



The Voter

League of Women Voters of
Central New Mexico
September 2012

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of Central New Mexico
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September meetings to address STEM education in U.S.

Despite efforts from companies and nonprofits to encourage more women to join the engineering world, female ranks in the field are still quite small.

What's gone wrong? The September unit meetings of LWVCNM will address this issue, known as Science Technology Engineering Math (STEM), with talks by a number of prominent women engineers in the area.



Kerrie Greenfelder

Luncheon Unit, Sept. 13

Kerrie Greenfelder, a registered professional chemical engineer with CDM Smith Inc. in Albuquerque, will be the Luncheon Unit speaker scheduled for Thursday, Sept. 13 at 11:45 a.m. at the MCM Elegante Hotel, 2020 Menaul NE.

Greenfelder will address the future of STEM outreach as it relates to the Society of Women Engineers (SWE) and K-12 students. She will introduce the "SWEeter Futures Program," a grassroots outreach program initiated by Greenfelder in 2008 for the Sonora Region of SWE. The SWEeter Futures Program is a unique program which tracks the impact SWE members have on the future of engineering as users share engineering, math and science with K-12 students. The program has evolved to such a level that it has been adopted by SWE for global use beginning in 2013.

Greenfelder graduated from the University of Kansas in 2000 with a BS degree in chemical engineering with an environmental emphasis. She has experience in water/wastewater treatment, landfill design and construction and groundwater/soil remediation at CDM Smith. She is known within her

community for her technical expertise in the area of removal of arsenic from groundwater for municipal drinking water supplies.

Greenfelder recently served as the Sonora Region Governor for the Society of Women Engineers and lives in Albuquerque, with her husband, Matthew, and son, Carter.

Reservations for the lunch must be made by 10 a.m. on Sept. 10. The cost of lunch is \$15. To make a reservation, please call the LWVCNM office at 884-8441 or email lunch@lwvcnm.org.

Evening Unit, Sept. 11

Dr. Leslie Phinney, an employee of Sandia National Laboratories since August 2003, will be the speaker at the LWVCNM Evening Unit scheduled for Tuesday, Sept. 11 at 6 p.m. at the Erna Fergusson Library Community Room, 3700 San Mateo N.E. Phinney will speak on national and global challenges and how STEM education is important for finding solutions to these challenges.

Phinney received her BS in aerospace engineering from the University of Texas at Austin in

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September Calendar

- Sept. 6 Board meeting, 5:30 p.m.
- Sept. 5. Voter deadline
- Sept. 8 "Understanding the Affordable Care Act" seminar, 2 p.m.
- Sept. 8 PRC consensus meeting, 10 a.m.
- Sept. 11 Evening Unit, 6 p.m.
- Sept. 13 Luncheon Unit, 11:45 a.m.
- Sept. 17 Midtown Unit, 1:30 p.m.
- Sept. 24 NorthEast Heights Unit, 10 a.m.

**League of Women Voters of
Central New Mexico
Board Meeting
1st Thursday of each month
Offices of Sutin, Thayer & Browne,
6565 Americas Parkway NE**

Program Committees

Fair Representation Committee

Cheryl Haaker (298-7415)

Drug Policy

Jan Bray

Natural Resources

Includes transportation, land use, air quality, water, and energy.

All League members are invited to all unit meetings, committee and board meetings.

The *Voter* is published on partially-recycled paper each month by the League of Women Voters of Central New Mexico. It is also distributed via email.

Membership Committee report

New Members:

Beatriz Mitchell, 6303 Indian School Rd. NE, Apt 811, ABQ, NM 87110

Helen Dyck, 6713 Barnhart St. NE, ABQ 87109

Bernard Zak, P.O. Box, Cedar Crest, 87008

Dues renewal

We are gathering information and gearing up to renew all LWVCNM memberships. Our annual membership dues run from Oct. 1 through Sept. 30 each year. The renewal letters will be put in the mail shortly.

If your personal information has changed, please call the office now to update your current address, phone and email information in order that our database and handbook information is current. Our League very much appreciates your continued membership.

-- *Andrea Targhetta*

Presidents' Corner

The Voting History in America -- Part I

Libby Rodke Washburn was the speaker for the Aug. 9 luncheon meeting, speaking on Native American voting issues past and present. Although I have considerable knowledge about the history of voting rights in America, I felt the need to research the order of events in the history of voting rights in America. As you are aware, the League of Women Voters emerged out of the movement to give women the right to vote. A basic tenet of the League has been that for our democracy to work, the voting franchise must be extended to every citizen without discrimination on race, sex, income or education. Sadly, the history of the United States has been fraught with attempts to disenfranchise groups of individuals and to create obstacles to suppress voter turnout, and this continues even today. Every obstacle creates an impact on some classes of potential voters. With the low voter turnout, photo ID requirements for voting disproportionately can impact the young, the elderly, the poor and racial minorities. If these individuals are denied the right to vote for lack of a voting ID, the elections could be significantly altered. It is important to defend the voting right that is the very foundation of democracy and work towards guaranteeing fair and open elections in the centurylong struggle to make sure that we honor the ideal of "one person one vote."

