

Voter

*The League of Women Voters
Of Fremont, Newark and
Union City*



St. Patrick's Day
March 17



THE LEAGUE OF WOMEN VOTERS OF FREMONT, NEWARK AND UNION CITY
Presents

THE WASHINGTON HOSPITAL STUDY

And Potluck Dinner

6:30

Hospitality Contact: Mary Roulet—510-656-4874

A CONSENSUS MEETING

7:30

Starring Alex Starr and her committee
Monday, March 19

At Carolyn Hedgecock's home
4677 Sterling Ct.
Fremont

Mattos runs from Fremont Boulevard to Blacow, one block north and parallel to Eggers. At the school turn on Glendale and then right into Sterling Court (4677). 510-792-2260



Washington Hospital

PRESIDENT'S MESSAGE

As you can see by reading the Board briefs on this page, our members have been busy planning and doing. Syeda Yunus and John Smith took a resolution to the Newark City Council asking them to endorse health care reform. The Council chose not to do so. We also passed out 500 flyers in Newark on Feb. 12, which had been designated Newark Day by the 365 day Campaign for healthcare. Union Cities "day" will be in May and Fremont's in July. The campaign started with the 365th smallest city in California and will end with Los Angeles in August.

We will celebrate Sunshine Week March 11 to 17. Sunshine Week refers to governments doing their work in the open, being transparent and allowing citizens access to documents that should be public knowledge. The local study consensus meeting is part of our efforts to get public agencies to let the public know what is going on. Our League Observer for Washington Hospital and others on our Board and Action Committee missed the "action" of giving their CEO a large bonus and longer contract because their agenda listed "Consideration of Personnel Matter". This is not very descriptive for the general public.

Looking ahead a committee is working hard on our participating in Earth Day by having a table with information on "Cool Cities". Our April meeting will inform us how we can be part of the action of a "Cool City."

Some of our members are attending the Fremont General Plan Outreach meetings. The Present General Plan is on the Fremont website under "Planning".

Join us for all of these activities.

—Miriam Keller

BOARD BRIEFS

At the Feb. 8 meeting, the Board

- learned that LWVFNUC did not meet its goals for Meeting the Challenge. We were close on membership but did not have a 5% increase. The Board agreed to try again this coming year.
- heard that our healthcare committee will pass out 500 flyers on Feb. 12, which is Newark Day of the 365 day campaign for single payer healthcare.
- finalized plans for visiting 3 city councils and 4 agencies during Sunshine Week, March 11-17.
- discussed plans for a booth at Earth Day April 21 and a forum on "Cool Cities" on April 28 at the library.
- approved spending an additional \$48 annually to purchase an additional gigabyte of storage space. This will allow streaming video of 1 or 2 "Voting Matters" programs to be placed on the website.
- learned that there is a new "members only" section on our website.
- heard that a committee has started work on a 50th celebration of our League to be held in September. Anyone wanting to work on this should contact the president.

EDUCATION COMMITTEE

The Education Committee, led by Ann Crosbie meets on the second Friday morning of the month at Miriam Keller's home. The committee has been studying education issues in California and in the nation. How No Child Left Behind is affecting our state's schools is of especial interest. We have found that in California, some modest gains have been made, but the act is woefully underfunded.

We are looking at the League of Women Voters of California Education Fund's publication, *College Access for Everyone*. It is a guide for parents. Its aim is to ensure college access for all California's children. It deals with removing early barriers and helping kids claim their futures.

The committee is also looking at a study on Civics Education that was conducted by the League of Women Voters of Berkeley, Albany, and Emeryville. They found that in their cities, civics education is offered in schools, but it suffers from a lack of time. Teachers have been putting extra emphasis on reading and mathematics. According to this report, one principal said that if anyone with a specific agenda wanted to add something like civics education they had better identify something that could be dropped. For further information go to LWVBAE website.

—Ann Crosbie, Chair, Miriam Keller, Ken Ballard and Vesta Wilson, Members

WELCOME NEW MEMBERS

James Biggs Rich Godfrey Michael Leahy

MEMBERSHIP

The League welcomes our new member, Seham El-Ansary. Seham is the Founder and Executive Director of World Alliance for Humanity, a community based organization that focuses on interfaith outreach, Islamic knowledge, civic empowerment, and community building. Ms. El-Ansary was born in Egypt and raised in Saudi Arabia. She holds a BA in Education and Social Sciences and an MBA.

Seham is a lifelong community activist who has been educating and advocating for mutual respect, understanding, peace and community harmony. Currently, she is a Fremont Human Relations Commissioner and a participant of the Fremont City Planning Update Project. She is also a member of Tri City Ministerial Association, Northern California Islamic Shura Council, Northern California Interfaith Council, South Alameda Peace and Justice Coalition, SEMAH, and many other women's, peace, and interfaith organizations. We wish Seham a warm welcome to the League.

