



LEAGUE OF WOMEN VOTERS®

VOTER



FREMONT, NEWARK & UNION CITY

November 2015



December Holiday Party and Program Planning

Pot Luck & Fun

**Monday, December 7th - 6 p.m.
Pauline Weaver's Home**

**Let Kathy Bray know
what you are bringing!**

**Contact Kathy at
HolidayParty@lwvfnc.org**



SOUPER CONSENSUS

**Constitutional Amendment
Yeah or Nay???**

**Monday, November 16th
6:00 P.M.**

**3375 Country Drive
League Meeting Room**

**Bring your favorite soup to share
R.S.V.P. Ellen Culver**

**Contact Ellen at
program@lwvfnc.org**

PRESIDENTS' MESSAGE



The League of Women Voters was established, in 1920, expressly to give women a framework to be informed voting citizens; in fact, the League encouraged using the hard won right to vote to not merely cast a ballot, but to thoughtfully shape policy. The League has since then expanded its mission to encourage all citizens to be active participants in the democratic process. The tradition to thoughtfully engage continues and is clearly reflected in the League's study process. We take positions based on research of a particular issue; we weigh both the pros and cons, read and discuss, and somehow, magically it seems, arrive at a consensus about our position! Thus, we help to shape policy, not just as individuals, but as a true grass-roots organization.

Members will have several exciting opportunities in the coming month to lend your voices towards our positions through our consensus meetings. In November, we will grapple with the issue of constitutional amendments, good or bad? Then in January, we once again examine how money influences politics; finally we will address issues pertaining to higher education in early Spring 2016. We have a full and invigorating calendar and many resources for all of the above topics! For questions/comments/feedback you can contact us at President@lwvfnuc.org. Your input is valued and valuable. We look forward to your presence at our next consensus meeting on November 16th at the LWVFNUC's office on Country drive!

Pauline Weaver and Syeda Inamdar
Co-Presidents, LWVFNUC

BOARD OF DIRECTORS

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| | |
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Editor Alex Starr

Reading Guide on Amending the Constitution by Convention

During 2015, the LWVUS Constitutional Amendment Committee will conduct a study and member agreement process on amending our nation's Constitution.

Article V of the U.S. Constitution provides two ways of proposing amendments to the nation's fundamental charter. Congress, by a two-thirds vote of both chambers, may propose constitutional amendments to the states for ratification. OR, the legislatures of two-thirds of the states (34 at present) may ask Congress to call a convention to propose amendments to the Constitution; this is commonly called an Article V Convention. Amendments proposed by either method must be ratified by three-fourths of the states, 38 at present.

The first method has been used by Congress to submit 33 amendments to the states, beginning with the Bill of Rights. Of these, 27 were approved; 26 are currently in effect, while one – the 18th Amendment (Prohibition) — was ultimately repealed.

The second method, an Article V Convention, has never been successfully invoked.

In addition to other topics, our League study will explore the process for proposing an Article V Convention in order to determine whether LWVUS would support such a convention and

if so, under what circumstances. Here are some articles for Local Leagues that want to begin to prepare for the study.

The Article V Convention to Propose Constitutional Amendments: Contemporary Issues for Congress Thomas H. Neale
Specialist in American National Government Congressional Research Service April 11, 2014 (43 pages)

This article, prepared by the Congressional Research Service, focuses on the procedural issues that Congress might face invoking an Article V convention. It covers recent developments, including the balanced budget amendment. [Available here.](#)

The Article V Convention for Proposing Constitutional Amendments: Historical Perspectives for Congress Thomas H. Neale
Specialist in American National Government Congressional Research Service October 12, 2012 (22 pages)

[This article, prepared by the Congressional Research Service, places the Article V convention in historical perspective. It addresses historical and current efforts to invoke a convention, as well as the role of the states in the process. Available here.](#)

FROM AAUW

All Leaguers are invited to take part in the LWV/AAUW Great Decisions discussion group. Great Decisions is a trademark of the U. S. Foreign Policy Association. Each year they produce a book containing eight foreign policy issues that have been researched as late as Nov. 18 and published in December. The cost is \$18.60. This year the eight issues are

- Middle East realignment; the Arab upheaval,
- Promoting democracy: foreign policy imperative?,

- Mexico: transborder crime and governance,
- Cybersecurity: the new frontier,
- Exit from Afghanistan & Iraq: right time, right pace?
- State of the oceans: waves of change,
- Indonesia: prospects for prosperity,
- Energy geopolitics: quandaries intensify.

