



February 2009

The Voter

Board of Directors
League of Women Voters of
Greater Birmingham
205 583-5000
admin@lwvqb.org

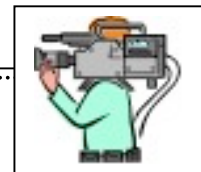
Virginia Randolph, President
Nancy Ekberg, 1st Vice President
Cissy Bennett, Secretary
Sarah McDonald, Treasurer
Paulette Rowe
Connie Arwine
Joyce Lanning, Natural Resources
Kathryn Kerchof, *Editor*
The Voter
Yvonne Brakefield,
Chair Nominating Committee
Jean Johnson,
Off-Board Technical Director
Ann Smith,
Off-Board Observer Corps Water
Works
Karen Threlkeld, Voters Service
Amanda McGriff, Membership
Co-Chair

Shining Examples of the League Way

This past month we lost a long time advocate and League heroine, Anne Findley Shores. Reading her obituary, gave me pause to really appreciate all that our members do, and the long-term effects that result as members apply their creativity, time and effort to ennoble us all as citizens. Anne was a shining example of this. And this month continuing that example, our members wrote letters to the editors of the local newspapers, wrote letters to their State Representative and Senator and participated as we rallied at a Press Conference in support of a county manager for Jefferson County.

Our advocacy work all starts with member requests for study items at our annual business meetings. After information and data are collected we educate ourselves, discuss and reach a consensus to support or not certain issues. The League then writes a position statement based on the consensus. We only advocate on issues that have traveled this careful process. This is the League way. That way is what the LWVGB did in 1985 by studying local government. A consensus was reached in support of a county manager in February 1986. And now we continue to advocate for this position. This past month we participated in the statewide study of issues related to expanded voting time and location options. LWVGB reached consensus and submitted it to the LWVAL which is compiling all the local League results. A LWVAL position will be written based on local League results. We have another study issue from LWV at our February meeting and it will probably be a lively discussion. So plan to attend and join in our reaching consensus.

Ginny



League Presses for a Professional County Manager

January 27th found a number of League members and members of a couple other local groups, including the Birmingham Regional Chamber of Commerce rallying on the Jefferson County Courthouse steps for a press conference attended by all the local television stations, a couple of the print media and a radio station representatives. The press conference was in support of the League's number one focus for this year: a Professional County Manager for Jefferson County. We received good attention by the media in spite of the more charged chaos that the Commission meeting that day received and the recording of the elephants that come to town. We try to avoid sensationalism and this time it worked fine for us. As one news director told me, "our station tries to have balanced news and you provided it". If you wish to read the LWVGB press release, go to www.lwvqb.org.

Representative Paul DeMarco filed a Jefferson County Manager bill (HB 358) in the Legislature on February 3. He and the other members of the often-divided Jefferson delegation are to be congratulated for working together. All the House members from Jefferson County signed onto the bill. This greatly improves its chance of passing. League members are encouraged to write and thank the House members, especially the ones who serve you. You may read the bill at Alison - Alabama Legislative Information Online (<http://alisondb.legislature.state.al.us/acas/acaslogin.asp>).

The Voter

February 2009



Leaguers Gathered on the Jefferson County Courthouse steps on January 27th advocating for a professional county manager for Jefferson County.



February 2009

Anne Findley Shores

Anne Findley Shores died January 30th. She is remembered for her work on League projects from voting issues to equal opportunities to State constitution and many others. She served as President for the Greater Birmingham and State League and as a continued dedicated member. As LWVGB President, she was the recipient of a death threat over the League's support of desegregation. Truly she was a heroine in her desire to support democracy. Anne worked tirelessly for the League and watched the changes in our society from the early 60's to the election this fall, maintaining her interest in society's improvement of our principles of democracy. She was a believer in voter education and worked to register citizens all across Alabama. She received the Birmingham Junior Chamber of Commerce Award for Woman of the Year in 1964 and the League of Women Voters of Alabama Joyce Woodworth Memorial Award in 2002. We are thankful for her life and we send condolences to her family and many friends. Her family has indicated that those wishing to honor her may make a tax-deductible donation to the League of Women Voters of Alabama Education Fund c/o Ginnie Bennett 1028 East University, Auburn, AL 36830.