—Sister Marjory Wakelin
Membership Chair

SUNSHINE WEEK

To our members:

March 11-17 is Sunshine Week, a national initiative that calls attention to the threats to “sunshine” or transparency in government access. We have the right to know what our government is doing, and having access to public records and government meetings impacts us all.

Whether it is to track potential environmental hazards or to attend a meeting where decisions about land use are being made, “sunshine laws” afford us access and create government transparency.

However, these laws are only as good as we, the people, demand that they be. Finding information about how the government is serving the public has always been somewhat difficult. But in the post-9/11 age, these challenges are even greater. In the name of homeland security, “sunshine laws” and the opportunities for citizens to gain access to information have been constricted. As our elected Representatives in Washington work to bring about greater transparency through ethics, lobbying, and other reforms, so too must our leaders in our communities of Fremont, Newark and Union City.

As members of the League of Women Voters, we are always working to keep our community strong, healthy and vibrant, and that all starts with having an open government.

Your League will present testimony at the three city councils and school board meetings as well the four local agencies serving us. Join us in the week of March 11-17. Attend a local council or board meeting. Let your elected and appointed officials know that their constituents are listening and want to know how their government is working.

—Alex Starr

WEB SITE NEWS

We will have the following links on the League’s web site: link to Brown Act, link to local health care district law.

<http://www.lwvfnuc.org>

—Peter Starr, Webmaster

NOMINATING COMMITTEE

The nominating committee is looking for people to fill some vacancies. If you are interested in working on the LWVFNUC Board, please call Kay Emanuele. (510-792-1645)

WASHINGTON HOSPITAL STUDY

1. Should WH make a more visible effort to advertise its board meetings, substantive minutes of meetings, agendas and related background materials?

Background: currently a notice of the board agenda is affixed to the door of building 72 hours in advance of a regular meeting and 24 hours in advance of a special meeting. Descriptions of action items are too brief for their actual purpose to be easily identified by the public. No regular notice of the agenda is in the local newspaper and it is not on their web site. It would be much less expensive to have all of the information on their web site than to have to mail agendas and/or agenda packets to those who formally request this information.

Additional Information: "Section 54954.2 (a) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public."

"Section 54954.1 Any person may request that a copy of the agenda, or a copy of documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. Upon receipt of the written request, the legislative body of its designee shall cause the requested materials to be mailed at the time the agenda is posted pursuant to Section 54954.2 and 54956 or upon distribution to all, or a majority of all, of the members of a legislative body, whichever occurs first. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received."

2. Should the development committee (DEVCO) make regular and public reports to the board and thus to the public on items that are permissible under the current laws governing community hospitals?

Background: In January for the first time notice of the DEVCO meeting was on the WH web site. Since DEVCO is a legal committee under laws governing community hospitals there is no need for secrecy. In fact, the committee is governed by all California open government laws

Additional Information: The DEVCO committee is covered by all aspects of the Brown act because it was created by a vote of the hospital board. Section 54952 defines "legislative body". Sub section (b) states that "A Commission, committee, board, or other body of a local agency, whether permanent or temporary, decision-making or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body which are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for the purpose of this chapter."

3. Should WH board make an effort to have a study session open to the public annually on its proposed budget with explanations of budget categories and specific items that a layperson can understand? For example: a training session open to the public on how to understand the budget.

Background: Currently it is almost impossible to get a copy of the proposed budget and extremely difficult to ascertain when the proposed budget will be reviewed by the board at one of their meetings. Current practice in many city councils is to have open study sessions to explain the budget process and solicit input from the public on goals and distribution of money to agreed upon priorities.

4. Should WH board have regular public updates on the planning and progress of the seismic retrofit and surrounding construction projects including awarding of contracts?

Background: Since this is a community hospital and bonds will be used to construct part of the retrofit the public should be educated as to how their money will be spent. The key part of this idea is to have REGULAR updates. Plans change in construction, some goals may change in what is needed in the new building(s). The public needs to be kept aware of any changes and needs to have a say in what is done.

5. Should WH board be encouraged to hold long range planning sessions open to the public on all aspects of the hospital that are not deemed part of strategic planning?

Background: A sensible idea that conforms to all open government standards and is used by many city councils to gain public support for their actions. Agenda items are often introduced as action items months after the initial idea is presented to the board, i.e. the gamma ray procedure and the equipment needed to do the procedure. When funding request is an action item, the description on the agenda often is not clear to the average person what the item refers to. If there are regular updates and more clear descriptions, then the public will be better informed.

6. Should the WH bond oversight committee be required/encouraged to publicize its meetings, agendas and minutes in a timely and public manner?

