

League of Women Voters
of Dallas

VOTER



A nonpartisan organization that encourages informed participation in government and influences public policy through education and advocacy.

The League of Women Voters of Dallas Education Fund

cordially invites you to the

Thirteenth Annual Susan B. Anthony Award Luncheon

Friday, February 13, 2009 at 11:30AM

Lakewood Country Club
6430 Gaston Avenue, Dallas 75214

honoring

Cecilia Guthrie Boone

who exemplifies the characteristics of Susan B. Anthony:
independence, persistence, determination, and dedication to obtaining equal rights
for all citizens of the United States of America

Featuring keynote speaker Keven Ann Willey
writer, editor and Recorded Votes advocate

Honorary Co-Chairs

Serena Simmons Connelly and Lisa Simmons Epstein

Honorary Host Committee

Rebecca Bergstresser, Phyllis Bernstein, Aimee Boone, Debbie Branson,
Joan Davidow, Carol Donovan, Sally Dunning, Lois Finkelman, Adlene Harrison,
Audrey Kaplan, Sharon King, Barbara Lischer, Julie Lowenberg, Joy Mankoff,
Ann Margolin, Barbara Materka, Madeline McClure, Cecilia McKay,
Diane McQuarie, Harriet Miller, Ruth Morgan, Cheryl Pollman,
Grier and Lorraine Raggio, Mary Anne Mayer Redmond, Ann Ross, Pat Sabin,
Cynthia Schneider, M.D., Becky Sykes, Linda Wassenich, Virginia Whitehill.

Luncheon Co-Chairs Katherine Homan and Mildred Pope

(214) 948-6992 kvhoman@sbcglobal.net or (214) 374-8067 mderpope@yahoo.com

From the President's Desk

**“Organize, agitate, educate,
must be our war cry”.**

...Susan B. Anthony

What a prophetic statement at a time when failure was not an option and when opposition to changes for women prevailed.



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And so that is why I am in awe year after year with each selection...It thrills me that there are so many trailblazing, high- end women in this city who distribute knowledge and influence to so many others – especially on behalf of other women. This year the League of Women Voters of Dallas will recognize and honor **Cecilia Guthrie Boone** as the 2009 Susan B. Anthony Award recipient, Friday, February 13, 2009 at the Lakewood Country Club.

Cecilia is recognized as one who exemplifies independence, persistence, determination, and dedication to obtaining equal rights for all. I am intrigued and impressed with her strength and tenacity message of inclusion. Susan B. Anthony demanded that all women have access to the same civil and political rights and led a group of women to the polls in Rochester, New York to test the right of women to vote. What makes this annual recognition purposeful and essential is that it enables the League of Women Voters of Dallas opportunity to recognize a local modern day Susan B. Anthony who is an advocate for social and policy change related to gender inequality. Cecilia is remarkable.

History records that Susan B. Anthony, while in the midst of awaiting trial for having previously disregarded the unjust laws directed at women, continued to engage in highly publicized lecture tours and again attempted to vote in a March 1873 city election. Cecilia's bio does not disclose incidences of civil disobedience, but it is laced with persistent and determined acts for change. Thank you, Cecilia, for what you have done to advance the cause of women's rights, and thank you for exemplifying the characteristics of Susan B. Anthony.

So on this occasion and on behalf of the League of Women Voters of Dallas and all other women and girls whose lives are forever changed because of your efforts, **congratulations!**

Until next time...

Libbie Terrell Lee

A New Day (or Not) **Brenda Marks, Advocacy VP**

The 81st Session of the Texas Legislature opened January 13, 2009 with several new faces, the most prominent of which is a new Speaker of the House, Joe Straus, R-San Antonio. After days of palace intrigue during December and January, House members chose a fresh face to lead them through what could prove to be a contentious session.

Balancing the budget is at the top of the list – and the only task that must be accomplished. Priorities include health and human services (more funding for CHIPS and programs to increase access to health insurance coverage for individuals and small businesses), insurance reform, including restoring financial solvency to the Texas Windstorm Insurance Program and paying for costs related to Hurricane Ike, additional funding for public and higher education, electric rates, water and the environment.

