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VOTER is published
ten times each year.
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Friday of each month.

Come to the

Climate Change Cafe

Saturday, January 31, 2009,
9:30 am - 12:30 pm
at the

Harlem Road Community Center
4225 Harlem Road
Amherst, NY 14226

It's a New Year and its time to try something different:

The Low Carbon Diet or How to lose 5000 lbs in 30 days!

based on the workbook by David Gershon of the Empowerment Institute.

In a "cafe" setting we will talk & listen to each other in small groups about our fears and hopes about climate change, then share ideas for reducing our carbon footprint. We'll be introduced to the **Low Carbon Diet**, and over the following month we will find out how many TONS of carbon we can lose together in 30 days by forming small community-based League member "eco-teams." Come, be encouraged, even inspired and also have fun while together reducing our CO₂ emissions and then be able to pass on how it is done to others!

Refreshments will be served (bring your own mug, please).

Call your neighboring League members; carpooling is requested!

Please RSVP to
Sandy Chelnov at
<mailto:events@lwvbn.org>
by Wednesday, January 21.



Save
MONEY,
ENERGY
and the
PLANET

President's Message

Because of the scheduling of the LWVNY Briefings at the United Nations and the LWVB/N Holiday Social the following week, we didn't have our regularly scheduled board meeting in December.

Joann Ross, Joan Bozer, Loretta Peszynski and I attended the UN Briefings in New York City. This year's topic was "The Effect of Climate Change on Women and Children Around the World". We heard terrific presentations by three UN experts in the field. The presentations were followed by a spirited discussion. While there, we had the opportunity to speak with LWVUS President Mary Wilson and LWVNY President Martha Kennedy and many state board members.



Many of you attended the wonderful Holiday Social and Buffet Dinner at Daemen College on December 8. Thanks to **Judy Weidemann** for a terrific job of organizing this event and especially for providing our entertainment. The Village Singers, an East Aurora singing group, presented a program of Holiday Music. It was a great evening.

We did not totally give up on our normal League concerns that evening. Some of our Leaguers took advantage of the opportunity to discuss a little League business. The main result of our discussion was the decision to participate in the National Popular Vote Consensus. There will be an informational meeting in the spring so that we may reach consensus before the study concludes in May. Thanks to **Janet Massaro** for taking on leadership of this study and preparing materials to share with you. We also discussed preparations for the annual meeting and hope to announce selection of a chairman, place and date soon.

State League has announced some categories for awards to be presented at the State Convention, May 15 – 17, in Syracuse, NY. There will be awards for member development, leadership development, fund-raising, action on state/national issues, action on local issues, publications (other than bulletins), visibility, voters service, and youth services. In addition there will be a bulletin award and a "Thinking Out of the Box Award". This year will be a good opportunity for you to attend our LWVNY Convention because it's a short trip. It's not too early to start making your plans to attend.



We have been notified that Former Lt. Governor Stan Lundine will be speaking at the state convention on Friday evening, May 15. He will speak about the need to reform, restructure and downsize state and local governments in New York State.

We also received information on Health Care Reform from Donna Mahoney, Off Board Specialist on Health Care for New York State LWV. The Obama-Biden Transition Team will be holding Health Care Summit meetings across the country to assess the concerns and needs of people across the country. Former Senator, Tom Daschle, will lead this effort. You may sign up to receive regular updates on the Transition Health Policy Team's findings at www.change.gov.

As you can see, we may have taken some time off for the holiday season, but we have not been out of touch with the League.

Margaret Brunson, Co-President for Administration

Great Decisions

I'm keeping my fingers crossed that we will be able to meet at 1272 Delaware Avenue on January 15, 2009, the 3rd Thursday of that month, from 10 AM-noon when hopefully the 2009 briefing books (Price \$15.84) will be available for distribution and leaders found for the 2009 topics. Marlene Katzel will then facilitate our last 2008 discussion topic, Foreign Aid: New Players, New Goals. If you have any questions please contact me at events@lwvbn.org

Bernice Baeumler

Katherine Tarbell Leadership Award Nomination

The 2009 League of Women Voters Leadership Award is given in honor of Katherine Tarbell, a member of the League of Women Voters for more than fifty years. Katherine (Taffy), who died on July 4, 2007, served as chair of the Education Campaign for Urban Sprawl, held numerous local and state leadership positions and was past Vice President of New York State League of Women Voters.

The award recognizes a person with leadership potential who is a current member of LWVBN and offers a local designee the opportunity to develop skills to serve the community within the Buffalo/Niagara region by attending training at a LWV convention, conference or workshop sponsored by the League of Women Voters.