Background: A requirement under open government laws (and stated in the bond act itself). This is a committee created by passage of the bond measure thus falls under Brown Act rules.

7. Should WH board be required to announce publicly when a vacancy appears on the bond oversight committee and how a member of the public may apply for the vacancy?

Background: Requirement is not technically under the open government laws but it is a reasonable action to take to include the public. It should be part of WH board policies.

8. Should Washington Hospital board have policies in place and accessible to the public to cover vacancies on the board

and all appointed committees?

Background: If the board does have a policy manual it should be on their web site (like Ohlone's).

We will have the following links on the League's web site: link to Brown Act, link to local health care district law.

LWVUS Position
Citizen's Rights

The League's Position
Statement of Position on the Citizen's Right to Know/Citizen Participation, as Announced by National Board, June 1984:

The League of Women Voters of the United States believes that democratic government depends upon the informed and active participation of its citizens at all levels of government. The League further believes that governmental bodies must protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible.

LWVC Position

Promote an open governmental system that is representative, accountable and responsive.

Founded by the activists who secured voting rights for women, the League has always worked to promote the values and processes of representative government. Protecting and enhancing voting rights for all Americans, assuring opportunities for citizen participation, working for open, accountable, representative and responsive government at every level—all reflect the deeply held convictions of the League of Women Voters.

—Alex Starr

FIRST ANNUAL REPORT OF MEASURE A

The First Annual Report (2004/05) of the Measure A (Essential Health Care Services Tax Ordinance) prepared by the Oversight Committee for the County Board of Supervisors and Public is published.

I feel that the Report accurately describes the actions and conclusions of the Committee members over the last year of monthly meetings. We spent most of our time having presentations made by some of the many recipient health-providing organizations. The Alameda County Medical Center (ACMC) made a presentation that we hope to expand upon this next year.

In general, the new money from the half percent increase in sales taxes was spent mostly in preserving and to some extent expanding services. Of the approximately \$100 million in new taxes received, \$75 million was spent under control of ACMC and \$25 million was spent or allocated for later expenditure by the Board of Supervisors to many health care service providing organizations under specific performance con-

tracts. The contracts are created and monitored by Alameda County Health Care Services whose director, David Kears, attended almost all of our Committee meetings.

Section 5 – Areas of Concern on page 22 describes the modifications in oversight the Committee hopes to pursue this next year. Briefly, the Committee wants to see more clarity in accounting from recipients of Measure A money as to how funds were spent. We would like information regarding the auditing mechanisms with respect to contract monitoring and compliance. Further, the Committee membership should more closely reflect the diversity of Alameda County's population diversity. In some cases there could be the appearance of conflict of interest with some appointees representing recipients of Measure A funds. The Committee requests of the County Board of Supervisors that changes in future allocations of Measure A funds be more transparent to the public and the affected recipients.

Copies of the Report can be obtained by contacting Jennifer Chan, Measure A Financial Manager, at (510) 618-2016 or jennifer.chan@acgov.org. Internet access should be soon available at: <http://www.acgov.org/health/meetings.htm>

—Kenneth Ballard
kenemyblrd@aol.com
Committee member, LWVAC



DID YOU KNOW?

Did you know that you may receive your Voter electronically? You can, and you can receive it in living color. You can read it on line, or you can print it. You can also save our League printing and postage costs. Just go to www.lwvfnc.org. The first page tells you how.

While you are there, look at our fine website, by our talented webmaster, Peter Starr. You will find useful links to our local positions, LWV Bay Area, LWV California and LWV United States. Links to our calendar of events and to back issues of the Voter are included. There is lots more. You are invited to go there and see.

Bay Area Monitor, Dec/Jan

1. Small Fish, Big Problems

By Gail Schickele

"The topsmelt is one of the target species for the RMP study; fish of this size are important prey for wildlife predators in the Bay

Life at the top of the food chain offers gastronomic delights—but if you're fishing for a meal from San Francisco Bay, you may get some unwanted ingredients. A wide variety of harmful contaminants may accumulate in exposed organisms as they move up the food web and affect wildlife, including sport fish caught by Bay Area anglers.

Of these contaminants, mercury deserves special attention because it poses such grave health risks. In humans, high levels of mercury have been linked to birth defects and learning disorders. In birds, reproductive effects may threaten or endanger species.

As described in the June/July 2006 Monitor article "," persistent legacy mercury is most commonly found in sediment deposits from historic mining operations, although input continues from the atmosphere, storm water runoff, and industrial and municipal wastewater.

