League of Women Voters of New Mexico



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The League of Women Voters of New Mexico, 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.	* * * We the People	

President's Message



This is a challenging election year! League members know the power of teamwork, but we need more players. Even though this year's Legislature was a short session, the Action Committee had its hands full covering bills that one wouldn't think would be considered germane in a budget session. With the state in a budget crisis, it was frustrating seeing precious time spent on legislation that would have increased the costs of incarceration, leaving health care, education, and social services severely underfunded. With all 112 seats up for election, grandstanding was more evident than usual. The number of bills that were proposed for a short session was unreasonable, so many bills did not make it all the way through, but they are bound to come up in campaigns.

The Action Committee is fortunate to have Dick Mason as its very experienced coordinator, keeping us up to date on the status and schedule of bills. He also covers most of the budget and health care bills. We divide up the work on the rest of the issues. Barbara Calef and Judy Williams are in charge of natural resource bills. Diane Goldfarb is in charge of lobbying against efforts to erode women's rights. Dick and I share election and voting rights, ethics and campaign finance reform, and redistricting. I cover education and immigrant rights. Mary Lewis Grow promotes gun safety and related restrictions. Other members testify at our request when multiple bills are scheduled for hearings at the same time.

We all monitor transparency issues and express concern when public access to the legislative system is compromised. We objected to the practice of filing "dummy bills," placeholders with no content used to evade the deadline for introducing new bills, and later replaced by legislation for which the public is given no notice. We also objected to scheduling bills that committees never heard, referring bills to committees that never met, and other strategies for impeding the process. Some of these were bills the League wanted to have passed, and some we were grateful to let die. Many thanks to the League Action Team for their vigilance, research, and testimonies. Many thanks also to most of our legislators for putting in long hours at the Roundhouse trying to move New Mexico forward. Next year, we encourage you to be part of the team.

We all recognize the importance of this election year. Over the next few months, we will be focusing on very important state and local races. We will need every League member's help to ensure that New Mexico's electorate is representative of our population. We want voters to make informed choices with the help of our non-partisan candidate forums and unbiased Voter Guides when they cast their ballots. Please help us with registration drives, forums, and Voter Guides, so we reach the most people. Contact me directly at <u>president@lwvnm.org</u> or 505-577-6337, and we can discuss opportunities that make a difference. We'll find a rewarding job to match your skills and interests! Thank you!

-Meredith Machen

Local League News

LWV Central NM

LWVCNM's calendar was full this quarter. Program offerings December 2015 through March 2016 included the "UNM College of Education Approach to Re-Imagining Education," "The Affordable Care Act's Progress and Acceptance Across the States," "Decisions and Control Available for End-of-Life Choices," "Albuquerque's Programs for the Homeless," "Status of Albuquerque Public Schools Educational Initiatives," "Transparency in New Mexico's Government Organizations" (after the Center for Public Integrity gave New Mexico a D- rating), "Open Government, Ethics, and Capital Outlay in the 2016 NM State Legislature," and "Progress on the Consent Decree Against the Albuquerque Police Department," known as APD Forward.

LWVCNM continues to participate actively in the APD Forward Coalition to encourage greater APD progress against Consent Decree Measures. After the US Department of Justice's Monitor, Dr. Ginger, released the 2nd Quarterly Progress Report, Taina Colon, ACLU Criminal Justice Advocate, addressed the LWVCNM NE Heights Unit. Colon indicated lack of agreement between APD and DOJ on meaningful reform measures. APD Forward and Dr. Ginger are now evaluating effectiveness of the six Community Policing Councils and Civilian Police Oversight Board in promoting open communication.

February's 2016 Program Planning focused on LWVUS's request for comment on existing LWVUS Program. LWVCNM formulated two updates to LWVUS Program (2002 Trade and 2002 Natural Resources Positions). Because of the importance of the upcoming general election and recent Supreme Court decisions, the LWVUS Board recommended that no new studies or updates be undertaken. Instead, they asked members to continue the focus on "Making Democracy Work." At the June LWVUS Convention, delegates will be asked to work on Voter Rights, Voter Protection, and Service, and Election Reform including both Money in Politics and Redistricting. As requested, LWVCNM initiated no new studies.