Lilly Ledbetter and the Fair Pay Act

Lilly Ledbetter was working for Goodyear in Gadsden when shortly before she retired, she found that someone had anonymously left in her locker a listing of salaries for her peers at the plant. She was not making a fair wage compared to the men with equal position and responsibility and this discrimination had occurred for at least 19 years. She talked with the company and received no recompense. She filed suit and won a jury award of over three million dollars only to have the U.S. Supreme Court overturn the ruling from Judge Clemon's court on the grounds that she waited too long to file suit. She was told she should have filed within 180 days of the first discriminatory event. She was not aware of the discrepancy for almost 2 decades. Not to be discouraged, she contacted the State Congressmen to finally have Congressman Davis support her with a bill. The bill passed Congress this January and was the first bill that the new President Obama signed. The bill strengthens the existing civil rights bill to allow a grievance to be filed for chronic unfair treatment by treating each pay discriminatory act as the start of another 180 period for filing grievance. Ms Ledbetter never received a penny from all of this and in-fact this cost her some money and lots of time and effort to make this bill a reality. She was honored at a reception on January 12 to which the League was invited. Several of our LWVGB members attended and were delight to meet the woman who fought for fair treatment of others. She never received any compensation for her lower salary and of course her retirement funds will be lower too than the peers with whom she worked.

Read the full-text of the Lilly Ledbetter Fair Pay Act:

http://www.whitehouse.gov/briefing_room/LillyLedbetterFairPayActPublicReview/



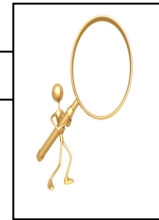


February Short on Days, Long on Activities!

Activities for Members

There are a number of activities that you may become involved with but this month the LWVGB Board would like to encourage the following:

- Attend the February Meeting on Popular Vote Compact: a Consensus Study: February 26 at 6:30 p.m. Room 101 of Homewood Library
- Write your Alabama Representative and thank him/her for their support of the County Manager bill with Paul DeMarco [who signed on: DeMarco, Robinson (O), Canfield, Coleman, McClurkin, Rogers, Thomas (E), Hilliard, Treadaway, Dunn, Payne, Todd, Williams, Newton (D), Moore (M), Moore (P), Scott and Drake (O)]. Also, ask that he/she continue to shepherd the bill to final approval.
- Write your Jefferson County Commissioner and ask that he/she support a professional county manager who would not be hired through the Personnel Merit system but by the Commissioners after using a national search firm.
- Write letters to the editor favoring the bill introduced in the legislature by the Jefferson County delegation (HB 358).
- Sign up to attend a governmental meeting in March for Sunshine week. To let LWVGB know of your interest to participate email: vrandolph@lwvgb.org or call 583.5000.



Observer Corps Report

Birmingham Water Works Board:

Two appointments were made to the BWWB in December 2008. David Herring was reappointed after serving 5 years of an unexpired term. Sherry W. Lewis is a new appointee. She is employed by AT&T, has a bachelor's degree in communication management and is vice president of a neighborhood association.

The board learned in late November that a permit had been granted by ADEM to Shepherd Bend L.L.C. for a proposed coal mining operation which would discharge treated waste water into the Black Warrior River 800 feet from a Water Works intake. The permit had been issued in July -four months earlier- without a public hearing and without notification to anyone who had submitted comments to ADEM. A lawsuit has been filed by Black Warrior Riverkeeper asking a judge to declare the permit void and to prohibit the company from starting activities on the site.

Another mine, also on the Mulberry Fork of the Black Warrior near Cordova, proposed by Reed Minerals is opposed by BWWB, Riverkeeper, and area residents.