Many studies have linked wetlands with production of the most toxic form of mercury: methylmercury. The California Bay-Delta Authority recognized potential impacts of proposed large-scale habitat restoration on mercury exposure in the Bay-Delta watershed. In response they assembled a team of international mercury experts, who developed a solution outlined in the report *Mercury Strategy for the Bay-Delta Ecosystem*. A centerpiece of the strategy was monitoring mercury in small fish, which are useful tools for monitoring inter-annual changes in aquatic ecosystems, according to San Francisco Estuary Institute (SFEI) environmental scientist Ben Greenfield.

The SFEI's own Regional Monitoring Program (RMP) routinely monitors

toxic contaminants in water, sediment, and biota and is the primary source of information used to evaluate chemical contamination in the Bay.

While the focus in fish monitoring had previously been on larger sport fish, the RMP's first year project report *Mercury in Biosentinel Fish in San Francisco Bay* takes a different tack in helping to shed light on concentrations and locations of this toxic metal.

To account for habitat and food web variation, the study included both benthic (bottom dwelling) and pelagic (open water) fish sampled at eight fixed nearshore stations to allow analysis of trends in bioaccumulation of mercury over time.

According to the report, small fish are useful because they:

- ▶ Accumulate high levels of methylmercury, which has a high bioaccumulation rate and causes a health risk to biota
- ▶ Indicate the net amount of methylmercury production in their home-range area
- ▶ Integrate exposure over a defined period of time, making them a cost-effective and informative monitoring tool
- ▶ Indicate spatial patterns over relatively small scales (including nearshore areas) compared to larger sport fish, and indicate the exposure risks for piscivorous (fish-eating) wildlife and other predators higher in their food chain, which may include sport fish and eventually humans.

Monitoring of small fish is included in the plan to reduce the mercury Total Maximum Daily Load (TMDL). The TMDL was developed by the San Francisco Bay Regional Water Quality Control Board (Water Board) based on water quality standards mandated by the federal Clean Water Act.

The Water Board has developed a wildlife effects threshold for the mer-

cury to which TMDL concentrations in fish 3 to 5 cm in length are compared. Of the multiple composites of six fish species collected and analyzed in the study, 40% exceeded this threshold. The mean concentration of all samples collected was also above the TMDL threshold. When only the fish that were 3 to 5 cm were compared to the threshold, 24% were at it or above.

The TMDL calls for a 60% overall reduction in mercury loadings to the Bay. The Water Board projects that it will take approximately 120 years to reduce the levels of mercury in Bay sediments to safe levels.

While the Bay sediments are the targets for the TMDL, the ultimate goal is to reduce mercury levels in fish so that they are safe for consumption by wildlife and humans. These first year results from a four-year pilot study are among the many useful programs being implemented by the RMP to shape a better understanding toward a cleaner, healthier Bay.

For more information on the San Francisco Estuary Institute's Regional Monitoring Program, visit ; for more information on the San Francisco Bay Regional Water Quality Control Board's TMDL actions, visit <http://www.sfei.org/rmp>; for more information on the San Francisco Bay Regional Water Quality Control Board's TMDL actions, visit <http://www.waterboards.ca.gov/sanfranciscobay>



REPORT ON BAY AREA LEAGUE DAY "FOCUS ON HOUSING", JAN 27

LWVBA organized a fascinating forum on housing issues in the Bay Area. The large meeting room at the wonderful new (and "green") San Mateo City Library was full as John King, Urban Design columnist, S.F.Chronicle, led off with some thoughts on "The Need for Focused Growth in the Bay Area". On the plus side, he mentioned increased recent interest in urban housing (meaning less future sprawl); use of "green" design; and buildings being recycled with "form-based zoning", allowing use changes as the "shape" of the neighborhood remains stable. (On the other hand, "No, not all old buildings should automatically be treasured.") He also noted that increased density is being allowed more in the South Bay. On the minus side, he expressed frustration with the lack of cohesion of this so-called "region" and with difficulty in getting "the common good" to be a guiding principle in housing issues, due to the attitudes induced by the high cost of everything. He also thinks that building quality needs more attention.

Next, three speakers described parts of the Bay Area Vision project, a strategic coming-together from different angles of many different organizations.

Ken Kirkey, Planning Director, ABAG, noted that the resulting conclusions about priority areas for both development and conservation will not be a mandate, but there are urgent reasons to try to get them acted on. These include the continuing loss of agricultural land without getting a lot more housing, and the implications for climate change of the incredible amount of driving that is done to employment centers from e.g., Tracy--places that tend to need more heating and cooling, in addition.

Gwen Regalia, Mayor Pro Tem, Walnut Creek, spoke as an experienced, effective, and knowledgeable public official on housing needs changes based on changes in demographics, particularly growth of the senior population and population increases in general. Bettina Ring, E.D., Bay Area Open Space Council, talked about efforts to establish priority conservation areas, the critical element of biodiversity, and collaboration with Greenbelt Alliance and ABAG on a "GreenVision 2025" plan.

