



# La Palabra

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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.*

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The League of Women Voters' 52nd National Convention  
Washington, DC, Thursday, June 16 to  
Sunday, June 19, 2016

For agenda of convention events included in \$395 convention registration fee, please see <http://forum.lwv.org/category/member-resources/council-and-convention/convention-2016>



## President's Message



One of my favorite bumper stickers says, “Democrat, Republican—American. Together We Can Make a Difference.” Ultimately, the only way good legislation ever gets passed is through collaboration, consensus, and cooperation. If we know this fact, why do people elect candidates who refuse to work in a bi-partisan manner? Why do people support candidates who make hateful comments about certain religious groups, foreigners, and fellow Americans? Why aren't more people calling Rep. Paul Ryan to task when he says that his most urgent goal is “to repeal every word of Obamacare”? Does he want the millions of Americans who now have health insurance through the Affordable Care Act to go without coverage? Has he forgotten the years of work and the compromise that had to be built in order for a bipartisan Congress to pass that bill? Is it not more important for our legislators to deal with the budget and help Americans improve their lives? How about working to build world peace? We can't give up on our elected officials, even if some days we wonder and despair about the prospects of progress and the fate of our democracy.

We have to trust that people go into government to make a difference, that deep inside they are ethical, caring, and reasonable. Two decades ago, I was given a calligraphed gift from the Literacy Volunteers Board with these words from Gandhi, “Be the change that you wish to see in the world. Whatever you do may seem insignificant to you, but it is most important that you do it.” That gift still hangs in my office. Near my computer are more sayings from Gandhi, “A small body of determined spirits fired by an unquenchable faith in their mission can alter the course of history.” “Live as if you were to die tomorrow. Learn as if you were to live forever.” My New Year's wish is that everyone abide by the spirit of these words. People don't need to know those words; they state what our hearts and minds know. I know League members live by this spirit or they would not continue to do what they do.

We see individuals all around us who do not know they are leaders, examples, role models, and mentors. We need to thank those we can and hope our acknowledgement will inspire them further. We have to speak truth to power and stand for our principles even though doing so may bring us criticism, cynicism, or apathy.

Thank you again for your commitment to making a difference. Our quest for a better world and our trust in the power of consensus gives our lives purpose and meaning and builds hope and courage. Service is the gift that keeps on giving.

*-Meredith Machen*

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## Local League News

### LWV Central NM

LWVCNM had a busy quarter. We continue to be active participants in the Albuquerque Police Department Forward Coalition, evaluating excessive use of force and improvement measures identified by the Department of Justice in 2014. We also participated in the LWVUS Money in Politics study. Here some of our other recent activities.

U.S. Senator Martin Heinrich spoke to a combined meeting of Albuquerque Press Women and LWVCNM on October 9. New Mexico State Auditor Tim Keller gave a presentation on “NM's Financial Health” at the LWVCNM November Luncheon Unit meeting. UNM College of Education Dean S. Hector Ochoa addressed New Mexico Educational Challenges at the December general meeting.

Common Cause NM paid tribute to LWVCNM member State Senator Daniel Ivey-Soto for his work to improve voting and election administration and his dedication to restoring transparency in government in New Mexico.

Michelle Meaders, Voter Services, reports that local high schools are working with her to get students registered to vote. A 17-year-old may register if he/she will be 18 by the next election.

Peggy Howell, Second Vice President, reports that LWVCNM has nine new members. She suggests LWVCNM hold more social events, possibly once a quarter, so that members have the opportunity to get to know one another better.

Upcoming: The 2016 version of Who's Who will be coming out in early January. This popular listing of all local elected officials and how to contact them is available at libraries, multigenerational centers, the League office, and online at [www.lwvcnm.org](http://www.lwvcnm.org). On January 6, Trinity Broadcasting Network (KNAT on cable) will have a 15-minute segment on the League. Andrea Targhetta was interviewed for this program.

Jan Wilson will discuss "End of Life Care" at the Thursday, January 14 luncheon meeting.

*-Chris Burroughs,  
LWVCNM Correspondent*

### **LWVSFC Report**

During the fall season, the Santa Fe League convened a number of events of interest to both the League and the community. The most interesting concerned the City of Santa Fe's study of the feasibility of a public bank. The study was conducted by a consultant with extensive experience in banking and an NMSU economist. Their preliminary findings appear positive.