- Please include the following information:
- Name of Nominee
 - Address
 - Name(s) of nominator(s)
 - Phone number or e-mail address of nominator(s)

In support of your nomination please provide as much information as possible for the committee using the following suggestions, if applicable:

- contributions to civic affairs
- demonstrated leadership ability
- volunteer activities (list & describe)

Katherine Tarbell Leadership Award Nominations must be received by April 1, 2009. Send your nomination to LWVBN, 1272 Delaware Avenue, Buffalo, NY 14209, attn. *Judy Metzger or Anne Huberman.*

Fund Raising

You have received a fund-raising letter from LWVBN. Please be generous in your support of your local League. We need your help to continue our work in the community.

LWV Mission:

The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.



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LWVBN Member Involved in a Conference Call re. 2008 Election

I was invited to participate in a conference call led by LWVUS President, Mary G. Wilson on November 18, 2008 - a review of election activity and the need to follow-up. Shirley Eberle from Rochester was on the line along with women from NH, VA, NM, TX, PA, CA. During this 45 minute session, I made a few notes.

- The League needs to keep new 18 to 25 year old voters involved – both those in college and those who are not. Voting is only a first step.
- The LWV website VOTE 411 connected a half million with their polling place. Three million others found information about ballot issues from *Facts for Voters* nationwide that was entered on the site. 10,000 other websites also utilized the VOTE 411 site. Answers to CNN's Election Day hotlines came from the League of Women Voters. WI was rebuked by the LWV for their wrongful request of ID's.
- Coming up in 2010 will be the critical issue of redistricting. CA has already set up a commission. Redistricting will be under discussion in a national Conference of State Legislatures. (www.NCSL.org)
- There are backlogs of issues that haven't dealt with such as: progressive taxation, global climate change and the broad issue of energy (including auction of cap & trades).

I was called because I gave two contributions to the LWVUS Education Fund. (I thought one was to the New York State League). I also sent another contribution to the LWVUS.

Dorothy Westhafer

Natural Resources News

David Wells of Lackawanna Clean Energy gave a presentation November 19, at Daemen College covering the coke gasification plant, which LCE proposes to build on 180 acres adjacent to the Steel Winds installation in Lackawanna. This proposed plant would be situated on a Brownfield formerly occupied by Bethlehem Steel. LCE is affiliated with the same financial group as Steel Winds, and this project would represent an investment of \$ 1.5 billion. 1,500 jobs would be created during two years of construction, and there would be 200 long-term jobs.

The proposed plant will use a waste product from oil refineries, petroleum coke (petcoke), which will be converted into a substitute natural gas and augment regional and national supplies. This operation would produce significant CO₂ emissions, although this would be less than the total global emissions if the petcoke were shipped to other parts of the world and burned using dirtier technology. Mr. Wells suggested that the CO₂ could be sequestered, although that technology is still pending, and the geologic nature of the site has not been investigated.

A panel consisting of Alice Kryzan, an environmental attorney; David Bradley, a chemical and environmental engineer; Alan Lockwood MD, UB professor, past-president and current board member of Physicians for Social Responsibility; and Walter Simpson, co-founder, WNY Climate Action Coalition, had questions about the chemical processes, the health effects, the total profile of emissions and the global reduction of CO₂ emissions. Questions from the audience covered these and other issues. It was noted that a full Environmental Impact Statement would be required due to the issuance of a Positive Declaration.

Ellie Becher and Joan Herold.

Follow-up of the Pesticide Neighborhood Notification Law We are setting up a January meeting with Peter Tripi, Erie County Dept. of Health, for follow-up information on the law: How is it working? Are there problems? What are they? What can LWVBN do? If you are interested in attending this meeting, call me.

Joan Bozer is bringing the National Solar Conference to Buffalo, May 11-16. We are working on ideas for a proposed LWV moderated forum. Watch for details.

Ellen Neumaier, Natural Resources Chair

United Nations Briefings on the Effect of Climate Change on Women and Children Around the World

We learned from **Rachel Harris**, Women's Environment and Development Organization (WEDO) U.S. Climate Change Campaign Coordinator, that 2005 had the most hurricanes ever recorded in a single year. Because women produce half of the world's food and are generally held responsible for feeding their families, these hurricanes and other natural disasters brought about by climate change result in more poverty and more work hours for women. We also learned that 80% of the people who die from natural disasters are women.