This article is Part I of a three-part series regarding the history of voting in America and why the League of Women Voters must be vigilant of any attempt to put obstacles in the way of citizens' voting.

The struggle to recount votes in 2004 and guarantee fair and open elections is a recent chapter that we all remember. The recount effort is not just about George Bush, John Kerry or even the Green and Libertarian candidates. It is about defending a right that is at the very foundation of democracy in our country.

There is no right to vote in the U.S. Constitution, so each state's standards have evolved separately unless federal laws were passed that apply to every state. When the country was founded, only white men with property were routinely permitted to vote (although freed African Americans could vote in four states). Working men, almost all women, Native Americans and all other people of color were denied the franchise.

By the time of the Civil War, most white men were allowed to vote, whether or not they owned property, due to the efforts of those who championed the cause of frontiersmen and white immigrants. Immigrants in some cases had to wait 14 years for citizenship and the right to vote.

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Unit Meetings

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1990. She then spent a year in England with a Churchill scholarship, earning a Certificate of Post-Graduate studies from Cambridge University.

Phinney received her MS and Ph.D. degrees in mechanical engineering from the University of California at Berkeley in 1994 and 1997, respectively. She was a member of the Mechanical and Industrial Engineering Department faculty at the University of Illinois at Urbana-Champaign from 1997 until 2003. She has been working at Sandia National Laboratories since August 2003. Phinney is a Fellow of the American Society of Mechanical Engineers (ASME) and a recipient of a National Science Foundation (NSF) CAREER Award from 2000-2004. She is very interested in issues affecting women in STEM. Phinney volunteers for SWAN (Sandia Women's Action Network), Society of Women Engineers -- Central New Mexico section, the Albuquerque Rose Society and the New Mexico Engineering Foundation.

Midtown Unit

Sharon Diamond will be the speaker at the Midtown Unit Sept. 17 at 1:30 p.m., Manzano del Sol, Hobby Room (1st Floor), 5202 Roma Ave. N.E.

Diamond has a BS in education and taught math for many years in the midwest. Feeling that learning disabled students were not getting the individual attention and the unique teaching methods that allow them to be successful in math, Sharon got additional training in those methodologies. She then

accepted the position of math therapist at The Dyslexia Treatment Center in San Jose, Ca., where she worked until she and her husband retired in 2001 and moved to Rio Rancho. After two years of retirement Sharon found that she missed her students very much so she now tutors math.

Three years ago Sharon joined American Association of University Women (AAUW) after reading the research in "Why So Few." She immediately joined the STEM committee to help spread this knowledge as widely as possible and help to close the gender gap in scientific fields.

North East Heights Unit

Cheri Burch will be the speaker at the NorthEast Heights Unit scheduled on Sept. 24 at 10 a.m. at La Vida Llena Retirement Community, 10501 Lagrima de Oro N.E.

Burch was a computer scientist, first in the USAF and then in R&D in an oil company before beginning to teach high school computer science (as well as some physics and math) until her retirement. Throughout her career, she always worked to particularly encourage girls to enter computer science, physics and engineering fields. As a longtime member of the AAUW and recent member of the New Mexico Network for Women in Science and Engineering (NMNWSE), she continues to explore the underrepresentation of women in these careers.

In retirement she volunteers to provide math enrichment at Roosevelt Middle School, as well as serving with the Supercomputing Challenge, First Lego League, Exploring Your Horizons (EYH), and various school and state science fairs.

League co-sponsors 'Understanding the Affordable Care Act' seminar

"Understanding the Affordable Care Act" is the title of a Sept. 8 seminar being sponsored by LWVCNM, Health Action New Mexico and Volunteers in Support of the Affordable Care Act. The seminar will be from 2-4 p.m. at UNM West, 2600 College Blvd. NE, Rio Rancho.

The event is designed to increase public understanding of the multiple components of the Patient Protection and Affordable Care Act (ACA). Expert speakers will discuss how the ACA affects New Mexicans in all walks of life. Talks will last one hour followed by another hour of questions from the floor

Topics will include:

- * Changes in insurance coverage: the insurance exchange, elimination of barriers to coverage, availability of subsidies and dispelling myths.

- * Health care reforms: innovations in care, accountable care, medical homes, payment reforms, Tele-health, workforce development, impact on Medicaid as well as Medicare.

- * Serving special populations: Improving access for rural New Mexicans, Native Americans.

- * Medicaid expansion and economic benefits of the ACA: potential benefits to New Mexico.

Equality Day quiz answers

Here are the answers to the Women's Equality Day Quiz published in last month's *Voter*.