Ten million dollars of water revenue bonds were issued in late 2008, the first of several issues which will total 100 to 150 million. At a January board meeting, the BWWB approved a final payment of \$25,000 for financial services related to the sale of bonds to Blount Parrish & Company. Bill Blount resigned as the board's financial advisor on January 14. The board voted on January 21 to enter a one-year contract with Sterne Agee & Leach, Inc. to provide financial advisory services.

Ann Smith



Update on Constitutional Convention legislation in the 2009 Session:

A Joint Resolution that ***Lets the People Vote*** on calling a Constitution Convention to rewrite the 1901 Alabama Constitution, will be introduced by Speaker Pro Tem Demetrius Newton in the House and by Senator Ted Little in the Senate on Tuesday, February 10, 2009.

Please call your state representative and state senator ASAP and ask them to support the Joint Resolutions to ***Let the People Vote on the question of calling a Constitutional Convention***. The Joint Resolutions are the same as the bills that have been offered by the sponsors for the past three years,

The resolutions provide three opportunities for the people to vote:

- June, 2010 - Vote during the gubernatorial state primary on the call for a convention
- November, 2010 – Elect delegates during the gubernatorial general election;
- November, 2012 – Ratification vote on the convention's proposal(s).

Key provisions

1. If the Joint Resolutions are passed in this 2009 general legislative session, we will have approximately one year until the citizens vote on the Convention question at the June 20, 2010, Gubernatorial Primary.
2. Delegate elections in November of 2010, would elect two delegates from each State Legislative House District based on the two highest vote recipients in each House District regardless of gender, unless the current Resolutions are amended.
3. Three potential votes (call for Convention, delegate election, and ratification vote) will happen on scheduled statewide election dates *without any additional costs to the Alabama taxpayers*.

Nancy Ekberg



March Has a Week of Sunshine

March is Women's History Month and includes Sunshine week. We will be celebrating Women's History Month with a joint meeting with American Association of University Women on March 14.

Sunshine Week is March 15-21 and the LWVGB is organizing a campaign for our members to attend government meetings. Please consider joining us as we watch our government at decision-making. Ann Smith is coordinating this activity. We suggest that members work together or get friends to attend a local governmental meeting. Some are during the day and some in the evening. We have a number of different governments and it would be great to have people attending all around. We will wear our League badge and if you need one, we will supply it. It should be interesting. Plan to add this as an activity you will contribute to by contacting vrandolph@lwvgb.org or 583.5000.

STAYING WARM AND LIVING GREEN

By Eleanor Revelle (LWVIL and LWVUS Climate Change Task Force Member)

When colder weather strikes, heating bills start to climb. Not only is that hard on the checkbook; it also means increased greenhouse gas emissions. What is a thrifty, ecologically-minded person to do?

First, figure out what your **natural gas** bill is telling you about your energy usage. The meter reading section of your bill reports the number of cubic feet of gas used in that billing period and then converts that figure into **therms**, a measure of the energy content of the gas. (One therm is roughly equal to 100 cubic feet of natural gas.) This number is used as the basis for calculating the various charges on your bill.

How do you know whether the number of therms you used is "reasonable"? The answer to this is . . . it depends. It depends on how cold it was outside.

Your gas bill may give you this information if it reports the total number of **heating degree days** in that billing period. Or you can find degree day records on Weather Underground (www.wunderground.com/). Go to the Detailed History and Climate section of the weather page for your city and indicate the day, week, month or other time period for which you want weather data.

Heating degree day (HDD) is a measure that

indicates how much colder the average temperature was outside compared to a baseline temperature of 65°F. (This reflects the observation that houses generally require heating if the outside temperature is lower than 65°F.) If the average of the high and low temperatures for a particular day was 35°F, that would add 30 HDDs to the total for the billing period.

Dividing the number of therms used by the total number of degree days gives you information about the energy performance of your house.* It reflects the temperature setting of your thermostat, the tightness of your house, and the efficiency of your home's heating system.**

With this calculation, you can compare your energy consumption from month to month, and year to year, despite variations in the weather and the fluctuating cost of energy. And the simple act of monitoring will provide a strong incentive to improve your home's energy efficiency—and help you measure the impact of changes you make.