Our first discussion (on Indonesia) will take place on Feb. 1, the rest on the 1st Wednesday of each month.

If you are interested please contact Anne MacLeod or Miriam Keller.

In Politics - Money Matters



Over 60 community and LWVFNUC members, including past President, Mary Ann Dillon, joined Stanford Professor, Bruce Cain, in a lively discussion on the impacts of money, litigation and activism in politics today. Dr. Cain is a well-known expert on elections, term

limits, polling, and the relationships between lobbyists and elected officials. If you missed this important meeting go to our web site, www.lwvfnuc.org and click on the picture to see the video of the meeting. We think you will find it interesting and thought provoking.

LWVUS MONEY IN POLITICS (MIP) REVIEW AND UPDATE: BACKGROUND

As adopted by delegates to the 2014 LWVUS Convention, Leagues from across the nation are engaging in a review and update of the national LWV position on campaign finance to consider First Amendment-political speech issues. The LWVEF Board tasked the Money In Politics Review and Update Committee to:

- Conduct an update of the League's position on campaign finance.
- Evaluate the extent to which political campaigns are protected speech under the First Amendment.

This scope of work requires member understanding and agreement about these issues. The Money in Politics Committee is providing

members and the public with information and facilitating member study and consensus.

In Fall 2014, LWVUS set this timetable for the MIP Review and Update:

- Spring to Summer 2015: Education materials are posted periodically on the League Management website. Leagues can use these materials for member and community meetings;
- Fall 2015: A study guide and consensus questions will be posted for the Money in Politics Review and Update. Leagues will hold consensus meetings to obtain member agreement on the consensus questions;

- February 1, 2016: Consensus reports (electronic) from Leagues due to LWVUS; and
- April 2016 national LWV Board meeting: Consensus reports and resulting position(s), if any, will be approved.

The LWVUS MIP Committee formed in Fall 2014. Our all-volunteer Committee includes eight League leaders from across the U.S. and national board members, with support from national staff. The Committee is providing ready-to-use resources and strategies to help understand the campaign finance system. These materials, which we call “Meetings-in-a-Box,” are available on our webpage (<http://forum.lwv.org/category/member-resources/our-work/money-politics-review>) for Leagues to use for member and community events. They are intended to engage members and the general citizenry on MIP issues as they are evidenced nationally and in states and communities. In addition, they will help prepare members for the LWVUS update of its campaign finance position. Resources include a PowerPoint presentation with script, outside readings and issue papers prepared by the MIP Committee.

So, why is the League updating the position on campaign finance? Our current position dates back to the 1970s and predates Supreme Court decisions that changed campaign finance law significantly. The MIP Review and Update will address a gap in our current position. It aims to get League member understanding and agreement as to the extent to which our organization believes that financing a political campaign is speech protected by the First Amendment. Leagues are being asked to consider through the consensus process: the rights of individuals and organizations to express their political views through the financing of political campaign activities; and how those rights, if any, should be protected and reconciled with the interests set out in the current LWV position.

The current League position takes a collective approach to financing political campaigns. It

focuses on achieving political equality in areas of combating corruption and undue influence, ensuring equitable competition, and protecting the rights of citizens to know and to fully participate. This position has enabled the League to advocate strongly for transparency in campaign finance and against big money and its influence on elections and government.

But there are still questions to consider and this is why we are studying the issue: What about the First Amendment interests of candidates and donors particularly as compared with equitable competition; preventing corruption and undue influence; enhancing voter participation? These are questions that the position update is considering.

The First Amendment has been at the center of the campaign finance debate since the 1970s. A key provision says, “Congress shall make no law...abridging the freedom of speech, or of the press...”

Before the 1970s, the Supreme Court rarely heard cases on campaign finance regulation. But the issue of money in politics has a long history in the U.S. The 1907 Tillman Act banned contributions from national banks and corporations, in response to corruption in the Gilded Age. The 1947 Taft Hartley Act extended the ban to labor unions. The 1971 Federal Election Campaign Act and its 1974 amendments put further restrictions on campaign contributions and spending, expanded disclosure, and created the Federal Election Commission to oversee compliance. The 2002 Bipartisan Campaign Reform Act (McCain-Feingold) tried to remedy the explosion of soft money we saw in the 1980s and 1990s.