1. August 26 is celebrated to commemorate:

b. the anniversary of women winning the right to vote

2. In what year did Congresswoman Bella Abzug introduce legislation to ensure that this important American anniversary would be celebrated?

c. 1971

3. In what year did women in the United States win the right to vote?

c. 1920

4. How many years did it take for women to win the right to vote in the United States?

a. 72 years (from the first Women's Rights Convention in 1848)

5. Women in most of the Western states won the right to vote years before the federal amendment was secured. 2010 was the 100th anniversary of women in Washington state winning the vote. California celebrated the 100th anniversary of women winning the vote in 2011. Oregon will celebrate the hundredth anniversary in 2012. What other state will celebrate the hundredth anniversary of women in this state winning the right to

vote in 2012?

d. Arizona

6. What was the name given to the 19th amendment to the Constitution which guaranteed women's right to vote in the United States?

c. Susan B. Anthony Amendment

7. Women who worked for women's right to vote were called:

d. all of the above (radical, immoral, suffragist)

8. The term suffragist is derived from:

b. a voting tablet in ancient times

9. How many other countries had already guaranteed women's right to vote before the campaign was won in the United States?

d 16 countries -- New Zealand (1893), Australia (1902), Finland (1906), Norway (1913), Denmark (1915), USSR (1917), Canada (1918), Germany (1918), Poland (1918), Austria (1919), Belgium (1919), Great Britain (1919), Ireland (1919), Luxembourg (1919), the Netherlands (1919), Sweden (1919)

10. What was the first country that granted women the right to vote?

c New Zealand (1893)

Presidents' Corner

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Literacy tests, poll taxes and even religious tests were used in various places. And most white women, people of color and Native Americans still could not vote.

In 1866, the 14th amendment of the federal Constitution was passed, granting citizenship to the former slaves and changing them in the eyes of the law from 3/5 of a person to whole persons. In 1869 the 15th amendment guaranteed the right to vote to black men, with most women of all races still unable to vote.

1869 also marked the beginning of "Black Codes," or state laws that restricted this freedom of African-Americans. Among the restrictions was the freedom to exercise the right to vote. Literacy tests, poll taxes, hiding the location of the polls, economic pressures, threats of violence, and other strategies to suppress the African-American vote were either found in the Black Codes or flowed from them.

While strategies such as these are no longer

legal, some have argued that the misallocation of voting machines in 2004 so that whites in Republican-leaning districts had short lines and minorities in Democratic leaning-districts were forced to miss work and wait in long lines. This was equivalent to placing a new poll tax on African-Americans, other minorities and poor voters.

Initiatives to promote voting for women have been traced back to the 1770s, but the modern movement dates back to the Seneca Falls convention in 1848, when supporters of a constitutional amendment worked to allow women the right to vote. Although their movement was slowed during the Civil War years, the two major suffragette organizations united after the war and pushed forward with a movement that culminated, after many difficult years, in the 19th amendment in 1920. It was at that time that the League of Women Voters was founded. League founder Carrie Chapman Catt once said, "No chance, no destiny, no fate can circumvent or hinder the firm resolve of a determined soul." -- *Shelly Shepherd, Co-President*

LWVCNM to hold consensus meeting to decide position on PRC

; Over the last several years, a few elected members of the Public Regulation Commission (PRC) have committed such publicly embarrassing acts that many groups have begun looking for ways to reform the commission. The Santa Fe League of Women Voters began a study and presented some results of that study to the LWVCNM's Evening Unit.

They have now completed the study and are asking for consensus of their proposed positions. LWVCNM has set up a special meeting to consider the study results on Saturday, Sept. 8. It will be held from 10 a.m. to noon at the Erna Fergusson Library, 3700 San Mateo, NE. There are ten questions we will be asked to consider. They are

1). Should insurance and utilities be regulated by separate agencies?

Discussion: A proposal to remove insurance regulation from the PRC through a constitutional amendment will be voted on this November. This proposal amends the constitution in two ways. First, it removes regulation of insurance from the PRC after July 1, 2013. Second, it provides that the superintendent of insurance shall regulate insurance, that the superintendent shall be appointed by an insurance nominating committee, the makeup of which will be determined by a law not yet drafted, that the nominating committee shall evaluate candidates according to qualifications established in a law not yet drafted and shall serve for a term determined by a law not yet drafted.

Pro: The PRC voted 4-1 to support the legislation proposing this amendment. Their reasoning was that because the Commission's only power over insurance is to hear rate cases that are appealed from the decision of the Superintendent of Insurance, they tend to ignore it until it blows up for some reason, and then they get blamed for decisions made by the superintendent.

Staff of the Insurance Division also supports the amendment. They feel that they are being used as a cash cow by the PRC i.e. they are charged more for legal services and support services provided by the PRC than the actual value.

Con: If insurance were made a separate agency or moved to another agency, rather than being administered by the PRC under an administration-only arrangement, there would be additional

expense involved and the PRC would be deprived of funds that it currently uses for administrative and legal overhead, and may have difficulty replacing these funds with a different revenue stream.

2. What qualifications and/or experiences should be required for candidates for the PRC?

Discussion: The choice here is between no qualifications (the current situation) and some combination of education and experience. Unqualified commissioners have caused serious problems with far-reaching effects. Having a position requiring both education and experience would enable the League to advocate for qualifications that might weed out candidates who are unable to fulfill their responsibilities adequately. This proposal is a more sensible alternative to a sole requirement of a baccalaureate degree in any field, which has no validity in predicting competent performance in a particular field.