Improving Your Home's Performance

You have no control over the outside temperature—the number of degree days—the biggest factor in your energy consumption equation. But you **can** control the therm usage of your home.

If you use **heating oil**, note the date on which you fill your oil tank and the date on which it needs refilling. Divide the number of gallons of oil used by the number of HDDs for that time period. This will give you a baseline figure of the amount of heating oil you use per HDD.

** The number of therms used also reflects the energy consumed in heating water and any cooking done with gas. Your summer gas bill will give you a rough idea of how much those uses contribute to your energy consumption year-round. Easy things you can do to cut water heating costs include turning down the setting of your water heater (to 115-120°F); insulating the water heater and hot water pipes; installing low-flow fixtures and a more efficient dishwasher and clothes washing machine; and replacing an older water heater with a new, high-efficiency model.

Dialing down the thermostat is the most direct step you can take. In colder climates like the upper Midwest, every degree that you lower the setting on your thermostat will result in roughly a three percent reduction in the amount of energy used.

Installing a programmable thermostat can also bring significant energy savings. By automatically adjusting the temperature setting for your home, this simple device makes it easy to lower the setting when less heat is needed—for example, when you're asleep or away for the day.

Taking steps to minimize heat loss from your home is next on the list. **Adding insulation** is one of the most cost-effective improvements you can make, and the attic is the best and easiest place to start. Proper insulation levels in the walls, foundation, and basement or crawl space will also help make your house tighter—and more comfortable.

Sealing air leaks—a major source of heat loss in older homes—is another very important energy-saver.

You can spot many of these problem areas on your own with a do-it-yourself **home energy audit**. Or you can arrange for a professional auditor to carry out a more

thorough assessment of your home. Some utility companies conduct audits or can recommend an energy auditor.

The third area for attention is your home's **heating system**. You can improve its efficiency by insulating ducts (if you have a furnace) and hot water/steam pipes (for a boiler) that pass through unheated spaces, changing the air filter regularly (furnace), and arranging for regular professional maintenance.

Your heating service company can also advise you as to whether replacing your existing furnace or boiler with a new, high-efficiency unit would make sense.

If you are planning to remodel your current home or build a new house, you have an opportunity to "build green" from the start. By making it a priority to incorporate energy-efficient design features and take advantage of new technologies and materials, you can have a high-performance home that minimizes energy consumption and maximizes comfort and durability.

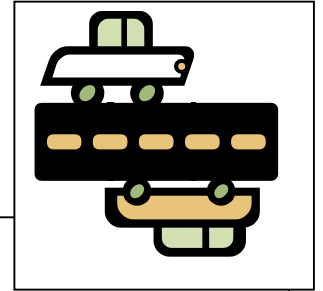
But you don't have to build a new house to save energy. Every small step that each of us takes to improve our homes' energy efficiency will achieve savings and help reduce global warming.

Resources for Home Energy Audits

The U.S. Department of Energy's *Consumer's Guide to Energy Efficiency and Renewable Energy* (www.eere.energy.gov/consumer/your_home/) includes a helpful tutorial on home energy audits as well as detailed information about insulation, sealing air leaks, and heating systems.

Home Energy Saver (<http://hes.lbl.gov/>) is a web-based do-it-yourself energy audit tool designed to help consumers identify the best ways to save energy in their homes and find the information and resources to make those savings happen.

Consumers can find a certified energy rater in their state through the Residential Energy Services Network (RESNET) Certified Rater Directory (www.resnet.us/directory/raters.aspx).