The second segment of the forum featured three speakers on "Housing Element Updates and Regional Housing Needs Allocation", certainly another hot topic in our area.

Gillian Adams, Regional Planner, ABAG, described an extensive overhaul of requirements and formulas for the Regional Housing Needs Assessment and for cities' Housing Elements, following extensive criticism of the previous cycle's results. There is increased emphasis on providing for all income levels and ages, and for putting housing near transportation and services. A growth target (for a jurisdiction) is decreased if there is already disproportionate share at that level. However, previous performance is not taken into account in an allocation. In response to a question, she mentioned that while the allocations have "no teeth", a community that does not take them seriously ends up "skewed", to its detriment; and sometimes, too, lawsuits have resulted.

Duane Bay, Housing Director, San Mateo County, discussed subregional planning, a new option offered by ABAG. San Mateo County, for one (but not Santa Clara County), has signed up for this untried but intriguing option, which allows allocations over the entire county, and tradeoffs between communities in the county. For example, there is discussion about the possibility of one city's providing more units if another gives it more water, as water limits increasingly constrain growth.

Paul Peninger, a director of Nonprofit Housing Association of Northern California, listed what local jurisdictions can do to provide affordable housing: make sure there's enough land for this, provide financing, and get public support. He noted that the costs of NOT providing adequate affordable housing are even higher than the costs of doing it.

Finally, I picked up some of the ancillary handouts, papers on the RHNA process and experts' description of "smart growth". There's also a schedule for the next RHNA and Housing Elements cycles, over the next several years. —Julie Lovins, Los Alto, Mountain View LWV

SAVE THE DATE**TAKE ACTION, CREATE CHANGE****Reproductive Freedom Day**

Wednesday, March 21, 2007

9:AM—4:15 PM

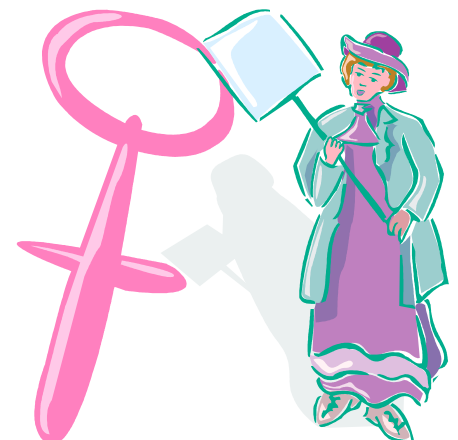
EDUCATE your Legislators

CAUCUS with Women's Health Advocates from all over California

PROTECT Women's Health Rights

LEARN about Emerging Issues

Sponsored by the California Coalition for Reproductive Freedom



REPORT ON BAY AREA LEAGUE DAY “FOCUS ON HOUSING, JAN. 27

DISTRICT COURT OF APPEAL UPHOLDS RIGHT OF LOCAL JAIL INMATES TO VOTE

By KENNETH OFGANG, Staff Writer

Local jail inmates serving sentences for offenses that could have been punished by a term in state prison, but weren't, are entitled to vote under the California Constitution, the First District Court of Appeal ruled yesterday.

Div. One said Attorney General Bill Lockyer and Secretary of State Bruce McPherson were wrong in concluding that the ban on voting by felons extends to those serving local jail time as a condition of felony probation, or awaiting sentence on “wobbler” convictions.

Only those felons sentenced to state prison terms that have not been completed—including those transferred to local jails pursuant to an agreement between state and local officials—or on parole are barred from voting, Justice William Stein wrote for Div. One. The panel issued a writ of mandate sought by the League of Women Voters, the ACLU, and the Social Justice Law Project.

The order requires the secretary of state to inform trial court and election officials of the qualifications to vote according to the court's ruling, but does not, as requested by the petitioners, order election officials to accept registration applications from sentenced persons who are eligible to vote. In crafting the order, Stein explained, the court was acceding to the concerns of local election officials, who rely on superior court clerks to provide them with lists of persons with disqualifying convictions. At issue, Stein explained, is the meaning of Art. II, Sec. 4 of the Constitution which directs the Legislature to “prohibit improper practices that affect elections and shall provide for the disqualification of electors while mentally incompetent or imprisoned or on parole for the conviction of a felony.”

That language, part of a constitutional amendment approved in 1974, had been construed by secretaries of state March Fong Eu and Kevin Shelley as barring voting only by persons confined to state prison for a felony, or on parole. But in December of last year, McPherson informed local election officials, based on a Lockyer opinion, that persons incarcerated in local jails as a result of felony convictions, including those whose jail terms were conditions of probation, cannot vote. Stein explained:

“By focusing solely on the word ‘imprisoned,’ and on a dictionary definition of that term [as meaning ‘to put in a prison: confine in a jail’] the Attorney General's opinion ignored a critical distinction between the situation of persons confined to jail as a condition of felony probation and that of persons imprisoned in state prison. The former are under the jurisdiction of the court. The latter are not.”