The existing LWVUS Position covering Natural Resources/Waste Management/Yucca Mountain Permanent Geological Repository for Spent Nuclear Fuel from Commercial Power Reactors was one identified by LWVCNM for update. LWVUS and LWVNM Directors are coordinating efforts with the LWVCNM Program Chair to establish a LWVUS Online Discussion Group to share significant events and data available since 2002, when the LWVUS position was formulated. *-Karen Douglas, Vice President*

LWVSFC Report

The Santa Fe League helped with the tabling at League Day at the Legislature on February 4. LWVNM had a table, as did LWVSFC. Volunteers handed out information and talked to people who stopped at the table.

On February 11, the League, with AAUW and the City of Santa Fe Library, sponsored two candidate forums for the municipal election. The first heard the two candidates for Municipal Judge, and the second heard from the City Council candidates. Only one race was contested, and for this there were four candidates. There was an overflow crowd, so we may have to find a larger room for future forums.

League members met with Mayor Javier Gonzales on February 17. The meeting was one of a series with the Mayor. After some brief comments about budget and development issues, there was a lively question and answer session. The city is facing serious budget challenges, and the Mayor discussed some ways to balance the budget in the coming year. One concern has been the use of water funds to prop up day to day operations.

On March 16, as part of Sunshine Week, the League held a forum on the "One Person/One Vote" case which was heard recently by the U.S. Supreme Court. The session was cosponsored by LWVSFC, the Sierra Club, Common Cause NM, and the ACLU.

The case, Evenwel v. Abbott, defined who should be counted in redistricting. The U.S. Census has always been used in the past, and the entire population is used to form legislative districts. The case sought to have the redistricting process use ONLY registered voters. The expected effect of changing the current method would be to increase the political power of rural areas and decrease the political power of urban areas, especially those with large Hispanic populations. In a rare unanimous decision (8-0), the court held that as constitutional history, precedent, and practice demonstrate, a state or locality may draw its legislative districts based on total population, not on the voter-eligible population.

The panel discussion featured Lonna Atkeson, Political Science professor at UNM, Director of the Center for the Study of Voting, Elections and Democracy; Carmichael Dominguez, Santa Fe City Counselor; and Viki Harrison, Director of Common Cause NM.

The League held a Charter Schools unit meeting, led by Meredith Machen, on March 2.

The purpose was to hear about the progress of the study of charter schools in New Mexico. So far, the study committee has determined that state of New Mexico has failed to meet its constitutional requirement to adequately fund our public schools - where the vast majority of students are educated.

-Judy Williams, President

LWVLA Report

Los Alamos League members participating in our program planning meeting in February agreed with the national League's request to support "Making Democracy Work" as their top tier priority for the next biennium and not to propose any new studies or updates that would dilute that focus. They did ask the LWVUS board to recommend concurrence with the Colorado League's position on behavioral health.

At the local level, the League will also follow the effort to develop a new comprehensive plan for the county; the current plan is nearly thirty years old. Among the issues to be considered are the county's future population level, economic diversification, residential density, neighborhood concerns, and the amount of open space to preserve. The group agreed to propose a study of the pros and cons of proposals to transfer jurisdiction over federal public lands to the state, considering the best option for conservation as well as the local economy. Los Alamos County is adjacent to a large tract of National Forest Service land, so any change in ownership would directly impact our community.

The League will continue to assist in elections, register voters, produce a voter guide for the general election, and organize candidate forums. Speaking of voter registration, LWVLA members Lynn Jones and Karyl Ann Armbruster registered eleven high school students in February; these students will be able to vote in the June primary election.

Arin McKenna is the County Reporter for the

Los Alamos Monitor. At Lunch with a Leader in February, she explained her approach to "getting to the heart of the story." She records the County Council and other meetings, at the same time taking notes of particularly interesting details. She focuses on what she feels is important and will often do research following the meeting. McKenna pointed out that advocates are well advised to follow the same approach as an investigative journalist in pursuing a desired outcome. They should listen, consider whom they are addressing, and do the research. She warned League members not to rely on second hand information, to go instead to the source of a quotation or data. Then to make an effective argument, they should "get rid of the superfluous, be concise to be powerful."

In 2013 the Board of Public Utilities (BPU) adopted "carbon neutral" electrical energy as a goal for the utilities department to achieve by 2040. Unfortunately, they failed to include a definition at the time. This January, they finally adopted a definition and at their March meeting, they adopted strategic policy for distributed energy resources and rate structure.