Into all of this wades the Sunset process. Two giants, Texas Department of Transportation and the Texas Youth Commission, are going through Sunset review this session, which means lots of bills in committee related to those agencies. You can find a list of all agencies subject to Sunset at www.hro.house.state.tx.us/focus/Topics81-1.pdf. That focus report, produced by the House Research Organization, contains its complete overview of issues anticipated to be at the forefront of the 81st Session. Keep in mind that report was issued November 26, 2008, prior to the rejection of then-Speaker Tom Craddick, whose priorities are reflected in the report. I anticipate illegal immigration to be less important to Speaker Joe Straus.

Stay tuned for highlights of our discussions with members of the Dallas delegation in future issues of the Voter, and follow the action online at www.senate.state.tx.us and www.house.state.tx.us.

February Units to Seek Concurrence on the National Popular Vote Contract

To prepare for our concurrence meeting, please **read the background, pros, and cons to this plan** and **bring** with you the insert page containing the **consensus questions**.

If you are unable to attend the concurrence meetings, please **fax** to the League Office (**214-688-4126**) your **answers** to the consensus questions.

The complete Facts and Issues paper by the LWVUS National Popular Voter Compact Study Committee is available at www.lwv.org.

Be sure to participate! Who better than the League to be ready to speak to this good-government issue?

Unit Coordinator Ellen Key

214-280-7521 or ekey@sbcglobal.net

Oak Cliff Leader Mildred Pope

214-374-8067 or mderrpope@yahoo.com

10:00AM Wednesday Primrose
Oaks Community Room, 2999 S. Hampton Rd
at Perryton Drive across from Kiest Park.

East Dallas Leader Suzanne Wills

214-324-1594 or suzwills@swbell.net

Noon Wednesday Lakewood Branch
Library, 6121 Worth, by Abrams & LaVista.

Dallas Evening Leader Jan Anderson

214-621-8597 or service@ptw.info

6:30PM Wednesday Central Market
(2nd floor Community Room B)
5750 E. Lovers Lane at Greenville Avenue.

North Dallas Leader Gayle Hurst

214-348-7112 or FAX 214-348-7112

9:30AM Thursday Churchill Way Recreation
Center, 6906 Churchill Way off Hillcrest.

Mockingbird Co-Leaders

Pat Vaughan

214-350-2623 or dallasvaughan@aol.com

Eleanor Sutherland

214-368-8215 or ews4167@att.net

9:30AM Thursday St. Thomas the Apostle
Episcopal Church at Inwood at Mockingbird.

Background for National Popular Vote Study

The League has a long-standing position in support of the **direct election** of the president by popular vote.

The National Popular Vote Compact proposal offers a method of achieving the result of **electing the President by popular vote, without amending the Constitution to eliminate the Electoral College.**

Instead, this method **uses the mechanism of the Electoral College** to ensure that the candidate who receives the most popular votes is elected President of the United States.

Under the proposed legislation to enact the National Popular Vote Compact, all of the **state's electoral votes would be awarded to the presidential candidate who receives the most popular votes** in all 50 states and the District of Columbia. The bill would take effect only when enacted, in identical form, by states possessing a majority of the electoral votes—that is, enough electoral votes to elect a President (270 of 538)

This method of assigning a state's Electoral College votes would take effect only when enacted by states collectively possessing a majority of the electoral votes. This 270-vote threshold also corresponds essentially to states representing a majority of the people of the United States.

Since passage of the National Popular Vote Compact is accomplished on a state-by-state basis, its status is fluid. As of September 1, 2008, the legislation necessary to activate the **compact has been signed into law in four states: Maryland, New Jersey, Hawaii and Illinois**, for a total of 50 of the 270 electoral votes required to activate the NPV Compact.