Thus, Stein explained, only those who are sentenced to state prison as felons are serving their sentences as a consequence of their convictions, those who are serving time in local jails are doing so as a result of the court's exercise of independent authority. In the latter case, “a defendant is imprisoned as a result of the felony conviction only if probation is revoked or terminated, the court orders imposition and/or execution of judgment and the defendant is delivered to the Department of Corrections and Rehabilitation,” the justice said.

The attorney general, Stein went on to say, also ignored the intent of the 1974 amendment, which the justice said was to expand, not narrow, the list of eligible voters.

Prior to the amendment, a “person convicted of an infamous crime” or a “person convicted of embezzlement or misappropriation of public money” was permanently barred from voting, the justice explained.

As a result of the amendment, Stein said, ex-prisoners who have served their sentences are entitled to have their voting rights restored once free of parole. But persons who were found guilty of crimes but not sentenced to state prison, including felony probationers, had voting rights before the 1974 amendment, and nothing in the legislative history suggests that the amendment was intended to take those rights away, the jurist declared.

Stein went on to say that in the case of a defendant convicted of a wobbler—a crime that can be punished either as a felony or a misdemeanor—the right to vote is lost only if, and when, the judge imposes a prison sentence.

The case is *League of Women Voters of California v. McPherson*, 06 S.O.S. 6259.

—Jean Thompson, League of Women Voters Los Angeles

HEALTH CARE

California Legislature to Debate Health Care Reform

Health care is at the forefront of issues before the legislature this year. To date, more than 15 health care coverage bills have been introduced. The chief new contenders are bills introduced by Senate President pro Tem Don Perata and Assembly Speaker Fabian Nunez, and Governor Arnold Schwarzenegger's plan. The Governor is currently seeking a legislator to author his plan.

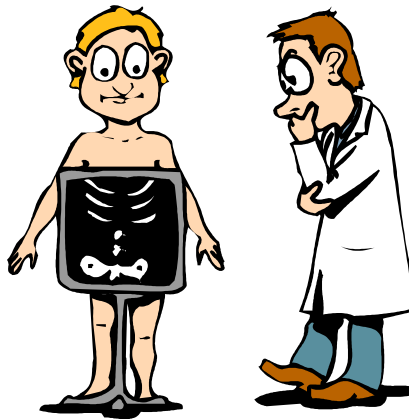
Update on the Kuehl bill. Senator Sheila Kuehl will reintroduce her single payer bill (SB 840 of 2005-2006), which was vetoed by the Governor last September. According to a staff member, the senator is still "enthusiastic and committed" to the single payer bill and hopes to keep the same bill number for the 2007-2008 legislative session. As chair of the Senate Health Committee, she also will sign on to some bills that are, in effect, competing with SB 840. Kuehl sees the competition as an opportunity to contrast the benefits, costs and savings of SB 840 with those of the new reform proposals.

Kuehl plans to release a set of principles as a guide to judging all health care bills and will provide a comparison of the new reform proposals to SB 840. To date, she has released two essays that comment on some differences between SB 840 and other health care bills or plans. Visit her Web site, www.sen.ca.gov/kuehl, to read her essays.

The Perata bill. Kuehl is a coauthor of Perata's bill, SB 48, that calls for mandated purchase of insurance by both employers and employees. Employers, sole proprietors, and independent contractors would be required to buy commercial insurance or pay into a state trust fund (a "pay or play" model). Workers would pay through mandatory payroll deductions and would have to offer proof of health insurance when they pay their taxes. Undocumented immigrants and the unemployed would not be covered. Cost estimates for the program are five to seven billion dollars, which would be raised from employers and employees. There is no indication yet of what the employer/employee cost split would be. Perata's plan also seeks an expansion of Medi-Cal and the Healthy Families Program to cover parents and children up to 300 percent of the federal poverty level (FPL); this would need federal approval. His plan would insure an estimated 4.2 million of the 6.6 uninsured Californians.

The Nunez bill. Assembly Speaker Fabian Nunez has introduced AB 8, designed to provide coverage to almost all Californians with a focus on cost containment and prevention. In this "pay or play" model, coverage would be required for all workers and their dependents in firms with two or more employees; coverage for self-employed workers would be provided through a purchasing cooperative or reformed private insurance market. Coverage for employees and dependents eligible for Medi-Cal/Healthy Families would be through employer plans, which would be supplemented if necessary.

