Mimi Hirsch	822-5086
<b>Students Inside</b>	Judy Schecter	221-5448
<b>Albany/Civics:</b>	Lillian Broad	781-8685

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## Keeping Connected

### LWVUS & LWVUS Education Fund

1730 M Street, NW, Suite 1000, Washington, DC 20036-4508  
 202-429-1965, [www.lwv.org](http://www.lwv.org), [lwv@lwv.org](mailto:lwv@lwv.org)

### LWVNYS & LWVNYS Education Foundation

62 Grand Street, Albany, NY 12207  
 518-465-4162, [www.lwvny.org](http://www.lwvny.org), [lwvny@lwvny.org](mailto:lwvny@lwvny.org), [www.lwvny-bulletins.org](http://www.lwvny-bulletins.org)

### LWV of Nassau County:

Post Office Box 539, Point Lookout, NY 11569, 516-431-1628  
[www.lwvofnassaucounty.org](http://www.lwvofnassaucounty.org), [vote@lwvofnassaucounty.org](mailto:vote@lwvofnassaucounty.org)



## Death Penalty Update

Polly Nager

On January 13, 2005, LWVNYS announced that it had reached consensus among its members to oppose the death penalty in New York State. The present political climate does not favor a reinstatement of the death penalty, but a high profile case could, at any time, alter this situation.

LWVNYS has announced that it will be joining in coalition with **New Yorkers Against the Death Penalty**. According to **David Kacyznski**, NYADP Executive Director, NYADP is broadening its mission in the recognition that **“abolition is more than the absence of the death penalty – it also involves a different paradigm of criminal justice.”**

See page 8 for more information on NYADP, and if you would like to know how to participate in their activities, e-mail the group’s state organizer at, Colleen.Eren@yahoo.com.

Source: LWV State Board Report, 1/09

## News From National



### Sunshine Week 2009

Carole Goldfarb

As the LWVUS Education Fund continues its work on openness in government, it will, once again, co-sponsor a panel discussion on this important topic in Washington, DC, during Sunshine Week. Scheduled for March 20, this year’s event will include national policymakers and journalists. Entitled "Opening Doors: Finding the Keys to Open Government," it will be webcast live, and Leagues are encouraged to hold local events around this discussion. Mark your calendars now and check the LWVUS website for more information about this event, as well as other ideas about how to call attention to this topic during Sunshine Week (March 15-21).

National Voter Registration Act



### National Voter Registration Act

Barbara Epstein

The LWVUS has filed an Amicus Curiae brief in Arizona asking the 9th circuit court of Appeals to recognize that the National Voter Registration Act of 1993 prohibits a proof of citizenship requirement when using the national mail voter registration form. For more information see the LWVUS website (lww.org).

## End-of-Life Program

Governor David A. Paterson signed into law a bill that helps to ensure a person’s end-of-life wishes are followed whether the person is at home, in a nursing home or in any other non-hospital setting.

The new law makes permanent and statewide a program piloted in Monroe and Onondaga counties called **Medical Orders for Life Sustaining Treatment (MOLST)**. Seriously ill patients with advanced chronic illness and frailty, after talking to their doctor, can complete the MOLST form indicating the kind of care they want at the end of life. The MOLST form is bright pink — so it can be easily identified by paramedics — and contains medical orders signed by the physician that are honored at all sites of care in the community.

Gov. Paterson said, "People should be allowed as much say in their end-of-life care as they would have at any other time." This bill will allow people who are critically ill to make enduring decisions on the care they receive. These will be difficult decisions for people to make, but they should have the freedom to make them.

The MOLST form indicates whether the patient wants to be resuscitated or intubated and whether he/she wants to be sent to the hospital or take medication, among other wishes. MOLST is based on a national model that has been shown to assure that seriously ill patients’ wishes are followed. New York is one of six states with a state-approved program.

## Welcome New Members

**Helen Bill Casey**  
Locust Valley

**Trudy Kosavich**  
Carle Place

**Shirley Levine**  
Plainview

**Mrs. George O’Neill**  
Oyster Bay Cove

**Antonia Swalgen**  
Levittown



*Man's capacity for justice makes democracy possible; but man's inclination to injustice makes democracy necessary.*  
-Reinhold Niebuhr

# Why Are We Studying the Compact for a National Popular Vote?

Carole Goldfarb

The LWVUS has long opposed the Electoral College and believes that the direct popular vote should be used to elect the President and Vice President, as it is for all other elected officials. Polls also show that over 70% of voters nationwide would rather have a direct popular vote. **We are being asked to decide** whether the **National Popular Vote Compact** (NPV Compact) is an appropriate way to achieve that result.

**Constitutional Issues:** The NPV Compact is a way to assure that every person's vote counts equally and that the person receiving the most votes becomes president. Article II, Section 1, Clause 2 of the Constitution states that "Each State shall appoint, in such manner **as the Legislature thereof may direct**, a number of Electors..." (emphasis added). This wording contains no restrictions. The Supreme Court has repeatedly affirmed the authority of the states to choose how to award their electoral delegates.