January Board Briefs

Our new programming approach of inviting public officials to unit meetings for public policy discussions seems to be succeeding on several levels. First, units have more autonomy in determining which program position topics they wish to explore. Second, our membership has a rare opportunity to engage in one-on-one conversations with public officials who seem to appreciate it. Third, we are promoting our mission of informed participation in government through education and advocacy.

The statewide meeting and Lobby Day on March 9 is an opportunity to learn in depth about League issues and then talk to members of the 81st Legislature about them. Registration information will be sent in early February.

The accountant who reviewed our financial records reported that they are in good order and fairly represent the operations of the League.

Registering Voters at Naturalization Ceremonies

Toni Rose, VP Voter Services

Please note important changes in the schedule and venue for registering new citizen voters. Ceremonies will be held monthly in the courtrooms of District Judges rather than at the Convention Center. Currently on the schedule are Thursdays: February 12, March 12, April 9, and May 14 at 11:00AM. Please let Toni know of your availability: toninrose@sbcglobal.net or 214-653-2750.

Opposition to the National Popular Vote Compact

(Condensed) Read the full version on the National League Website

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

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

Passage of the NPV Compact will result in the emphasis of presidential campaigns shifting from the battleground states to areas of large concentrations of population. So, while some voters are disenfranchised by the EC, others might be disenfranchised by the NPV Compact. Because the Compact requires entry into a contract with other states which binds state elections officials to direct electors to vote in a certain way, regardless of the outcome of the election in their state, states' rights are diminished.

In addition, one can question the advisability of a method that bypasses the normal constitutional amendment process in this manner.

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

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

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

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

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

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

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

Women and the Monetary Truth

44th Annual SMU Women's Symposium

Hughes-Trigg Student Center

February 25, 2009

Register online at: www.smu.edu/womsym by 02-18-09

For information call 214-768-4792

Support for the National Popular Vote Compact

(Condensed) Read the full version on the National League Website

Because the League already supports direct election of the president, arguments against the Electoral College (EC) are not included in the material supporting the National Popular Vote Compact (NPV Compact).

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

A constitutional amendment is not needed to effectuate the NPV Compact because states already have the right to implement changes in how electors are appointed.

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

Evaluating Fairness A candidate can be elected president by receiving the most electoral votes even though he or she did not receive the most popular votes. This is not a result voters expect or desire. As election campaigns are now waged, major emphasis and resources are concentrated in key EC battleground states because that is where elections are won or lost. The NPV Compact would eliminate the emphasis on battleground states and would be more apt to assure campaign strategies that appeal to a broad spectrum of the electorate which would foster greater voter participation.

The argument that the plan would negatively impact states' rights is countered by poll

results showing that most voters want their individual vote to count, rather than allotting them to electors representing the state as a whole.

Any claim that the NPV Compact is an unprecedented disregard for the U.S. Constitution ignores the reality that voting rights have been changed through state action many times. Women's suffrage, for example, was instituted by twenty states before passage of the constitutional amendment that made it universal.

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

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

League Issues Opponents say that the NPV Compact conflicts with the League's support of uniform voting standards. Supporters of the Compact advocate its passage in all states, which would result in uniform voting standards. It is true that the NPV Compact could be in effect for an interlude when not all states had signed on to it. The same could be demonstrated for other laws, such as the Equal Rights Amendment. Nonetheless, it must be remembered that uniform voting standards are not now in effect. The NPV Compact could help assure that every vote would be counted equally.

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

Don't miss out on a chance for a double hit!
Get a really good buy
at the Susan B. Anthony Luncheon Silent Auction
and help the League!

General Meeting on Electric Utility Regulation Draws a Crowd



Lue Taff, Representative Terri Hodge, Commissioner Ken Anderson, Kelli Rod, and Representative Will Hartnett

Kudos to the Evening Unit for arranging an issue forum on Regulation of Electric Utilities and for drawing an outstanding group of panelists. **State Representative Terri Hodge** did an outstanding job of moderating the discussion among **State Representative Will Hartnett** who sits on the State committee for Regulated Industries, **Kelli Rod** who is Director of Community Relations for TXU, Public Utilities Commissioner **Ken Anderson**, and **Lue Taff** who is Director of the Senior Sources's Elder Support Program.