The Los Alamos League looks forward to hosting the 2016 LWVNM Council Meeting on May 21. We hope to welcome many of you to our town!

-Barbara Calef, President

LWVGLC Report

2016 started with a "bang!" Beginning in January, our guest speaker was Randy Shaw from the Brackish Groundwater National Desalination Research Facility (BNGDRF) in Alamogordo, NM, who informed our membership about current water issues and desalination in New Mexico. During the same month the Co-Chairs of the Immigration Committee, Yvonne Flores and Sue Cain, presented to the NM State Board the committee's proposal to change some language of the LWVUS Position Statement on Immigration to reflect a less pejorative focus to be submitted for consideration at the LWVUS Convention in June 2016. The NM State Board approved the proposal, with a few minor changes. We also held two consensus meetings about the LWVUS Money in Politics update. Both were well-attended and spurred so much interest that a proposal was made at our program planning meeting in February to continue discussion of the topic as a program activity for next year.

We began the February Program Planning Meeting with a "Time of Remembrance and Celebration of Life" for two very highly regarded members, Bonnie Burn and Marnie Leverett, who passed away January 20 and 21, respectively. Twenty-five members attended the meeting! It included three proposals for activities: (1) a proposal to institute a standing "Youth Engagement Committee;" (2) a proposal to create an ongoing discussion group for Money in Politics (MIP) issues; and (3) a proposal to update the GLC Education Position because of concerns of "increased politicization of education subsequent to changes in the State Constitution in 2003." Also in February our League participated in League Day in Santa Fe; and, our New Member Tea & Orientation was held at the home of League President, Gwen Hanson. Membership Director Yvonne Flores provided the program with 20 members attending. Lastly, the Immigration Committee invited members of the El Paso, Texas, League to attend a meeting about immigration issues. The President, Vice-President, and Immigration Committee Chair attended the meeting. Future collaboration was planned.

Our March monthly meeting offered the opportunity for our members to learn more about one of our local print media outlets. Rynni Henderson, the new publisher of the Las Cruces <u>Sun-News</u>, discussed the value and role of a community newspaper. We appreciate our past and present collaboration with the <u>Sun-News</u> for the publication of our Voter Guide and Who's Who. In addition, beginning this year, March was designated as the month for fundraising for the Bonnie Burn Education Page 5

Scholarship, administered by Las Cruces Public Schools Foundation (initiated by LWVGLC in February 2015). You can donate to this scholarship by mailing a check to LCPS Foundation, P.O. Box 16214, Las Cruces, NM 88004. We look forward to the renewal that spring brings to our League as we enter the upcoming general election cycle.

-Gwen Hanson, President

US Senator Tom Udall to address the LWVCNM Annual Meeting

U.S. Senator Tom Udall will present "Campaign Finance Reform and March 2016

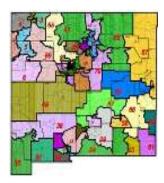


Legislation" to the LWVCNM during the Annual Meeting Brunch on Saturday, May 7, 11:30 a.m., at the MCM Eleganté Hotel (2020 Menaul Blvd NE).

When the recent U.S. Supreme Court decision on the Citizens United case changed the landscape for permissible political contributions, Senator Udall introduced a Constitutional Amendment to overturn the decision. On Super Tuesday, March 1, 2016, Senator Udall introduced the Federal Election Administration Act, abolishing the current Federal Election Commission (FEC) and establishing a replacement agency – Federal Election Administration (FEA), with five members appointed by the President and confirmed by the Senate.

Udall began serving as U.S. Senator in 2009 and was reelected to the Senate in 2014. He serves on five Senate committees: Appropriations, Foreign Relations, Commerce, Indian Affairs, and Rules & Administration. Through the Appropriations Committee, Senator Udall has a voice in federal funding for departments, agencies, and other programs. With its labs, military bases, and public lands, New Mexico has a large federal presence. Through the Rules Committee, Udall is working to reform government and Congress, continuing his commitment to a more open, transparent, fully functioning government.

Please make reservations for the May 7 Annual Meeting Brunch by calling LWVCNM office (884-8441) by 10:00 a.m., Monday, May 2. Please specify if you would like a vegetarian meal.