All employees who are offered coverage at



work would be required to accept the coverage for themselves and their dependents if their fair share of the costs (premium plus out-of-pocket costs) does not exceed a reasonable percentage of their income. Employees whose employers pay into the state's purchasing program would pay a defined percentage of their income. Employees at or below 300 percent of the FPL would be subsidized by the state and the Medi-Cal/Healthy Families programs.

The first step in this phased plan would be to cover all California children in households with incomes up to 300 percent of FPL. Accessibility is expected to increase overall as a result of insurance market reform that would include simplified medical underwriting, restructuring California's high-risk pool, and availability of uniform benefit packages.

Governor Schwarzenegger's plan. Governor Schwarzenegger states that achieving his vision for health care reform requires integrating the following building blocks: prevention, health promotion and wellness; coverage for all Californians; and affordability and cost containment.

To achieve coverage for all Californians, the Governor's action steps include requiring all uninsured individuals to have a minimum level of coverage (individual mandate); providing affordable coverage for low-income individuals; requiring insurers to issue health insurance regardless of pre-existing conditions, etc.; increasing Medi-Cal rates of payment to providers, hospitals and health plans; and facilitating and enforcing the individual mandate. Financing would be achieved through requiring payments from employers with 10 or more employees who choose not to offer health coverage; requiring payments from hospitals and physicians; redirecting a portion of the existing funding for medically indigent care; and additional federal reimbursements.

To achieve affordability and cost containment, the Governor's plan calls for Health Savings Accounts; requiring health plans, insurers and hospitals to spend at least 85 percent of health care dollars on patient care; reducing regulatory barriers; reducing the cost for delivering HMO products to employers and individuals; and advancing the adoption of Health Information Technology.

The OneCareNow Campaign

In the upcoming year, Leagues will continue to participate in the OneCareNow campaign of daily city events, petition gathering, health care forums, and educating our elected officials on the benefits of SB 840. We will be guided by Senator Kuehl's comparisons of her bill and the new plans as well as two major studies of similar and varied reform models done by the Lewin Group that provide cost estimates.

This year's debate on how to extend health care benefits to all or most of California residents is an ideal prop for the OneCareNow campaign to use in building a massive movement to pass single payer in California. It will be a hot topic, and will provide an opportunity for League members to do what they can do so well—educate, educate, educate.

Julie Rajan, *Social Policy Director*, so_cial_policy@lwvc.org
Barbara Storey, *Health Care Program Director*, bs_lwv004@cox.net

MULTIPLE PERSPECTIVES ON MULTIPLE PATHWAYS: PREPARING CALIFORNIA'S YOUTH FOR COLLEGE, CAREER AND CIVIC RESPONSIBILITY

Multiple Pathways is an approach to high school education that has captured the imaginations of major philanthropy, school reformers, and a growing number of policymakers. Today's high schools do not offer all students the programs and classes necessary to prepare them for college, career, and responsible participation in public life. The purpose of Multiple Pathways reform is to correct this failure.

Multiple Pathways would end the tired debate about whether high school students need more rigorous academics or a more relevant career-focused curriculum. Instead, Multiple Pathways offers students and their families choices among a variety of high school programs that provide both the academic and the career foundations students need for advanced learning, training, and responsible public participation. These choices are based on students' interests and on the unique strengths and opportunities in their communities. Every p would prepare all students for both college and careers, and it would place civic responsibility at the core of its programs.

"Multiple Perspectives on Multiple Pathways" consist of a collection of fifteen essays written by distinguished California scholars. The papers in this collection provide multiple perspectives in their reviews, synthesis and interpretations of existing research on Multiple Pathways. They report research that examines the intersection between California's changing economy, its population diversity, its widening social and economic inequality, and its patterns of school failure across racial and ethnic communities. They explore the link between current structures (structures that maintain a divide between Career and Technical Education and academic education) and inequity. They also provide analyses of alternatives that can provide multiple pathways to high school graduation and postsecondary options that include both college and career.

For more information go to <http://www.idea.gseis.ucla.edu/oybkucatuibs/mp/index.html>

PAPER BALLOTS

H.R. 811, introduced by Representative Rush Holt (D NJ)

The legislation requires that all voting equipment produce a paper ballot that can be verified by the voter and that serves as the official ballot in any recount or audit. As a federal requirement, it mandates that each state set up special audit boards separate from existing voting administration systems and requires that they carryout an audit of each federal election by sampling select precincts for discrepancies between electronic vote counts and hand counts of the paper ballots. Other requirements are added for voting systems as well. The effective date of the legislation requires compliance before the 2008 election. Three hundred million dollars is authorized. —LWVUS