In November, the Past Presidents (and the current president) met for lunch and discussion of League issues. This was the third such event, and is turning into a lively discussion of issues confronting the League, sharing of institutional knowledge, and having a few laughs.

We worked with the Violet Crown Cinema to have a presence during the recent screenings of "Suffragette." We spoke before some screenings, had a lobby table throughout the run, and we organized League Night at the Movies. We gained several new members, got some visibility, and had fun while we were at it.

Several League members met with Santa Fe

Mayor Javier Gonzales and discussed a range of issues, including city-county cooperation, finances, and more.

The League had two consensus meetings this fall, one for the LWVUS constitutional amendment questions, and the second for the Money in Politics questions. Comments cited poorly worded questions and a desire for more in-depth exploration of issues by the study committee (LWVUS).

On January 13, we will have our annual Legislative Preview from 11:30-1:30. Please join us if you can – [rsvp@lwvsfc.org](mailto:rsvp@lwvsfc.org).

For several years, the League has followed the development of the Santa Fe County Sustainable Growth Management Plan and its implementing Sustainable Land Development Code. Several League members have devoted significant time and effort to reviewing drafts, submitting comments, attending meetings, and testifying at public hearings. The Plan was approved in December 2010; the Code was finally approved at the Board of County Commissioners' December 8, 2015, meeting. At that meeting, the Commission unanimously adopted the 2015 Sustainable Land Development Code, Zoning Map, and Fee Ordinance.

The Code includes the first zoning map to govern land use and development throughout the unincorporated areas of the County, and a Fee Ordinance covers development permit and review fees. The Code will enable the county to preserve our assets for future generations. The county staff convened hundreds of community and public meetings, received thousands of comments, made numerous revisions, and facilitated the development of 13 plans for the traditional communities, all while attempting to maintain the integrity of the code and be consistent with the Plan. The League, in testifying at the final meeting, commended the staff for their hard work.

*-Judy Williams, President*

### **LWVLA Report**

Our League was very pleased to host the November meeting of the LWVNM Board

in Los Alamos. Five local League members attended the meeting. We are looking forward to hosting the LWVNM Council next May.

During the past couple of months, we have held consensus meetings to discuss questions from LWVUS regarding constitutional amendments and money in politics. Like LWVSFC, we found many of the questions to be ambiguous, especially for the money in politics topic.

Most County Council meetings are held in Council Chambers, with video streaming so that residents are able to follow the proceedings even if they cannot attend in person. However, once a month the meetings are held in the White Rock Firehouse, which has no video capability. LWVLA wrote to the Council in October to request that Council meetings not be held at the Firehouse until cameras are installed there. The County Manager responded that the video installation will be functional in time for the next scheduled work session.

Robert Gibson, chairman of the ad hoc Future Energy Resource Committee (FERC) appointed last winter by the Board of Public Utilities (BPU), spoke at the October LWL about energy uses and supplies in Los Alamos County. The analysis excluded Los Alamos National Laboratory activities. Gibson stated that Los Alamos County is responsible for about 200,000 metric tons of CO<sub>2</sub> emissions annually, of which more than 40% are associated with electricity, with natural gas and petroleum combustion responsible for the rest. In order to achieve its goal of being carbon neutral by 2040, the FERC recommends replacing coal with nuclear, local “firm” photovoltaic, and market purchases. The BPU will discuss the FERC recommendations at meetings during the next few months. Prior to each meeting, residents are being invited to express their opinions on the topic on the County’s Open Forum.

State Senator Peter Wirth began his talk at

the November Lunch with a Leader with the comment that his paternal grandfather, Cecil Wirth, taught at the Ranch School and his maternal grandfather, John Gaw Meem, designed Fuller Lodge.

When Wirth was elected to the NM House of Representatives in 2004, New Mexico was one of five states with no campaign donation limits. He has been working ever since to reform campaign finance law by limiting donations to candidates, requiring disclosure of contributions, and advocating for public financing of campaigns. But, he concluded, the best way to get around the campaign finance problems is to convince people that their vote is important. Dark money wins when people don’t vote!

*-Barbara Calef, President*

### **LWVGLC Report**

Our League has focused on community voter education, as well as building our own member capacity by offering educational opportunities.