The same result would be achieved by constitutional amendment but attempts to amend the U.S. Constitution have been unsuccessful in recent years. (It has not been possible to amend the Constitution even to achieve something as laudable as the Equal Rights Amendment.) The NPV Compact is a viable way to attain the same goal as amending the Constitution to eliminate the Electoral College.

A constitutional amendment is not needed to put the NPV Compact into effect because the US Constitution already gives states the right to implement changes in how electors are appointed.

The NPV Compact is a compact, or agreement, among states—a method of concerted state action that has long been sanctioned by the Constitution and the courts. States have entered into compacts since the 1920s on topics such as agriculture, energy, education, transportation and over a dozen other subjects. There is no case in which courts have invalidated an interstate compact.

**Evaluating Fairness:** A candidate can now be elected president by receiving the most electoral votes without receiving a majority of the popular votes. In fact, this has happened four times.

Currently, election campaigns expend most of their effort and money in a few key battleground states because that is where elections are won or lost. In

2004, 99% of campaign ad money was spent in only 17 states. The remaining 1% was divided among the other 33 states. The NPV Compact would eliminate the emphasis on battleground states and would be more apt to assure campaign strategies that appeal to a broad spectrum of the electorate. It would encourage candidates to consider the needs and problems of many states that are currently ignored and would foster greater voter participation.

The argument that the plan would negatively impact states' rights is countered by poll results showing that most voters want their individual vote to count, rather than allotting them to electors representing the state as a whole.

The argument that small states would object is countered by the fact that Maryland is one of the first four states to have passed the NPV Compact. The other three states to sign on to the Compact so far, Hawaii, Illinois and New Jersey, attest to the geographical and cultural variety of those who have chosen the NPV Compact.

**Mechanical Considerations:** Those opposed to the NPV Compact cite mechanical issues that might lead the NPV to fail, but the Compact includes provisions that address issues of enforcement, winning levels and recounts.

**Other Issues:** The Voting Rights Act and the NPV Compact are in harmony, assuring equality of votes throughout the United States.

**League Issues:** Opponents say that the NPV Compact conflicts with the League's support of uniform voting standards. Supporters of the Compact advocate its passage in all states, which would result in uniform voting standards. It is true that the NPV Compact could be in effect for an interlude when not all states had signed on to it. The same could be demonstrated for other laws, such as the Equal Rights Amendment. Nonetheless, it must be remembered that uniform voting standards are not now in effect. The NPV Compact could help assure that every vote would be counted equally.

For a more detailed and spirited discussion of the advantages and concerns regarding this important issue, keep an eye out for the announcement of an informational meeting and round table discussion before our League's consensus meeting in April.

## League Hails New Era Of Transparency

The League of Women Voters applauded President Obama's bold steps toward creating a more open and transparent federal government on his first day in office.

"To make a commitment to transparency on day one demonstrates that the Obama Administration is prepared to improve the way Washington works for all Americans," said Mary G. Wilson, League of Women Voters President. "Given the gravity of the issues facing our nation, the League is encouraged by the administration's strong recognition of the need to increase public access to the governmental decisions and policies that affect all Americans," Wilson stated.

"The two memos that President Obama signed about development of an Open Government Directive and changing the way the federal government interprets the Freedom of Information Act (FOIA) are significant first steps," said Wilson. "The League and other good government groups have been calling for just these kinds of actions for several years now."

"The League looks forward to continuing in our long-held tradition of ensuring Americans have access to their elected officials and the policy actions that affect all our lives," Wilson added. "Access to this information allows citizens to hold their government accountable at the local, state and national level."

"Our grassroots membership network is active on the issues of transparency and openness in government," noted Wilson. "We are a partner in Sunshine Week, a national initiative to foster a dialogue about the importance of open government and freedom of information. This year Sunshine Week will be March 15-21, 2009 and will feature an impressive list of national and local events," Wilson stated. "The League's Education Fund will also be conducting Freedom of Information (FOI) audits in ten communities this spring as part of our Citizen Initiative for Transparency project to monitor and advocate for open government at all levels."

"Moving forward, we encourage the Obama Administration and the 111th Congress to work together with citizens to create a democracy that is more open and accessible to all. The League is energized and ready to work with the Obama Administration and our elected officials in bringing about a government that is respected and trusted by all," concluded Wilson.

## OpenSecrets.org

After some changes in leadership positions and among committee chairs, the 111<sup>th</sup> Congress is now busy at work.

The new members of Congress could learn a lot by going to a website that we can all access: **OpenSecrets.org**.

On this site, they can find a full list of the freshmen legislators, with links to their money profiles. There is also a list of congressional leaders and profiles of incumbents, including the industries that fund them.

Go to OpenSecrets.org, if you want to see where your members of Congress have been getting their money, and lots of other interesting information.