When considering what experience should count, experience in consumer protection and advocacy should count because the PRC is charged with balancing the interests of consumers and shareholders. Without including them, there may be a tendency for individuals who have worked in, and are supported by, the regulated industries to be seen as qualified, while those in the much smaller pool of consumer advocacy will have a harder time proving their bona fides.

This November voters will vote on a proposed constitutional amendment dealing with qualifications for PRC commissioners. The version that was originally introduced in the legislature would have required that candidates must have "a baccalaureate or more advanced degree from a regionally accredited post-secondary institution or at least five years of relevant professional experience as determined by law." However, the final version, perhaps influenced by the legislature's desire not to discriminate against groups that have less access to educational opportunities, would direct the legislature to delineate "increased qualifications for commissioners and continuing education requirements for commissioners."

If PRC commissioners continue to be elected by the public, any required qualifications will have to be certified by the Secretary of State. The

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Secretary of State may oppose requiring qualifications that are not easily verified because that office does not have expertise in evaluating resumes for qualitative standards, such as work experience.

This limits the sorts of qualifications to those that are easily verified, such as a degree from a specified type of institution, and makes it more difficult to apply more qualitative standards, such as relevant experience.

If we move to a system of having commissioners selected by a method that involves having their qualifications investigated by a committee set up for that purpose (see the next consensus position), it would be possible to specify what sorts of experience are relevant. We do not list them here because the industries regulated by the PRC may change as the result of recent legislation and additional legislation being contemplated.

3. Should the League support the selection of commissioners through a process that evaluates them on the basis of qualifications and the participation of the governor and state legislature?

Discussion: New Mexico has tried three different methods of selecting commissioners for its regulatory agencies: the three State Corporation Commissioners were elected statewide; the three Public Service Commissioners were appointed by the governor with the advice of the senate; the five Public Regulation Commissioners are elected from five separate districts. There have been problems with each method, which is probably the reason so many different methods have been tried -- as each successive regulatory body was set up, the rule was not to do what had been done before.

There have proved to be two main problems with having commissioners elected by the public:

1. Few people know enough about or have enough interest in the PRC to evaluate the candidates, consequently they are likely simply to vote for a familiar name;

2. The people who have had the qualities needed to be a good commissioner have not necessarily been good enough at running for office to win an election.

This proposal is made for two reasons -- it hasn't been tried before in New Mexico and it pro-

vides a method of vetting prospective commissioners to be sure they have the qualifications needed.

Pro: Providing meaningful evaluations of the candidates would result in more qualified commissioners. It would also have the important benefit of allowing meaningful evaluations of their job performance, inasmuch as the latter can be considered by the evaluating committee when deciding on successive terms for commissioners. Selecting commissioners in this way would divide power between the legislature and the governor, thus avoiding too much concentration of power. This proposal offers an alternative not tried before in New Mexico, but which has been used in another state since 2005.

Con: Elected commissioners are responsive to the public rather than to legislators. This method of selection puts too much power in the hands of the legislature and the governor rather than the public.

4. Should the League advocate supporting the public interest by strengthening laws forbidding ex parte communications between commissioners and parties interested in cases before the Commission?

Discussion: A common form of corruption, ex parte communication, is often not perceived as corruption by those engaged in it, but rather as, say, helping out constituents. New Mexico's laws on ex parte communications are short and weak; they take up less than a page (412 words) and no penalties are provided for commissioners who violate them. Other states have stronger laws. For example, South Carolina's laws are much longer (3,497 words) and more detailed; they also provide penalties of fines or imprisonment for violation by Commissioners.

Pro: Reducing ex parte communications will increase fairness in making PRC decisions. Providing sanctions for violating the law will emphasize its importance.

Con: Strengthening the law will necessarily make it more complex because it will become more detailed.

5. Should the League advocate supporting the public interest by having an in-house PRC inspector general charged with reviewing practices for handling incoming payments properly and conducting internal audits of other

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functions?

Discussion: The PRC is responsible for collecting a great deal of money from regulated industries. Internal controls to prevent theft are reported to be weaker than needed. An important duty of the inspector general would be to conduct an internal audit which would examine the procedures used to handle payments and recommend changes where controls are weak.

In addition, the PRC makes many decisions, large and small, that materially affect the regulated industries, and there is always the possibility that corruption may seep into the system. An inspector general could receive and investigate ethics complaints and use internal resources to detect and prevent corruption.

Pro: This will increase the probability that corruption and other ethics issues within the PC will be addressed and may have the side benefit of improving the handling of payments coming into the PRC and assuring that more money goes to the State Treasury.

Con: Hiring an inspector general will increase the PRC's expenses.

6. Should the League advocate supporting consumer interests by advocating structural changes in state agencies to ensure better representation of consumer interests in policy decisions and rate setting at the PRC?

Discussion: The PRC is charged with balancing the interests of consumers, industry, and the general public. Companies regulated by the PRC generally take care that their interests are represented. Consumers and the general public are generally much less aware of the PRC's actions and how they affect their interests.

The New Mexico Attorney General is charged with representing residential and small business consumers in matters before the PRC, but this is done only "as the attorney general deems appropriate." The division responsible for these activities is the Water, Environment and Utilities Division, which is also responsible for protecting New Mexico's water and other natural resources.