The LWVNM in the 2016 Legislative Session

The League of Women Voters of New Mexico had a strong presence in the 2016 session of the New Mexico Legislature. Two League members were regularly at the Legislature to testify on the bills we opposed or supported. Others were available to testify at some hearings.

This was New Mexico's 30-day legislative session, limited to dealing with the budget and those subjects that the Governor approves. This year there was a major shortfall in revenue due to the falling price of oil and gas. The New Mexico budget is highly reliant on revenue from the extractive industries.

Over the last 15 years the Executive and Legislature have drained other sources of revenue for the state through broad tax cuts and unwarranted tax giveaways. In this session, rather than tapping some potential progressive revenue sources, the budget passed by the Legislature cut important health and educational programs. To be fair to the Legislature, the Governor had let it be known that she would veto any tax bills.

There were some proposals to raise progressive taxes. One example was a bill that would have reinstated the Personal Income Tax (PIT) rate for people making over \$250,000 to pre-2005 levels. Another was a proposal to postpone the corporate tax reduction that was passed in the 2015 Session. Neither of these bills was given serious consideration by the Legislature. It is time for the Executive and Legislature to step up and provide the revenue required to fund the essential services provided by a responsible government.

Despite the recent ethics issues in the executive and legislative branches, the Senate Rules Committee killed, by amendment, Joint Resolution HJR5 that would have put an independent ethics commission on the 2016 ballot for the voters to decide. HJR5 (sponsored by Rep. Dines) had passed the House with bipartisan support.

The Legislature did pass one bill that provides more information about campaign financing (HB105) and another bill (HB138) that allows 17 year olds who will turn 18 by the general election to vote in primaries.

The Legislature also passed two education bills supported by the League, SB81, the K-5 Pilot project, and SB306, School Funding Flexibility & Waivers. But the Legislature failed to pass important bills to pay for education funding and improvements.

The Legislature passed a compromise Drivers License and Real ID bill (HB99 – amended) that allows for driving privileges for those without resident documentation while providing for driver's licenses that will meet the federal Real ID law for those who can provide such documentation. It is good to finally put this divisive issue behind us.

Also passed were a number of appropriation bills supported by the LWVNM Natural Resources Committee and a law that strengthens background checks when purchasing firearms.

In summing up the session, there were two major failures: not providing adequate funding for essential programs and not allowing New Mexico voters to decide whether to create an ethics commission. The Legislature did pass some minor legislation and did settle the divisive driver's license issue. It is also important to note that none of the legislation that the League opposed was passed.





Protecting Women's Rights

The fight to maintain abortion rights continued on in the 2016 legislative session. There were three anti-abortion bills introduced this year. Senator William Sharer introduced Senate bills 242 and 243, and both were bans on late-term abortions. One of them would have allowed abortions over 20 weeks only when the life of the mother was in danger; the other would have allowed exceptions in cases of sexual abuse, rape or incest. Both bills were tabled in the Senate Public Affairs Committee with a vote along party lines.

Representative Rod Montoya introduced HB 275, *Require Medical Care for All Infants*. It was legislation drafted by a national organization, Americans United for Life, and it has been introduced in states around the country. It called for medically inappropriate protocol to be followed in abortion clinics as a means of determining if any infants had been born alive there. Among other things, it would have required CYFD caseworkers to perform monthly inspections of abortion clinics. The House Health Committee, with Republican Andy Nuñez voting with the Democrats, tabled this bill. After his bill was tabled Rep. Montoya then introduced a memorial, HM 101, *Track Signs of Life After Abortion*, which contained much of the same language. Heard by the House Regulatory and Public Affairs Committee, it was voted down with Republican James Smith siding with the Democrats.

It is clear that anti-abortion legislation is going to continue to be introduced in every session of the NM Legislature. The League will continue to monitor these efforts and provide testimony when appropriate.



-Diane Goldfarb Reproductive Rights Chair

Natural Resources Report

The Natural Resources Committee supported a host of bills during the legislative session, but most of them died in committee. Sadly the solar market development tax credit, which would have extended the credit beyond the end of 2016, failed to pass. The one bill we opposed, which would have reduced the tax rate on some oil and gas wells, also died. The bills that passed and were signed by the Governor provide financing for wastewater projects, residential energy conservation, and various water projects around the state.