October focused primarily on providing voter education to residents for the Las Cruces Municipal Election, held November 3, 2015:

- 2015 Voters Guide – Candidates: Mayor, City Council members for Districts 1, 2, 4, and Presiding Municipal Judge. All candidates participated.
- Candidate Forum, broadcast live and rebroadcast from Council Chambers, City Hall for the candidates in the municipal election. All candidates participated.

In addition, our membership was offered an opportunity to hear from Dr. Steven Sanchez, the recently retired Deputy Superintendent of Las Cruces Public Schools, about the “Adventures and Misadventures of Standardized Testing” at our October Dinner with a Leader. The meeting was well-attended by our members, who had a wonderful opportunity to ask many questions of this knowledgeable administrator.

In October, LWVGLC hosted the Unit Meeting on the LWVUS Study of Constitutional Amendments. Fourteen members participated in this educational meeting in order to respond to the consensus questions. Our discussion was led by Kelly Burnham.

November offered our members the opportunity to learn more with a talk on “Campaign Finance Reform and Dark Money,” presented by Common Cause representatives Viki Harrison from the Albuquerque Office and Craig Fenske from Las Cruces. This was an especially informative presentation to boost our understanding of the issues associated with our upcoming Unit Meetings on “Money in Politics.”

December programming focused on our Annual Legislative Breakfast. Four legislators attended: State Representatives Jeff Steinborn, Bill Soules, and Bill McCamley, and State Senator Joseph Cervantes. It was an opportunity to dialogue about three of our League’s priorities – water, affordable housing, and education, as well as listening to each legislator’s priorities for the upcoming legislative session in January. The event was well attended and thoroughly enjoyable.

The League of Women Voters of Greater Las Cruces is proud of its members’ passion and hard work this year, and looks forward to the challenges of 2016.

### League Calls for Charter School Moratorium

#### Charter School Regulation Study Update

For the past few months, study committee members have been examining state and national reports on various aspects of charter schools, conducting interviews with school officers and public officials, and attending school board budget meetings. We have also compared New Mexico’s state statutes on

charter schools with those in other states and kept up with the ways Leagues across the nation are monitoring charter schools. Numerous state and local Leagues have developed positions as a result of their studies and more are in the process of doing so. Some good legislation has made it to the Governor’s desk only to be vetoed; other bills never made it out of committee or from one chamber to the other. We have also studied legislation that has been proposed to the NM legislature over the years and the effects of that which has been enacted. The Legislative Finance Committee (LFC) and the Legislative Education Study Committee (LESC) have held countless meetings, hearings, and discussions on charter school issues, many of which we have attended.

After a meeting with LESL and LCS staff on some of our concerns, we were asked to share our perspectives with the LFC on December 10. We were allowed five minutes of comment after the Public Education Department proposed its 2016 budget. Below are some excerpts of our comments, which were well received.

“The League of Women Voters of New Mexico has been involved in education policy since its inception. We worked on the original State Equalization Guarantee as well as formula adjustments, career-technical education, and numerous other matters.

**We are recommending a moratorium on charter school authorization in order to identify how to improve achievement and to ensure funding equity for all public school students.**

NM’s Constitution requires a “uniform system of free public schools sufficient for the education of, and open to, all of the children of school age in the state.” Having an equitable and adequate public education system is of utmost importance to our state’s economy and quality of life. K-12 education funding currently constitutes 44% of the state’s budget,

and this percentage will increase if decision-makers do not make some changes. We call upon the PED, LFC, LESC and public officials to make data-driven decisions.

### **Budgetary Sufficiency and Equity**

NM's State Equalization Guarantee was once a model for other states, but that guarantee has been violated. **Between 2008 and 2015, almost half of the funding formula increases have gone to the charter schools, which serve only 6.6% of the students. NM is in jeopardy of another major lawsuit for underfunding the education of 93.4% of the students.** It is fiscally irresponsible for the state to authorize additional charter schools and to allocate a disproportionate share of both formula funding and below-the-line discretionary funding to charter schools. Let the data determine if we have the need and the financial wherewithal to pay for a parallel system to traditional public schools. It is very costly to pay for separate management systems at our 100 charter schools, which operate autonomously. There are economies of scale. With current and upcoming school enrollments declining along with NM's population at large, we think adding more schools is unaffordable and unsustainable.

### **Educational Results**

The majority of charter schools perform no better than traditional public schools. Achievement results are mixed, but the most successful charters have small class sizes and other factors that traditional public schools could also adopt if given the funding. More resources bring better outcomes.