The PRC's 2012 Management Study recommends that legislation be sought to divide the PRC staff into two groups, one of which would be an

advisory staff to the commission which would not be a party in any cases, and the other a ratepayer advocate group organized under the Attorney General which would represent ratepayers in cases brought to the PRC.

This is one of several possible changes that could be made to improve representation of consumers at the PRC.

Pro: A consumer advocate necessarily has a different agenda than the commission, which is charged with balancing the interests of all parties to a case. Moving the function of consumer advocacy out from under commission influence may lead to a more vigorous representation of consumer interests.

Con: Such reorganization may entail less efficient use of some support services, such as record keeping, with a consequent increase in expense. "Consumers" are a much less homogeneous group than regulated industries, and it may be difficult for a single advocate to represent all consumer interests.

7. Should the League advocate supporting the public interest through the passage of laws prohibiting PRC commissioners and PRC staff from working for a regulated industry for a period of time (preferably at least 1 year) after they complete their tenure at the PRC?

Discussion: Many states, including Arizona, Indiana, Michigan, New York, South Carolina and Texas, adopt such a provision to prevent those who make decisions in regulatory agencies from being influenced by the prospect of such employment in the near future.

Pro: This is a way to help ensure that decisions at the PRC are open and transparent and not affected by self-interest. This provision is currently used in the laws of states recognized to have good regulatory systems.

Con: In a small state like New Mexico, there are a limited number of jobs available for people with expertise in the utilities and other regulated industries, and preventing them from taking such jobs may impose a financial hardship and may even discourage qualified people from taking jobs with the PRC.

8. How should the PRC be funded?

Discussion: As a practical matter, there are only two choices -- allocations from the general

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fund, which currently supplies most of the PRC's funding, or exclusively from fees assessed on the regulated industries. In either case, the PRC's budget must be approved by the legislature.

Economic theory supports funding of regulatory agencies by the industries they regulate. The regulated industries, in turn, pass the cost of these assessments on to their customers, thus making the cost of regulation part of the cost of producing the goods they provide. However, for the most part this is not the way it is done in New Mexico.

In New Mexico, most fees and taxes assessed on regulated industries currently go to the state general fund, either directly, or by periodically sweeping the funds into which they are initially deposited into the general fund. There are three exceptions, called non-reverting funds -- the title insurance fund, the insurance fraud fund and the pipeline safety fund; for these funds, fees are set annually based on the budget approved for the coming year's operations. For example, in 2012 pipeline safety fees for FY2013 were set at 0 because there was enough left over in the fund to finance operations in the coming year.

Some states fund all the operations of their regulatory agencies in this way. Instead of allocating money from the general fund, fees are assessed on the regulated industries based on annual calculations of the funding needs of the regulatory agency.

Prior to 1957, statutes provided that fees assessed on telephone, telegraph, gas, water, electricity and pipeline companies could be used only to meet the expenses of regulation. However, in 1957 the laws were changed to sweep all these fees into the general fund, and thereafter regulation of these industries had to compete with other state needs financed by the general fund. To make such a change less likely in the future, the law assessing fees should provide that fees to be used for regulation are to be set annually based on the estimated cost of regulation in the coming year; this will avoid the accumulation of pots of money that the legislature will be tempted to sweep into the general fund.

It is not being proposed to eliminate all other fees and taxes currently assessed on regulated industries, just to keep them separate from the regu-

latory funds. For example, the fees and taxes assessed on the insurance industry are around \$340 million a year and are an important contribution to state finances; they dwarf the expenses of the insurance department of the PRC, which are around \$9 million a year.

Note that this proposal will not necessarily increase the budget of the PRC, inasmuch as the legislature will still have to approve the PRC's budget as it currently does. What it will do is ensure that the PRC's budget is not either reduced or increased based on state taxes from other sources.

Argument for financing through fees on regulated industries: Financing a regulatory agency with fees on the regulated industries means that the cost of regulation is included in the price of goods and services provided by the regulated industries; this sends the proper price signal to consumers, and also ensures that those who buy the goods are those who pay for regulating the industries that produce them. It also means that funds for regulation can be based on the needs of the regulatory agency with having to compete with other state needs.

Argument for continuing the current method of funding: Some budget specialists and managers in both the Department of Finance and Administration (DFA) and the Legislative Finance Committee (LFC), including the current LFC Director, David Abbey, are adamantly opposed to "earmarks." Their argument is that this approach ties the hands of legislators by essentially prioritizing some expenditures simply because the revenues are readily available; conversely, when a particular revenue stream becomes impaired, the function it funds will be shorted without regard to its importance. Funding government functions through the General Fund gives legislators and executive branch managers more discretion to allocate revenues according to priorities established and monitored annually, without being hamstrung by arbitrary constraints.

Finally, funding the PRC from the General Fund may prompt the legislature to exercise greater oversight of the agency, including both financial and performance audits.

9. Should the League support the state-

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level deregulation of market entry and rates for all private intrastate modes of transportation (such as taxis, limousines, buses, shuttles, towing companies, and moving companies)?