Three Bills Focus on Transit

As the Legislators gather in Montgomery for the 2009 Legislative Session, there are at least three bills concerning public transit. I should really say "public mobility" because there are private and non-profit and for-profits groups that provide transit and all are not "public". Rep. Cam Ward of Alabaster is offering HB 165 that would create a permanent statewide Transportation Commission that would be an umbrella over all transportation including ALDOT. The goal is to take politics out of deciding who gets what road. But the beauty of the Bill is that it includes mobility (see page 12 of the Bill if you look it up on ALISON.)

Rep. Rod Scott of Bessemer is going to sponsor a bill that will create an Association of all the urban transit providers statewide, so that they can speak with one voice to the Legislature. The Association will eventually deal with funding but right now will focus on organization.

Rep. Patricia Todd of Birmingham (and a League member) will sponsor a bill to provide funding. It will be tied to fuel efficiency and will require a fee from those persons whose cars get less than a certain mileage per gallon. She promises some of the money to ALDOT so that the Road Builders support her bill.

Then you know of the statewide organization Alabama Transit Coalition. This is a coalition of organizations working for public mobility and Nancy Ekberg represents the League on the Coalition's Steering Committee.

Individuals may attend ATC meetings but their organizations are the voting members. If you want to know more about ATC, contact Nancy at nanekberg@aol.com or 205 967-2897

Nancy Ekberg



National League Makes Changes

The League of Women Voters has made a couple changes to deal with the current economic situation that also impinges on the organization's members. First, the biannual Council meeting will be held as a virtual meeting rather than extend the expenses to many members who are currently dealing with financial burdens. Second, the in cost of publishing *the National Voter* has become prohibitive, and so it will be delivered via email. We have tried to update the membership roster with current email addresses of our members, but if you have changed your email, please go to the www.lwv.org web site and update your email address, or let us know and we will make the change (vrandolph@lwv.org). After an active election season the League is enjoying better support than many nonprofit organizations although donations are down some from previous years.

The Voter

February 2009



January Meeting Consensus on Off-Site Voting

The January member meeting discussion of Off-Site voting was interactive and lively. We had a variety of opinions and yet still reached consensus on some issues. The LWVGB submitted a report to LWVAL in which we support elimination of required excuses for absentee voting. We also felt that the absentee voting process needs streamlining. Connie Arnwine and Virginia Randolph led the discussion. The LWVAL is currently collating the results from all the Local Leagues in the State.

New Member Spotlight – Angelyn Simmons

New member Angelyn Simmons joined the LWVGB in October. After her retirement from Delta Airlines in Montgomery, she has been employed at Landmark Tour & Travel in Birmingham as an educational tour planner for the past two years. She is a member of the Independent Presbyterian Church choir and enjoys tap dancing with Time Step Studios.



League to Study and Reach Consensus on National Popular Vote Compact February 26th - Homewood Library – 6:30 pm

The League has had a long-standing position in support of the direct election of the president by popular vote. Now we will consider whether to support the National Popular Vote Compact (NPVC) as a viable process to achieve that result. The NPVC would avoid the need for a constitutional amendment abolishing the Electoral College (EC).

The NPVC proposal uses the mechanism of the EC. States that legislatively enact the NPVC would agree that their state electors would vote for the individual that received the most votes nationwide.

This alternative method of assigning a state's EC votes would take effect only when enacted by states collectively possessing a majority of the electoral votes. This would be 270 votes.

Currently 4 states have passed legislation to enact the NPVC – Hawaii, Illinois, Maryland, and New Jersey. (50 electoral votes)

The full text of the study committee's paper on NPVC, as well as papers on the pros and cons of the issue should be read before our meeting. They are available at www.lwv.org/NPV/. Paper copies of this material are available upon request from Sarah McDonald, 967-2829.

The Voter

February 2009

Support Paper National Popular Vote Compact

Because the League already supports direct election of the president, arguments against the Electoral College (EC) are not included in this material.

Constitutional Issues The National Popular Vote Compact (NPVC) is a way to assure that every person's vote counts equally and that the person receiving the most votes is the winner of the presidency. The same result would be achieved by constitutional amendment, but the U.S. Constitution is difficult to amend. The NPVC is a viable way to attain the same goal as amending the Constitution to eliminate the EC.