Early in March LWVNM joined New Energy Economy and many other environmental organizations to send a letter to Fernando Martinez, Director of the Mining and Minerals Division of the New Mexico Energy, Minerals, and Natural Resources Department, asking him to postpone making a decision regarding transfer of permits to operate two coal mines in New Mexico until the public has been given access to the application and additional time to comment. Bowie Resource Partners is attempting to purchase the mines from Peabody Natural Resources Company. The original notice, announced just before the winter holidays, lacked some necessary information. The letter specifically expressed opposition to Bowie's plan to "self-bond."

Mining companies are required to post reclamation bonds that state regulators may tap for clean-up funds in case of mine abandonment or forfeiture. Self-bonding provides no funds to regulators, based on the strength of a company's balance sheet. When a self-bonded mining company fails, taxpayers and the state treasury end up paying for any clean-up work left undone. LWVNM's Natural Resources position supports "adequate bonding or other financial guarantees for mining and drilling activities to fund clean-up operations in the event of abandonment by companies." Surety bonds or cash collateral should be required rather than permitting self-bonding.

-Barbara Calef, Natural Resources Co-chair

The Executive Branch

Do Your Job!

It is time for the New Mexico Executive and Legislative branches to step up and do their jobs. Doing their jobs includes ensuring that there is adequate revenue to fund essential government programs.

The Legislative Branch

Despite projections of increasing revenue shortfalls due to the plummeting oil and gas prices, the Executive and the Legislative branches neglected to seriously consider any progressive revenue sources during the last session. There were some proposals that could have generated additional revenue. They included delaying the corporate tax giveaway for at least one year, raising the capital gains tax, and raising the personal income tax rate on high-income taxpayers. None were given any serious consideration, so we are now facing the prospect of a special session to address New Mexico's budget crisis.

Much more time and energy needed to be spent undoing the policy of tax giveaways and tax reductions that have failed to stimulate economic development. How did we get here? Both political parties are to blame. Democratic Governor Richardson, hoping to boost his presidential candidacy, pushed a drastic across the board reduction in the capital gains and personal income tax rates. Republican Governor Martinez continues to promote the myth that tax giveaways to corporations are the route to economic development. Despite the lowered rates, New Mexico is last or near last in in job growth, child wellbeing, education, and health care. We are highest or near highest in poverty, violence, crime, and drug abuse. No wonder our population is declining.

The Legislative and Executive branches need to generate more revenues from those able to pay. They can start with a comprehensive review of the tax breaks that have been given out over the years to see which are promoting economic growth. Those that aren't should be repealed. Legislation calling for an honest accounting of the hundreds of existing tax credits, exemptions, and incentives has failed during recent legislative sessions. Governor Martinez could require that this information be collected and analyzed. Legislators could go back to the pre-Richardson capital gains and personal income tax levels for high-income taxpayers. Those two actions would be a good start to fixing the revenue side of the New Mexico budget and reducing our dependency on extraction industries.

It is easy for public officials to get elected by promising the people a free lunch. But now is the time for them to fulfill their responsibilities to their constituents. They must raise the revenue needed to educate our students and provide other important services. Economic growth and improved quality of life will follow, and New Mexico will prosper.



Call to Council League of Women Voters of New Mexico

May 21, 2016 New Mexico Consortium, 100 Entrada Drive, Los Alamos*

In even years the state League holds a Council meeting. In odd years we hold a Convention. This year the Council will be held in Los Alamos. Each local League is allowed two delegates -- the president or an alternate and one additional member. Also serving as delegates will be all state board members, including officers and on-board directors, plus one delegate representing the members-at-large. All other League members are invited to attend as observers. Registration for the Council will extend from 11:30-11:45 a.m., followed by lunch and our speaker. Registration, which includes the cost of the luncheon, is \$20. Please send in the registration form in this newsletter with your check by May 12.