The activities that the Court focused on largely involve free speech. Election campaigns develop messages for publication, from speeches and debates to paid advertising in various media. Money is required to coordinate the messaging and pay for the advertising. Under the Court’s approach, a system of campaign finance protects the rights of a candidate to disseminate her message as well as

the rights of her donors to express their own views through her message -- It also protects the rights of other political actors who may wish to make election expenditures independent of the candidates or to advocate in support or opposition to particular public policy issues. To the Court, this campaign speech (as opposed to campaign finance) is central to American democracy and is what the First Amendment was designed to protect.

Whatever else it may or may not have done, the Supreme Court's decisions in the 2010 *Citizens United v. Federal Election Commission* and 2014 *McCutcheon, et al. v. FEC* cases galvanized the campaign finance reform movement. Any education and discussion of these issues must attempt to be comprehensive, which means complex. The task of the Money in Politics Committee is to make the issues understandable to the members of LWV and all citizens.

CONSTITUTIONAL CONVENTION STUDY QUESTIONS

How Would the Convention Process Work?

Role of the States

- How does a state apply for a convention?
- Can a state limit its application to a single topic?
- Is a simple majority enough for legislative passage?
- Has your state ever issued an application for an Article V Convention?

Role of Congress

- How are state applications counted?
- Must all applications counted refer to the same subject?
- Or, are all state applications counted together (regardless of subject)?
- Are specifically worded amendments permitted?
- Are applications valid indefinitely, or is there a time limit?
- Who decides?
- Can Congress be forced to call a convention?
- Can Congress set, limit, or expand the topics for a convention?
- Can Congress determine the number and method by which delegates are chosen or the rules of procedure?

Delegate selection

- How can/should delegates be selected by the states?
- Action by the legislature?
- Appointed?

- Election?
- Can states have different selection systems? Different number of delegates?

How should delegates be apportioned?

- By state population at large, with each state's representation based on its total population?
- By state, with each state having the same number of representatives?

Convention action

- Does each state have one vote or is voting based on population?
- What are and who sets the rules of procedure, including voting by state or by individual?
- Delegates - majority or super majority vote?
- Can the convention hold secret sessions?
- When does the convention end?

Ratification

- Is Congress required to send any amendments proposed by an Article V Convention to the states for ratification?
- If the Convention proposes multiple amendments, can the states ratify selectively?
- Who pays? Can the President block an Article V Convention by vetoing any appropriation for the Convention's work?

Court review

- what, if anything, is reviewable in federal or state courts?

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| Thursday, November 12 | Action Group | 11:00-12:30 PM - League Office, 3375 Country Drive |
| Thursday, November 12 | Money in Politics Study Group | 12:30-2:00 PM - League Office, 3375 Country Drive |
| Monday, November 16 | Constitutional Amendment Consensus Meeting | 12:30-2:00 PM - League Office, 3375 Country Drive R.S.V.P. Ellen Culver |
| Monday, December 7 | Holiday Party and Program Planning | 6:00 PM - Pauline Weaver's home |
| Thursday, December 10 | Money in Politics Study Group | 9:30-11:30 - League Office, 3375 Country Drive |
| Thursday, December 10 | Action Group – Holiday Lunch | 12:00 Noon - Location to be Determined |
| Tuesday, January 12 | Money in Politics Money in Politics | Time to be Determined League Office, 3375 Country Drive |
| Saturday, February 6 | Bay Area League Day | 9:30 AM-2:30 PM Maple Hall in San Pablo City Hall 13831 San Pablo Ave. |

ALL MEETINGS ARE FREE, OPEN TO THE PUBLIC AND WHEEL CHAIR ACCESSIBLE
ANNUAL MEETING

Mission

The League of Women Voters of Fremont, Newark, and Union City, a nonpartisan political organization, encourages the informed and active participation 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

Join the LEAGUE OF WOMEN VOTERS TODAY!

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. Members under 18, or non-citizens, are welcome as non-voting Associate Members. Dues include membership in LWVFNUC, Bay Area League, and the California and National Leagues. Financial support for dues is available through our scholarship program. Contact Evelyn La Torre, Membership Chair, for information.

Name (s) _____

New Member Renewal
 Transfer from _____

Address _____

Phone _____

E-mail _____

LWVFNUC is a 501 (c) (3) Organization. Please make your check payable to: LWVFNUC and mail it with this form to:

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

Individual Membership—\$60
 Household Membership—\$90

Donation \$ _____

Total Enclosed \$ _____

**OR GO ONLINE AT
 LWVFNUC.ORG!**

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