Like other public schools, charter schools should disclose salaries and benefit packages as well as the identity of the owner of any property and buildings that are supported by Public School Facility Lease funds. NM's taxpayers and families need confidence that all schools operate according to high standards of organizational governance required of elected boards as provided by the NM School Boards Association.

It is also hard to justify the support for private corporations providing online instruction: K12 Inc., which runs the NM Virtual Academy, and Pearson, which runs the NM Connections Academy. The attorney general issued the opinion that NMVA was unconstitutional, yet it continues its operations unfazed. With student-teacher ratios many times beyond what is allowed in traditional public schools, why are these for-profit online schools receiving the same formula funding as brick-and-mortar schools that have to supply libraries, athletic fields, counselors, maintenance, security, and so forth? Online schools are not serving students with disabilities or English-language learners well. Many of these students are pushed out or drop out. Success rates with online instruction are low except among very motivated, high functioning, self-directed learners. The public revolt against for-profit online charters is building across the country. It's only a matter of time before it happens here.

We must ensure that all public school students, regardless of race or economic class or ability, with or without involved parents, have access to a high-quality education that prepares them for the rigors of college and the workplace. A primary reason NM is 49<sup>th</sup> in the nation in on-time college completion is that more than half of high school graduates need a year or more of remedial instruction in order to succeed in college-level courses. NM's education dollars should be used for strategies to improve student achievement across the board, not for duplicating management systems. Below-the-line funding should be used to bring innovations and expertise to district schools, which are attended by the vast majority of the students. Our limited dollars would be better spent on more magnet schools and more career academies within district schools.

According to the Center for Public Education, 46 State Education Agencies are cutting back on charter school funding because of their fiscal difficulties, the challenges of delivering adequate special education services, and the lack

of staff available to provide proper oversight. We hope that NM will follow suit and impose a moratorium until the data demonstrate the need.”

During the 2016 session, we can use our newly updated Education position to support legislation to address the funding advantages that charter schools have as well as other bills that address education funding insufficiency. We will insist that public resources need to be distributed equitably following the State Equalization Guarantee above-the-line formula.

Meredith Machen, Chair, LWVNM  
Charter School Regulation Study Committee

Members:

Karyl Ann Armbruster (LWV Los Alamos)  
Mary Ellen Gonzales and  
Julia Nathanson (LWV Santa Fe County)  
Laura Stokes (LWV Central New Mexico)  
Jane Asche (LWV Greater Las Cruces)

## Constitutional Amendment Study



Thank you to those who have participated in forums, unit meetings, luncheons,

and other events held by New Mexico’s local Leagues. In addition to their other numerous activities, local Leagues have participated in two League of Women Voters of the United States studies of the “Structures of Democracy.” These two studies were adopted at the LWVUS convention in 2014, and the new positions based on the results of consensus meetings held around the country will be considered at the June 2016 convention in DC (details elsewhere in this issue.) The first study—“Money in Politics”—will help LWVUS update its campaign finance position. (Please see the [La Palabra](#) Fall 2015 issue for information on this study.) The second study—the process of amending the U.S. Constitution—is the focus of this article. LWVUS has extensive materials for this study on <http://forum.lwv.org/category/member-resources/our-work/constitutional-amendment-study>. (Note:

[LWV.org](http://LWV.org) and [forum.lwv.org](http://forum.lwv.org) are two separate websites. You don’t need to be logged in as a member to access materials.)

Through the consensus meeting reports from Leagues across the country, LWVUS will develop guidelines for evaluating Constitutional amendment proposals. (Please see sidebar for the text of Article V of the Constitution on amendments and Constitutional Conventions.) Given the current political realities and the need to preserve the rights that Americans have fought for over the centuries, LWVUS needs a definitive position on the amendment process before responding to particular proposals. Many groups and individuals are advocating amending the Constitution in reaction to the 2010 Supreme Court decision in *Citizens United*, which overruled important campaign finance regulation. Senator Udall has been very active on this front. (Please see accompanying article on *Citizens United*.)