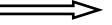
Agenda

11:30	Registration
11:45	Call to Order
12:00-1:00	Luncheon, Yvonne Flores, "Immigration Law: How It Impacts Lives on the Border
1:15-2:30	LWVNM Council
	✦ President's Report
	Membership Report- and MLD Report
	+ Treasurer's Report
	 Presentation and Adoption of Budget
	Report from state committees
	Reports from local Leagues
	Voter Guide and Candidate Forums
	✦ Adjourn Council

2:30-3:00 **Board Meeting**

Guest Speaker Yvonne Flores graduated from California State University at Sacramento with a Bachelor of Arts in Spanish Literature and from University of California, Hastings College of the Law, with a Juris Doctor. After law school, she volunteered at Centro Legal de la Raza in east Oakland, was a lecturer in the History Department at California State University-Sacramento, and a Professor of Political Science in the Chicano Studies Department at California State University. She also volunteered at El Rescate in Los Angeles, representing Salvadoran asylum seekers in Immigration Court.

As an attorney, Flores was a prosecutor for the State Bar of California and practiced in the area of workers' compensation. She served as President of the Mexican American Bar of Los Angeles County and on the Hispanic National Bar Association's United States Supreme Court Nominating Committee.



She retired from the practice of law in 2012 and moved to Las Cruces to be with her mother. Flores serves as co-chair of the Greater Las Cruces League's Immigration Committee, which sought to update the LWVUS Immigration position this year. Her talk is titled "**Immigration Law: How It Impacts Our Lives Living on the Border.**" It will touch on the history of immigration laws, immigration trends in application of the law, immigration law courts, and the terms in use by officials.

*Directions: Take NM 502 West to the top of the mesa. Turn right onto Camino Entrada, take the first left onto Entrada Drive. Pass the Holiday Inn on the right, then the Coop on the left and enter the parking lot on the right.

	LWVNM Council May 21, 2016, 11:30am-2:30pm New Mexico Consortium Los Alamos, NM Registration Form
	is form and a check for \$20 payable to LWV Los Alamos
by May 12. Ma	il to LWVLA, PO Box 158, Los Alamos, NM 87544
Name:	
Telephone:	Email:
I am attending	as (Please check one)
MAL	League delegate from lelegate VM Board Member
	elegate member/observer/guest (circle one)



Charter School Regulation Study Update

The League has been able to advocate for much of the legislation proposed to regulate the accountability, transparency, and funding of charter schools based on our Education position. In general, the Office of the State Auditor, the Legislative Finance Committee, and the Legislative Education Study Committee appreciate our recommendations because they recognize that the current significant funding shortfalls require judicious spending.

There are already many charter schools in some regions of the state, especially Albuquerque and Santa Fe. Hanna Skandera, the Public Education Secretary, and the NM Coalition for Charter Schools would like to see even more state-chartered schools. Why

is this a concern? Each state-charter is an autonomous unit equivalent to a school district in terms of regulation, auditing, and so forth. There are no economies of scale and no consistent oversight. Charter schools receive more state money per student than district schools (ranging from about \$1200 to \$7500 more). The original intent of charter schools was that they would supplement rather than duplicate a district's educational program, introducing innovations that would be shared with districts to improve educational quality for the majority of students who remain in traditional schools. But state-charters are not coordinated with the district schools, which have less money, less flexibility, and more regulation.

With state-charters, a large proportion of the public funds are expended on high management fees and lease and rental fees rather than instruction. For several years, a disproportionate percentage of funds for capital outlay projects have been allocated to charter schools rather than to school districts. Audits of state-charter schools regularly find weaknesses in financial management, problems with internal controls, and instances of non-compliance with applicable laws or rules. There also is an increasing trend by some state-charters of overspending their budgets.

The League has said that before authorizing new charter schools, the state must complete an analysis of the equity of the funding formula and other factors. The League's study committee is continuing its analysis of funding and regulatory issues in charter schools.

-Meredith Machen Education Director/Study Committee Chair





League of Women Voters of NM 2315 San Pedro NE, Suite F-6 Albuquerque, NM 87110

Please consider helping your local League or LWVNM to pay for our upcoming voter guides and candidate forums. You can send a tax-deductible gift by check to your local League or to LWVNM. See <u>www.lwvnm.org</u> for more information and links to our local Leagues. Thank you for making democracy work!

The League of Women Voters is a nonpartisan political organization that helps the public play an informed and active role in government. At the local, state, regional and national levels, the League works to influence public policy through education and advocacy. Anyone of voting age, male or female, may become a member. The League of Women Voters never endorses candidates for office or supports political parties.