Maaike Teunissen-Jansen, United Nations Environment Programme (UNEP) Officer, reported on climate change and the health of women and children. It seems that the spread of malaria, diarrhea and malnutrition is highly sensitive to climate change. Children are most vulnerable to weather disasters. Scarcity of water leads to conflict and war. Greater use of biofuels affects air quality and leads to respiratory problems. What can we do? Raise awareness, build capacity in the health sector, and promote research on the effects of climate change. To learn more go to: www.un.org/climatechange/ or get the UNICEF publication "Climate Change and Children."

Michele Ferenz, United Nations Children's Fund (UNICEF) Senior Consultant, spoke about rights based approaches to programming on climate change (UN General Assembly Principle 10). We have seen a doubling of natural disasters over the past 20 years; we need to take action now.

We also heard briefly from Doris Schapira, LWVUS Observer to the UN and Zaida Arguedas, LWVUS Director Global Democracy Programs.

"Yes, the economic crisis is serious. Yet when it comes to climate change, the stakes are even far higher. The climate crisis affects our potential prosperity and our peoples' lives, both now and far into the future. We must keep climate change at the top of national agendas."

UN Secretary-General Ban Ki-moon addressing UN Climate Change Conference

These presentations will be linked to the LWVNY web site if you wish to learn more about the global impact of climate change.

Margaret Brunson

National Popular Vote Study

"Should the National Popular Vote Compact among the States be accepted as a Method for Electing the President?"

This is the question we'll be discussing as we prepare for consensus this spring. As you know, at National Convention this past June, New York State Leagues were instrumental in the successful effort to adopt the National Popular Vote Compact as a national study.

Since then a committee has been appointed, chaired by LWVUS Board member, Carolie Mullan, to prepare study material for Local Leagues. In November the first background paper was made available on the LWV website. (From the LWVUS Home Page, www.lwv.org click on "For Members", click on "Projects and Programs" and then "National Popular Vote".) The national committee has benefited from the NYS study begun a year earlier, including the expertise of Carol Mellor who now serves on the national committee. This material is on the NY State League website and remains a valuable resource.

For those of you not on the Internet, and everyone who wants a quick review of the NPV Compact, we are including a summary with this VOTER. As we write in mid-December we anticipate that additional information - including the consensus question(s) - will be posted by the time you receive this VOTER in mid-January.

The NPV Compact is an issue for which League is aptly suited to deliberate. It goes to the basic concept of our republican form of government as expressed by the way we elect our President and Vice President. So read the background material, consider the pros and cons, and make your opinions known when we meet together. We look forward to a lively debate to warm up the winter months!

Janet Massaro, Chair NPV Study Committee

The League's Position for Direct Election of the President

After a study of the presidential electoral process, the League of Women Voters announced a position in support of direct election of the president by popular vote and the abolition of the Electoral College. This position, adopted in 1970, revised in 1982 and updated in 2004 states: *The LWVUS believes that the direct-popular-vote method for electing the President and Vice-President is essential to representative government. The LWV believes, therefore, that the Electoral College should be abolished. The League also supports uniform voting qualifications and procedures for presidential elections. The League supports changes in the presidential election system – from the candidate selection process to the general election. We support efforts to provide voters with sufficient information about candidates and their positions, public policy issues and the selection process itself. The League supports action to ensure that the media, political parties, candidates, and all levels of government achieve these goals and provide that information.*

The Electoral College

The Electoral College system was written into the US Constitution by the founding fathers as a compromise between election of the President by Congress and election by popular vote. The people of the United States vote for electors and electors vote for the President.

The electors are selected, according to the Constitution, in the “manner” designated by the state’s “legislature”. At present all states (except Maine and Nebraska) use a winner-take-all system, in which the candidate who receives a majority of the vote takes all of the state’s electoral votes. This means that all electoral votes go to the winner of a State election, even if the margin of victory is only 50.1 to 49.9 percent.

The most compelling argument against the Electoral College is that it prevents the direct election of the president by popular vote and is, therefore, contrary to modern principles of representative government. (This is the League’s position). Beyond this theoretical objection is the very practical objection that the Electoral College system enables candidates who have not received the most votes to become president (as happened most recently in 2000). As a result over the past 200 years more than 700 proposals have been introduced in Congress to amend the Constitution to alter or to abolish the Electoral College. None have passed; most have died in committee.

The National Popular Vote Compact Proposal

The NPV Compact proposal offers a method of achieving the result of electing the President by popular vote *without amending the Constitution*. Instead this method uses the mechanism of the Electoral College process to ensure that the candidate who receives the most popular votes is elected President.