Constitutional amendment is not needed to effectuate the NPVC because already have the right to implement changes in how electors are appointed.

The NPVC is a compact between states - a method of concerted state action that has long been sanctioned by the Constitution and the courts.

Evaluating Fairness A candidate can be elected president by receiving the most electoral votes even though he or she did not receive the most popular votes. This is not a result expect or desire. As election campaigns are now waged, major emphasis and resources are concentrated in key EC battleground states because that is where elections are won or lost. The NPVC would eliminate the emphasis on battleground states and would be more apt to ensure campaign strategies that appeal to a broad spectrum of the electorate 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. Any claim that the NPVC is an unprecedented disregard for the U.S. Constitution ignores the reality that voting rights have been changed through state action many times. Women's suffrage, for example, was instituted by twenty states before passage of the constitutional amendment that made the right universal.

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

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

League Issues Opponents say that the NPVC 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 NPVC 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 affect. The NPVC could help assure that every vote would be counted equally.

Further, implementation of a method which assures direct election of the president by popular vote is in keeping with the League's long-held position.

Opposition Paper National Popular Vote Compact

There is little respect for the Electoral College (EC). The League opposes it and most voters want a direct popular vote. But is the National Popular Vote Compact (NPVC) an appropriate way to achieve that result?

Evaluating Fairness Voters supporting the candidate who receives the majority of votes in their state want their state's electors to support their choice. Adoption of the NPVC may require a state elections official to direct its state's electors to cast their ballots in support of a candidate who was not favored by the voters of that state.

Passage of the NPVC will result in the emphasis of presidential campaigns shifting from the battleground states to areas of large concentrations of population. So, while some voters are disenfranchised by the EC, others might be disenfranchised by the NPVC. Because the Compact requires entry into a contract with other states which binds state elections officials to direct electors to vote in a certain way, regardless of the outcome of the election in their state, states' rights are diminished. In addition, one can question the advisability of a method that bypasses the normal constitutional amendment process in this manner.

Constitutional Issues Many constitutional scholars argue that this plan will lead to extensive litigation involving challenges to the NPVC on issues such as the scope of constitutional powers, the Compact itself, the need for congressional approval, the concerns of non-compacting states, and constitutional protections of state interests and their role in elections.

Mechanical Issues/Flaws The methods of enforcement of this plan are unclear. Opponents question the power and timing to withdraw from the Compact and the power to enforce compliance.

Others express concern about an onslaught of lawsuits between compacting and non-compacting states, as well as procedures in close elections.

The plan, allowing the election of a president by a plurality of votes, does not improve on the current system; neither the present system nor the NPVC requires that the president be elected by a majority.

Other Issues The Voting Rights Act requires pre-clearance for legislative changes. This, too, has the capacity to engender lawsuits to ensure compliance.

Legal Issues This proposal does nothing to achieve the goal of uniform standards of voting. The NPVC is effective when passed by states representing 270 electoral votes, effectively negating the impact on presidential elections of the voters in states which represent the other half of electoral votes. A system which assures no voter disenfranchisement is a better way to assure that every person's vote counts.

The League has long supported the abolition of the EC. Although the NPVC purports to foster the same result, it creates additional concerns. Amending the U.S. Constitution is a difficult process, and we should seriously consider supporting the normal amendment procedures to abolish the EC versus this specific "work-around."



LWVGB Upcoming Events

Month	Day	Time	Event	Location
February	14		LWV Birthday	
February	26	6:30 p.m.	Member Meeting National Popular Vote	Homewood Library 101
March	3	5:45 p.m.	Board Meeting anyone is welcome	Call 583.5000 for directions
March	14	11 a.m.	Member Meeting with AAUW: Report on the Economic Status of Women in Alabama	The Club
March	22- 28		Sunshine week: Visit a government meeting	
April	30		Member Business Meeting	Richard's BBQ on Acton Road
May	2-3		LWVAL Convention	