More than 11,000 Constitutional amendments have been proposed since the 1970s, but only 27 have been adopted and enacted since 1787. Because it is difficult to amend the Constitution through Congressional action, some members of Congress and some constituents think that we should hold a Constitutional Convention, but that process could be messy and result in as many losses as gains. We take many of our rights for granted now, but what might happen if we go back to the drawing board and start from scratch as some people would have us do? We have already seen the Voting Rights Act eroded. The Civil Rights Act, the right of every resident to fair representation and many other rights we hold dear are under attack. Recent proposed Constitutional amendments include a balanced federal budget requirement, restricting reproductive rights, and defining marriage as between a man and a woman.

Many League members are concerned about the potential results of a Constitutional Convention. Please consider attending the League Convention

in June to discuss the results of both the Money in Politics and Constitutional Amendment studies. As members of the League, we are committed to being informed voters and to informing other voters. We also believe that every individual in this country has the right to be represented and to be protected by the Constitution.

*-Meredith Machen*

## What is "Citizens United" and What Can Be Done to Allay Its Effects?



A lobbying group called Citizens United sued the Federal Elections

Commission (FEC) in 2008 after the FEC prohibited Citizens United from advertising or showing the film "Hillary: The Movie" on television within 30 days of the 2008 Democratic primaries. The United States District Court for DC held that the McCain–Feingold Campaign Finance Reform Act applied. That decision was appealed to the US Supreme Court, which ruled in 2010 that the First Amendment prohibited the government from restricting independent political expenditures by a nonprofit corporation. As a result, Political Action Committees (PACs) can raise unlimited amounts of money to support their candidates as long as they do not co-ordinate with them. We are already witnessing the effects of millions being raised and spent on the presidential election in 2016. The League of Women Voters of US, LWVNM, and local Leagues will continue to advocate for campaign finance reform and disclosure. In New Mexico we are working with Common Cause and legislators who support the establishment of an independent ethics commission, which among other things, would investigate and enforce campaign finance violations. It is abundantly clear that many violations are potentially criminal. It is now the NM Attorney General's exclusive discretion to prosecute criminal violations; however, it is neither practical nor desirable for the Attorney General to investigate every late campaign finance report filing. An ethics commission would handle possible violations independently and professionally. The League understands the need for the preliminary phases of investigation to remain private to protect the innocent. Once allegations are determined to be legitimate by an independent ethics commission, the violations should be investigated publicly.

*-Meredith Machen*

## United States Constitution Article V

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.





**Save the Dates  
League Day at the Legislature  
February 3 & 4, 2016**

**Legislative Reception, Wednesday  
February 3, 5:30-7:30 PM**

**Garrett's Desert Inn, 311 Old Santa Fe Trail\***

**Budget Issues in the 2016 Session**

**Richard Anklam, President/Executive Director, New Mexico Tax Research Institute,  
former Assistant Secretary/Director of Tax Policy  
for New Mexico Taxation and Revenue**

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**League Day, Thursday, February 4, 10:30 AM to Noon  
Garrett's Desert Inn**

**Ethics Commission**

**Paul Biderman, former Director of the Institute of Public Law; Santa Fe  
Ethics and Campaign Review Board Member; ethics trainer,  
and legislative staffer**

**Budget and Tax Policies**

**Bill Jordan, Senior Policy Advisor/Government Relations,  
NM Voices for Children**

**\* Garrett's Desert Inn, located down the street from the capitol, is offering us a special group rate of \$60 plus \$10 per each additional person (not including tax) for any size room based on availability. Call 1-800-888-2145 or 505-982-1851 to reserve a room. Reduced rate is only guaranteed until January 13, so please reserve now.**



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## **LWVNM BOARD CALENDAR 2015-16**

Jan. 16	LWVNM Board meeting, 11am –2:30 pm, Socorro Public Library
Feb. 3, Wed.	Legislative Reception, 5:30-7:30 pm, Garrett's Desert Inn
Feb. 4, Thurs.	League Day at the Legislature
Mar. 5	LWVNM Board meeting, 11 am –3:00 pm, Higher Education Center, SF
Mar. 22	Deadline for Spring La Palabra
May 21	LWVNM Council, 11:30 am –3:00 pm, New Mexico Consortium, Los Alamos
July 16	LWVNM Board meeting, Domingo Baca Center, Albq, 11am – 2:30pm
July 26	Deadline for Summer La Palabra

\*LWVNM Board meetings are bimonthly on Saturdays and are open to all members. To add agenda items or submit La Palabra articles, please contact Meredith Machen at [president@lwvnm.org](mailto:president@lwvnm.org) or 505 577-6337. Thanks for participating.

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