The NPV Compact is predicated upon two sections of the U.S. Constitution. The first (Article II, Section I, Clause 2) gives each state exclusive power to decide how electors are selected and how their electoral votes are cast. The second (Article I, Section 10, Clause 3) permits states to enter into legally enforceable contractual obligations with other states. The NPV plan is an interstate contract.

Using the NPV Compact agreed to by state legislatures, the popular vote counts from all 50 states and District of Columbia would be added together to obtain a grand total for each presidential candidate. All states participating in the plan would award their electoral votes to the presidential candidate who receives the largest number of popular votes in all 50 states and D.C. Under the Compact, no state would act alone. Instead, the NPV Compact would take effect only when enacted by states possessing a majority of the electoral votes – that is 270 of the 538 electoral votes.

As of September 2008 legislation necessary to activate the NPV Compact has been signed into law in four states: Maryland, New Jersey, Hawaii and Illinois. NPV Compact bills have been introduced in 15 other states, including New York.

We hope this “bare bones” summary will inspire you to search more information on the NPV Compact starting with the State and National League websites. In the next VOTER we will consider the benefits and possible drawbacks to the NPV plan.

Please note – The League believes that the Electoral College should be abolished. The NPV study will focus on the advantages and disadvantages of the NPV Compact, not on the Electoral College

Janet Massaro, Chair NPV Study Committee.

Craig Bucki's Presentation to the Local Government Committee

On November 12, 2008, Craig Bucki, an attorney at Phillips Lytle LLP, and son of League member, Deborah Bucki, spoke to the LWVBN Local Government Committee and other interested people (an audience of about twenty) on the topic, "Regionalism Revisited: The Effort to Streamline Governance in Buffalo and Erie County, New York." In March, 2008, he had an article on this topic published in the *Albany Law Review*.

Mr. Bucki first described two aspects of regionalism, substantive and procedural, examining characteristics of old regionalism and new regionalism. Regionalism has been promoted as a means to rescue cities that are in economic decline and to reduce taxes levied by local governments.

"Old" substantive regionalism, as proposed by authors such as David Rusk and Neal Peirce, involved annexation of suburbs by cities or intergovernmental consolidation in order to revitalize city tax bases. The major impediments to this approach in New York State are the restrictions on annexation and removal of powers from local governments in the state constitution. Bucki also objects to the pessimism about the potential revitalization of cities and their tax bases represented by this view.

The "new" substantive regionalism recognizes the desire of suburban communities to maintain their autonomy and of urban interest groups to retain their "hard-fought political clout," especially ethnic minorities. It advocates cross-border collaboration between and among municipalities, especially with respect to service delivery. The problems with this approach include the absence of an effective mechanism to encourage collaboration and its failure to deal with the declining urban tax base.

Procedurally, the "old" regionalism involved imposition of a plan by the elites of government, business, and/or certain interested citizens on the public. It was a "top-down" approach. The "new" procedural regionalism "envisions creation of a regional plan as the result of deliberation among interested citizens." It is a "bottom-up" approach in which the citizens have ownership.

Mr. Bucki then proceeded to review the long history of attempts to promote regionalism in Western New York, a study he undertook by reading all *Buffalo News* articles related to regionalism published over many years. He felt that the *News* clearly promoted the old, top-down regionalism and had not given voice to advocates of the new, bottom-up regionalism or any other dissenting voices. Since the top-down approach depends on the influence of key individuals who are promoting it, progress halts when these individuals lose their sway with the public. Regional initiatives that arise from bottom-up citizen participation are not reliant on the reputations of key leaders and do not depend on these individuals to succeed.

After making a careful study of New York State law in order to find potential solutions that would not involve the arduous processes of changing the constitution or passing new laws, Mr. Bucki came up with two proposals for implementing the "new" regionalism in Buffalo and Erie County.

He found that Article 12-C of New York's General Municipal Law provides for the establishment of Intergovernmental Relations Councils, which may include representatives of a broad array of stakeholders. Such councils could provide a forum for deliberative democracy to select preferred strategies for regional change, whether through inter-municipal cooperation or intergovernmental consolidation.

His second proposal would provide a means of revitalizing the city's tax base from within. Article 18-C of New York's General Municipal Law allows the issuance of bonds to finance property acquisition and reconstruction. These bonds would be repaid with revenues from the expanded property tax base.

There followed a lively question and answer session during which Mr. Bucki suggested, among other things, that instead of reducing the number of lawmakers as a cost-saving measure, thus reducing democratic representation and increasing difficulties and costs of campaigns across a larger geographic area, we should consider having lawmakers serve without pay. It was a fascinating evening.