RACE TO EXECUTION DOCUMENTARY AVAILABLE

Race to Execution is a new documentary that explores the deep and disturbing link between race and the death penalty in America. Following the stories of two Death Row inmates - one in Chicago, Illinois and one in Russell County, Alabama - the film interweaves their compelling personal stories together with groundbreaking scholarship. Revealing how race infects our capital punishment system, **Race to Execution** invites dialogue in the larger community about this systemic crisis within our justice system. The film will be broadcast nationally on PBS' *Independent Lens* on March 27, so check the [online schedule](http://www.racetoexecution.com/) for times and additional dates. For more information on the film, go to: <http://www.racetoexecution.com/> .—LWVUS

WATCH A NATIONAL WEBCAST, *CLOSED DOORS, OPEN DEMOCRACY?*

LWVUS and many law organizations are cosponsoring a national webcast called "*Closed Doors, Open Democracy?*" The Northern California Assn. Of Law Librarians are cosponsoring a webcast site at the Oakland County training center, 125 - 12th St., Suite 400 on March 12. The program will look at access to government information, including the impact of suppression and manipulation of scientific information on public health and safety.

The agenda is 9:00-10:00 continental breakfast, 10:00-11:30, national webcast, 11:30am to 12:00 Break, 12:00-1:00pm lunchtime program (speaker) and 1:00 - 2:00 Questions and Discussion. No charge for National webcast, \$10 for lunch program. The discussion will be moderated by Ira Flatow of NPR's Science Friday. —LWVUS

It's easy to JOIN the **LEAGUE OF WOMEN VOTERS**

Any person, man or woman, who subscribes to the purpose and policy of the League may join. To be a voting member, one must be at least 18 years of age and a U.S. citizen

Annual dues includes membership in Local, Bay Area, California and National Leagues.

Make your check payable to: LEAGUE OF WOMEN VOTERS and mail it with this form to:

LWVFNUC-MEMBERSHIP, P.O. Box 3218, Fremont, CA, 94539



_____ Individual Membership - \$50 _____ Household - \$75
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Dues and contributions to the League are not tax deductible. Contributions to L.W.V. Ed Fund are deductible to the extent allowed by law. For more information, or for confidential financial dues assistance, please contact: Marjorie Wakelin: 510-624-4500, marjorie@holyfamilysisters.org

Mission Statement

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

Diversity Policy

LWVFNUC affirms its commitment to reflect the diversity of our communities in our membership and actions. We believe diverse views are important for responsible decision making and seek to work with all people and groups who reflect our community diversity.

ELECTRONIC CORNER

With No Child Left Behind up for reauthorization this year, it is a good idea to keep up with progress. You can find a great deal of information on the internet. One such resource is the Aspen Institute.

[Http://www.aspeninstitute.org](http://www.aspeninstitute.org)

Here you will find information about the NCLB Commission, its members and staff and its purpose.

A fact sheet details the Commission's efforts during the last year, including its hearings, roundtables, school and district profiles and its original reports. Also, you will find a one-page document providing a brief report summary.

Key recommendations are outlined and there is a summary of the No Child Left Behind Act.

There are profiles of several districts and schools around the country demonstrating how NCLB has affected schools.

There are discussion guides for parents, teachers, principals, school boards and communities.

Finally, there are success stories and FAQs

—Vesta Wilson



QUOTE: Education's purpose is to replace an empty mind with an open one. Malcolm Forbes (1919—1990) in *Forbes Magazine*

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NEWARK AND UNION CITY**
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WATCH VOTING MATTERS

Tune in to see Syeda Yunus interview guests Lt. Don Arroyo and David Bloxsom. Topic: Citizen's Police Academy.

Fremont, Channel 29, every Wednesday at 7:30 PM

Newark, Channel 6, every Thursday at 7 PM

Union City, Channel 15, every Thursday at 9:30 PM

Visit our website:

<http://www.lwvfnuc.org>

CALENDAR

Date	Event	Time	Place
Tues. March 6	Home Owners Committee	9:30 AM	Jean Holmes home
Thurs., March 8	LWVFNUC Board Meeting	7:15 PM	Sisters of the Holy Family
Fri., March 9	Education Committee	9:30 AM	Miriam Keller's home
Mon., March 19	Washington Hospital Consensus Meeting Potluck.	6:30 PM	Carolyn Hedgecock's home
Wed., March 21	Cable Taping	2:00 PM	Comcast Studios
Wed., March 21	Reproduction Freedom Day	9:00 AM— 4:15 PM	Sacramento
Fri., Apr., 20	EdSource Conference	All day	Palo Alto Crowne Plaza Cabana
Sat., May 5	Alameda County Council	TBA	TBA
May 18—20	LWVC CONVENTION		Bakersfield, CA
Saturday, June 2	Annual Meeting	TBA	TBA