We are including this question because we have been told that Think New Mexico is going to ask the legislature to pass such changes in the 2013 session. Such deregulation could require either a statutory or a constitutional change; the New Mexico Constitution states that the public regulation commission shall have the responsibility for regulating transportation companies in such manner as the legislature shall provide.

The PRC currently controls both rates and market entry for intrastate modes of transportation. The responsibility for safety inspections and assuring compliance with insurance requirements (which the proposed position does not address) is currently divided between the Transportation Division of the PRC and the Motor Transportation Police in the Department of Public Safety, with the PRC having this responsibility for smaller vehicles—smaller either in size or number of passengers carried.

Pro: Regulation of market entry and rates in transportation has kept rates artificially high and blocked entry to new and innovative businesses in these fields. New entrants often face major, expensive legal hurdles when they want to start a business because existing companies with whom they would compete, and the business organizations they have formed, file protests with the PRC when would-be entrants apply for the certificate required to start a new business. Such protests can substantially increase the legal costs of starting a new business. Staff in the Transportation Division of the PRC have told us they have lobbied for several years for such deregulation, but to no avail.

Controlling locally-oriented transportation businesses from a centrally-controlled state agency does not take into account the needs of the individual areas of the state. If the state did not regulate these businesses, there would be an opportunity for local governments to tailor regulations for these businesses to meet local needs.

Con: Unregulated entry into limited markets will have the effect of flooding those markets with multiple carriers, which may result in so much

competition that all the carriers go under. It may also result in "cherry-picking," allowing some businesses to handle only the more profitable traffic and leaving some potential customers under or unserved.

Some types of transportation, such as some vehicle towing and some ambulance service, are nonconsensual, and people in emergency situations should not be forced to pay uncontrolled fees for such services.

Local governments may not have the ability to regulate these types of business.

10. The following questions are not intended to be consensus questions. They deal with reforms we would like to support under the State League's current transparency positions. We invite discussion on them, and thus have followed the format of discussion followed by pros and cons.

1. Should the League support posting rate change filings by health insurance companies on the PRC web site?

2. Should the League support posting orders and notices of proposed rulemaking (NOPR) that staff proposes for adoption by the commission on the website so that those attending open meetings will know what is being discussed?

3. Should the League support providing more information about the purpose of hearings on the PRC web site?

Discussion: These three improvements to the PRC website would benefit consumers and/or those who follow actions of the Commission by providing greater transparency. The proposals are discussed separately, but the pros and cons cover all three proposals

1. Posting of rate change filings by health insurance and long-term care insurance companies on the PRC web site: The PRC web site gives some information on rate filings by health insurance companies; it shows the date of filings, and the percentage increase requested, and the fate of the request, but it does not show the actual filing. The actual filing contains important information, not reported on the web site, which can influence how the consumer responds to the rate increase. This is particularly true in the case of long-term care insurance, for which the required actuarial

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report shows both the proposed immediate increase, and future increases which the company's actuary believes will be necessary. The immediate proposed increase appears on the web site, but the likely future increases do not. While customers are notified of the immediate increase by the company, they are not told of planned increases in following years. In the case of long-term care insurance, a customer who knows future planned rate increases is in a better position to decide whether to continue to hold the policy.

These filings are not confidential, and it is possible to get them if you go to the PRC offices in Santa Fe and pay for a copy, but it would be much more convenient if they were posted. Note that the California Department of Insurance provides copies of actual rate filings by health insurance companies on its web site.

2. Posting Orders and NOPRs proposed to the Commission at open meetings. A meeting is not truly open if it is not possible to follow what is going on. Much of the time at open meetings is taken up with discussion of proposed orders or proposed notices of proposed rulemaking brought by PRC staff to the Commission for approval. Discussion often takes the form of statements like, "I think we should omit paragraph 3 at the bottom of page 2." As the order has not been made available to members of the audience, they have no idea what is going on.

3. The PRC website lists the date, time and place of upcoming hearings. Information on the content of the hearings is usually limited to a case number and the name of the company concerned, for example: "Wednesday, May 30, 9:30 a.m., 10-00073-UT PNM - Hearing" Clicking on the item shows which hearing room, plus the address of the PRC, plus the offer of more details. Unfortunately, clicking on "More details" brings up a blank page containing nothing more than the time, date, and location information already provided.

Pro: All these proposals, each in its own way, would benefit members of the public by providing useful information.

Con: Providing a really useful website, meaning providing the information suggested above as well as eliminating the errors that are all too

common, would involve more staff time and thus more expense for the PRC.

The specific positions referenced are:

B.1 Create an inspection of public records policy and procedure whose goal is to help the public obtain the maximum amount of information they may want to discover about their government and do so in a timely and cost-effective manner.

B.4. Use the government website as a repository of all information that is most likely to be needed by the public, including (but not limited to) open meetings and public records policies, meeting lists, proposed agendas, minutes, contents of meeting packets, frequently requested documents, contact information for government employees, resolutions and ordinances, personnel and procurement policies and the location and mission of various departments and divisions.