Attendees were somewhat surprised to find themselves in the Choir Room at Temple Emanu-El, but it turned out to be an ideal site with good acoustics and comfortable seating. 48 League members attended, along with 12 guests and two members of the press—Shelley Kofler of KERA-FM who taped parts of the meeting for use on a Utilities Deregulation program she was preparing during the same week and Elizabeth Souder of the Dallas Morning News Business section.



Check List for the SBA Luncheon

Have you contributed to your Unit basket? Oak Cliff has a garden theme again and East Dallas got enthusiastic about a food-theme.

Have you made arrangements to get your Silent Auction items to Becky and Jane by February 8? Many businesses consider offering certificates for goods and services a marketing opportunity. Look for a win-win combination—our clients benefit and get interested in their businesses.

Have you signed up to help at the Silent Auction? Table monitors (sales people) are needed.

Form-Based Zoning

Sandy Greyson, President-Elect

An article by **Liz Wally** in last month's VOTER, together with a copy of a letter sent by League President **Libbie Lee** to Mayor Leppert, addressed the difficult process at City Hall to date of adopting a new type of zoning for Dallas. This article will discuss that new type of zoning, called form-based zoning, and what is at stake for existing neighborhoods in Dallas.

For many years, the City of Dallas has used a zoning code based on what a building is used for--residential, office, retail, etc.--rather than what a building looks like. And those uses would be separated--single-family in one place, office in another, and retail in yet a different area. But now the **city wants to move toward form-based zoning**, which is all about what a streetscape and the buildings that make it up will look like. And all types of uses could be mixed together in one area. Much **more density** would be allowed and much **less parking** would be required. The idea is to create **walkable districts where people can live, work and play**. Mockingbird Station and West Village are examples of mixed-use development. So form-based zoning can be really good when done right.

For almost two years, **neighborhood and developer representatives** appointed by City Council met to hammer out **policies and guidelines for this new zoning** and actually came to a **compromise agreement**, which was something of a miracle. Unfortunately, **city staff** didn't like elements of the compromise and now **wants to change three provisions** that are crucial to the protection of existing neighborhoods.

The first and most **important protection for neighborhoods is called a "residential proximity slope,"** which has been in place in Dallas for twenty years. It keeps single-family homeowners from having tall buildings looming over their houses by requiring proposed buildings to be set back three feet for each foot of height over 26 feet. City staff wants to do away with the slope rule and instead have height maps. The problem with height maps is that they can be changed on any given Wednesday at City Hall by a simple vote of the City Council, whereas the slope formula cannot.

Another provision that would **protect homeowners from tall buildings next door** or across the street is called a **"residential transition district"** -- a district of small lot single-family homes, townhouses, and duplexes that would act as a buffer between existing homes and the new zoning which could be much higher and denser. Staff doesn't want transition districts.

The third provision states that these **new zoning districts are intended to be no less than 25 acres**, to ensure that the area is large enough **to be a truly walkable neighborhood** so that people wouldn't have to use their cars. This is important because these form-based districts could have as much as a 50% reduction in the amount of parking currently required for residential, office, and retail uses. **If these mixed-use sites get too small, parking could spill over into existing neighborhoods.**

Although form-based zoning was originally intended to be used in Dallas in areas around town and near transit stations, staff now wants it to be used anywhere in the city and on sites as small as one to five acres. Staff is also recommending parking reductions on even these very small sites.

The **neighborhood/developer compromise** that was arrived at by the citizen committee and **unanimously affirmed by the City Plan Commission** contains all three of the important neighborhood protections.

The City Council will decide between the neighborhood/developer/CPC version and the staff version. The **final Council vote has been postponed** at the last minute several times now and is currently **scheduled for February 25th.**