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## Transit Advocacy in NYS



Gladys Gifford,  
Transportation Specialist, LWVNY

**Join CRTC, Straphangers, NYPIRG, and many others in Albany on March 2, 2009 for Transit Awareness Day! Show your support for public transit in New York State!**

Uncertain economic times and new state and federal administrations have made transit advocacy more important than ever!

Help us tell our decision-makers in Albany about the vital role public transit plays in our communities, providing: access to jobs, improved environmental quality, context for regional planning and development, and basic mobility for millions of New Yorkers to live independently.

The day begins at 10 AM at the Legislative Office Building followed by Legislative appointments all afternoon and a reception at 4:30 PM. Lunch is on your own. Please reply to **Gladys Gifford: [schuford@earthlink.net](mailto:schuford@earthlink.net)**, if you are interested in participating in this important event, so that we may coordinate our efforts.

You will need to make your own appointments with your NYS legislators, between 11:00 AM and 4:00 PM, on March 2. Please invite your legislators to attend the legislative rally, 4:30-6:00 PM, in the Legislative Office Building (the Well).

Organized by: New York Public Transit Association, Inc., 119 Washington Ave., Albany, NY 12210. Local cooperating organizations include all transit agencies across the state. Please call your local transit agency to find out if they are bringing transit riders and members of the public with them.

# News From *Your* State League

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Update from LWVNYS

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## **New Yorkers for Alternatives To the Death Penalty**

Has the League won its fight to abolish the death penalty in New York State? Effectively, yes. For the time being, things are going our way, but that could change in an instant with one horrific crime. Aware of this possibility, New Yorkers Against the Death Penalty decided to expand and change its mission. Under their new name, New Yorkers for Alternatives to the Death Penalty, they will seek to unite victims, law enforcement, advocates for the mentally ill, restorative justice practitioners and families of the incarcerated around policies that address their real and immediate needs and reduce the likelihood of violent crime. This holistic approach can empower constituencies by bringing them together to create a stronger, united voice to advocate for their common goals.

## **Call to Convention 2009**

The LWVNYS Biennial Convention will be May 15-17 at the Doubletree Inn in Syracuse, NY. The Convention theme will be “Fair, Vibrant and Strong”. In addition to planning our program, electing a new board, adopting by-laws changes and a new budget, we will have helpful workshops, interesting and informative presentations, a special presidents’ meeting, great speakers and entertainment, good food, and fun.

Mark your calendars and consider being part of Convention 2009, either as a delegate of your local League or as an observer. This is your opportunity to be sure the concerns of your community and your local League are represented at the Convention. Most important, working with other League members and seeing New York State League leaders in action is something you won’t want to miss.

## **The Local League Board**

Now is the time when local League nominations committees look for new members to serve on their Boards. Serving on your League Board, or serving your local League in any other capacity, is an amazing opportunity. The Board plays a major role in defining the League, not only to its members but also to the community at large. Every member of the Board plays a part.

Yes, you’ll be serving your League when you serve on its Board. But you’ll also be gaining personally. You’ll be learning from more experienced members how to do the many tasks that make the League work. You will develop expertise that will carry over into your work on other issues with different organizations. With the self-confidence you’ll develop, you will become a force to be reckoned with!

## **Students Inside Albany**

This year’s Students Inside Albany program will be held Sunday, April 19 – Wednesday, April 22, 2009 at the Hampton Inn & Suites in Albany, NY. The LWVNYS Education Foundation has been able to acquire funding to cover the costs of one participant from each local League or two from local Leagues with LeaderSpark programs. Local Leagues are responsible for travel expenses for all students to and from Albany. If any of the participating Leagues desires to send an additional student — if there is room — that League’s cost would be \$300 plus travel expenses. Customized SIA brochures can be obtained from the LWVNYS office.

## **Lead Poisoning Update**

The NYS Department of Health is, on Governor Paterson’s urging, revising downward the child’s blood level of lead that would trigger comprehensive follow-up interventions.

## **Legislative Agenda 2009**

This year’s Legislative Agenda will place emphasis on (1) reforming state government; (2) energy and the environment; (3) cost-effective and accessible health care. Additional positions will also be highlighted. Watch for copies of this Agenda at meetings of your local League or ask your local League President. You’ll want to have a few extra copies to hand out during your lobbying visits to local legislators.

## **Economic Stimulus and Transportation**

Effective and expanded public transit helps to reduce air pollution and conserve energy – one of our Legislative Priorities for 2009. Now is the time to lobby Congress to allocate some of the new Economic Stimulus funds to expand and develop public transit in New York State, especially upstate.

## **NYSPEC Strategizes**

The New York State Pay Equity Coalition (NYSPEC) held a strategy meeting with its member organizations. One area of disagreement was whether the legislation should include “punitive damages” language. Such language makes the legislation enforceable. An alternative is the Canadian proactive model. The Canadian legislation requires the employer to submit information showing that they are in compliance by a certain date. It was also noted that companies that do business in Canada have no trouble complying with the Canadian Pay Equity laws.

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LEAGUE OF WOMEN VOTERS

OF NEW YORK STATE

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GET INVOLVED!