The quest for consensus is not occurring in a vacuum. Voters will be asked to consider three constitutional amendments involving reform at the PRC on the November ballot. Two of these amendments are in partial conflict, which complicates a solution.

Constitutional Amendment 2

This proposed constitutional amendment requires the Public Regulation Commission to be made up of five members who will be term-limited. It would allow them to run again for office after one intervening term has elapsed. It requires the legislature to set minimum qualifications and continuing education requirements, and would go into effect for the 2014 election if passed. Here's a link to the amendment wording.

<http://www.sos.state.nm.us/uploads/files/Bills2012/ConstitutionalAmendments/constamend2.pdf>
Constitutional Amendment 3

This proposed constitutional amendment gives the PRC the responsibility for regulating public utilities including electric, natural gas and water companies, transportation companies, including common and contract carriers; transmission and pipeline companies, including telephone, telegraph and information transmission companies; insurance companies and others engaged in risk assumption; and other public service companies in such matters as the legislature provides.

It also shifts the responsibility of chartering

Past President Olin Bray publishes eBook on political system

Editor's Note: Past LWVCNM Co-President Olin Bay's new eBook, Political Incompetence: What's Wrong With Our System and How To Fix It, is now available. It was the basis for his presentation "Political Mythbusting and Political Competence" at the League of Women Voters National Convention. The eBook is available at Amazon and Smashwords.

By Olin Bray

Our political system is in trouble. Myths and opinions often override facts, data and analysis in determining policy and elections. This book identifies one of our problems, political incompetence in both the electorate and officials. It identifies critical political competence skills, such as political mythbusting, and shows how they can be used to create a deeper more accurate understanding of critical policy and campaign issues that must be resolved. It shows how to analyze political statements to decide if they are myths or statements of fact, which may be correct or not. Some widely-believed myths that are gridlocking our system are challenged. As Will Rogers said, "It's not what we don't know that gets us into trouble, it's what we know that just isn't so." Greater political competence can help us avoid this trap.

Part I describes the problem and some of its symptoms, explains what political competence is and identifies and challenges ten widely believed myths. For example, one widely believed myth, even in Congress, is that tax cuts always stimulate economic growth. Reagan cut taxes (the top marginal income tax rate) twice and George W. Bush cut them once. In the first case the five-year average GDP growth rate went up by 12 percent, but in the other two cases it declined by 26 and 36 percent. However, when was the last time you heard a serious debate about when tax cuts are appropriate and when they are not?

Part II reviews some basic methodology issues -- how to ask the right questions. The right answer to the wrong policy question is at best wasteful and at worst disastrous. Policy questions based on myths are always the wrong question. It also reviews some basic statistics so you can rec-

ognize problems and bad analysis, whether caused by ignorance or deliberate deception. For example, the average and the median (the value for which half of the measurements are less and half are greater) can provide very different pictures when used to justify a policy. Always ask for both. Sometimes we may be given the truth, but not the whole truth -- which is just another form of deception. Many people are doing surveys and polls and trying to tell us what most people think. However, unless it was a random sample, the sample results tell us nothing about the larger group. Did the people doing the survey know this (ignorance) or is it deliberate deception?

Part III provides frameworks for several policy areas (taxes, health care, and employment) and shows how policy proposals can have serious, often unanticipated ripple effects, sometimes with disastrous consequences. For example, when looking at the tax burden, the top marginal rate is much less important than the effective rate which is always far lower. To address our health care problems, there are three critical issues -- access, cost and quality. They all must be addressed together, but some see only one issue (usually cost) and others want to address them with different priorities. One myth affecting the whole health care debate is that the U.S. has the best health care system in the world and we shouldn't mess with it. Unfortunately, as the data shows, we only have the most expensive, not the best in terms of actual health outcomes and results. When looking at employment rates, in the short term a job is a job regardless of whether it is in the private or public sector, although it does matter in the long term. Therefore, if the private sector is adding jobs while the government sector is cutting them, you may not be making a lot of short-term progress. As in many cases, you may need to solve the short-term problem before you can effectively address the long-term problem.

Part IV talks about group and organizational skills that can help people leverage the individual political competence skills described in the earlier parts. It also describes how several organizations are working to develop political competence in a group context.

Support Education Fund and *Voters' Guide*

The 4th of July and the signing of the Declaration of Independence are well behind us, and I am reminded that U.S. Presidents John Adams and Thomas Jefferson died on that date in 1826 -- within hours of each other and each believing the other lived on. What, I wonder, would they think of the current election season? We are inundated with national and local political action committees spending millions of dollars. It is only reasonable to expect that the funding for media attention will intensify and that biased information will

overwhelm us all.

But, on the other hand, check out "Education Fund Facts" located below to know how we of the League of Women Voters keep citizens informed about current issues so that expectations of a fair and just government are part of everyone's civic life. Help us fulfill Jefferson's instruction that an educated population was necessary to maintain the "new" government. Support LWVCNM Education Fund and the *Voters' Guide*. Thank you.
-- Judith Binder

League of Women Voters of Central New Mexico Education Fund Facts

We're Working for You!