Anne Huberman and Lynda Stephens, Co-chairs

Lunch & Issues

**Friday, January 16, 2009,
at Noon,**

Scotch and Sirloin Restaurant
Corner of Bailey and Maple Road,
Amherst, NY

Speaker: Jim Allen,
IDA Regional Director

Everyone is welcome.

Cost: **\$14.00 payable to LWVBN**

Please reserve by Dec. 15 with
Sally Metzger, or
Judy Metzger, at
events@lwvbn.org

Amherst League members have been attending Town Board meetings on a regular basis. Currently, the Town Board is considering the elimination of two board positions.

Buffalo Unit Meeting

**January 15, 2009, at 5 p.m.
at the**

Karpeles Museum North Hall,
220 North Street (corner of Elmwood and North)

The Gantt-Robach (A.6399-C) Childhood Lead Poisoning Primary Prevention and Safe Housing Act supported by LWVNY passed in the NYS Assembly and Senate only to be vetoed by Governor Paterson. This legislation targets the solution to the problem and provides limited tax credits to give property owners the help they need to make their housing safe. When fully implemented, this legislation will protect tens of thousands of New York's most vulnerable children from the life-long damage caused by lead poisoning.

Speaker: Cara Mattelino,
Vice President for Program at the
Community Foundation for Greater Buffalo
Cara is actively involved in reducing
lead poisoning in Buffalo.

Joan Photiadis

Clarence Unit News

Immigration to the United States- both historically and currently - will be the topic presented by Bob Poczik at our first session of Lunch 'n' Learn of 2009. It will be held at 11:30 AM on Friday, January 23, in "the Library" at Perkins Restaurant, 8444 Transit Road, East Amherst located on the west, or Amherst side of Transit, under the big American Flag. We will order from the regular menu, but reservations are requested so that the restaurant knows how many to prepare for.

Mr. Poczik is well known for presentations based on his travels in the Orient. As a Fulbright scholar, he co-edited an English-Tibetan illustrated dictionary for refugee school children that, many editions later, is still in use. Now retired from the NYS Department of Education, he has recently returned from a trip to China and Tibet.

We encourage you to join the Clarence Unit for this program that promises to be both enlightening and thought provoking. Bring a friend!

On Thursday, February 19, 2009, Clarence Supervisor, Scott Bylewski, will report at Lunch 'n' Learn on the State of the Town. Location to be announced.

Allene Falk, Clarence Unit Co-coordinator
events@lwvbn.org

An Opportunity to Serve

The nominating committee, headed by Gladys Gifford, will be meeting soon to propose a slate of officers to fill expiring terms on the LWVB/N board and to recommend appointments to the president. Here is your opportunity to be part of the action on the LWVB/N board and to lend your talents to the organization.

If you have spotted some talent in a fellow member and feel he or she would be an effective board member, let us know about that person too. Volunteer yourself or other League members for consideration by the nominating committee.

Send your suggestions to *Gladys Gifford* at
events@lwvbn.org.

Dear League Members,

Membership

We depend upon all of you to recruit new members. The programs for the new year look very interesting and exciting. The various units have interesting activities planned as well. These meetings are the perfect recruitment tool. Make it a point to invite a friend or two to a League meeting to interest them in our fine organization.

Judy Weidemann, Membership Chair

Get email from The LWVB/N Grassroots Lobby

If you don't currently and would like to receive LWVB/N urgent calls to lobby legislators and officers about important legislation and notices and reminders of meetings, and other information concerning LWVB/N, please send your name and email address to: events@lwvbn.org. Many email messages are being returned to me, undelivered, because of firewalls or email security that keep LWVB/N email from being recognized by your computer.

Elsa Bondar, LWVB/N Grassroots Lobby Coordinator

LWVBN Web Site Statistics: The Election Effect

I am pleased to report that voters do indeed go to the LWVBN web site for election information. The number of visits to lwvbn.org doubled in September from the monthly average of 329 to 759. It nearly doubled again for October with 1417 visits. Traffic peaked in early November; there were 1601 visits from November 1 to November 4 (election day). The online *2008 Voters' Guide* was viewed 1532 times. Traffic now is closer to the levels prior to September.

Kristin Allen

Welcome to these New LWVBN Members:

Pauline Dyson

Patricia Fraser

Elizabeth Heuer

Grace Martorana

Mrs Richard Trump

The ByLaw Review Committee welcomes your suggestions for revisions to the LWVBN ByLaws. Please send them to Committee Chair, Chuck Peszynski, by January 29, 2009, at League office or events@lwvbn.org.