Men and Women -- over 300 Volunteers

The League of Women Voters is committed to building better communities and a stronger democracy. The League was founded in 1920 to "finish the fight" after women earned the right to vote. From the start, the League's aim has been to ensure that citizens are informed about current issues and are prepared to make community building and expectations of a fair and just government part of civic duty. Through our 501(c)(3) Education Fund we provide free publications and activities to educate all citizens to be involved and informed voters.

Highlights of our 2011-2012 community publications and activities

* *Who's Who* -- The only political directory of all elected officials for Bernalillo and Sandoval County that is distributed to county clerks, libraries, and businesses and to new citizens and registered voters.

* *Voters' Guide* -- The only nonpartisan guide to both the municipal and general elections for Bernalillo and Sandoval Counties. Tens of thousands were distributed to libraries, banks,

community and senior centers and other locations throughout Bernalillo and Sandoval Counties for the 2010 general election.

* www.lwvcnm.org -- This website provides links to national, state and local governmental agencies and elected officials; offers resources regarding the history of the right to vote; maintains the *Voters' Guide* and *Who's Who* on line. For the 2008 presidential election there were over 57,000 downloads of the *Voters' Guide*. In the 2011 city election, the website got 13,000 hits on election day alone.

* *League Office* -- Open 9:30 a.m.- noon weekdays and all day on election day. Volunteers answer citizens' questions about how to register to vote, where to vote, names and addresses of public officials and how to get involved in government.

* *Public Forums* -- Moderate candidate forums and debates for local organizations and closely advise civic groups on the "how to's" of putting on a candidate forum.

Your Tax Deductible Gift Supports Our Goals

Remembering LWVCNM's history -- Part 4

Editor's Note: The following is the fourth part of a series on the history of the LWVCNM presented at the 1998 Salute to Albuquerque by long-time member JoAnne Ramponi, who has since died. Co-President Shelly Shepherd thought it contained interesting information that many members might like to know.

Julia White, president from 1979 to 1981, brought the League into the computer age. She and David Todd spent many hours entering all of our members into the system. She also was responsible for getting the graphic arts department at TVI to print our *Voter* and membership book so that they had a first-rate appearance.

Geta Aileen Gatterman had served on the board doing land use issues before she became president. It was during this time that we took part in the reproductive choices consensus of LWVUS. This was the time that the famous "Lark in the Park" took place. Thirteen mayoral candidates were on live TV at Roosevelt Park. The most memorable candidate was sometime student Thomas "Cabin" Lance. He felt that the solution to the problems with the city budget was for the city to grow and sell marijuana.

PRC

(Continued from page 10)

corporation from the PRC to the Secretary of State's office. Here's the link to the wording of the amendment.

<http://www.sos.state.nm.us/uploads/files/Bills2012/ConstitutionalAmendments/constamend3.pdf>
Constitutional Amendment 4

This amendment removes the regulation of insurance companies and others engaged in risk assumption from the PRC and puts it under a superintendent of insurance appointed by the insurance nomination committee. Here's a link to the amendment wording.

<http://www.sos.state.nm.us/uploads/files/Bills2012/ConstitutionalAmendments/constamend4.pdf>

As you can see, this is a very complex issue. Please attend the consensus meeting on Sept. 8 and help us work through the issues. This is a ditch-digging part of democracy and the League has a talent for this work. We need every mind in the membership to do this well.

If you ever drive by Los Altos Park on the Lomas side you will see a tree that is smaller than the others. This tree was to be a gift to the city in Geta's name by the board. When Orlando Sedillo, city parks director, found out that the tree was to honor Geta, he had the tree planted as a gift from the city to Geta. After serving as LWV/ABC president, Aileen went on to become the State League president.

Dorothy Gardner became president in 1983. LWV/ABC took part in the LWVNM consensus on DWI. We held a joint meeting with the American Association of University Women (AAUW) concerning the selection of school and library materials. League was also active on the Albuquerque Goals Committee and wrote, directed and hosted candidate forums on City Cable TV. The Land Use Committee met with and interviewed representatives of Middle Rio Grande communities to see how different jurisdictions cooperate and interact in planning activities. This was called the Land Use Planning Communications Study. This was also the time for the LWVUS consensus on National Security. Another issue at this time was the proposed Festival Marketplace for downtown. This was the 65th birthday party for the League of Women Voters US.

Dorothy remembers that in October of 1983 she took a trip to the Soviet Union "where I observed first hand a communist country in action. No need for the League of Women Voters there." After serving as local president, Dorothy served as state president. She has been very active in health-related issues on the local level and has chaired the state health care committee.

During the time that Clara Moore was president, we were doing more mayoral forums. We also participated in a legislative forum sponsored by the Commission on the Status of Women focusing on voter registration by mail. The video committee worked on candidate forums and helped produce "How Now Brown Cloud." The League received the Clean Air award from the American Lung Association; the Hazardous Waste committee was active. It was also during this time that we moved the Education Fund money from LWVUS to local control of the local league and began publishing the

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LWVCNM's history

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Voters' Guide -- 22,000 copies were printed and distributed.

Clara served as moderator for several of the candidate forums and one-on-one interviewer for programs that were done on the city cable system. She served League for many years with these special skills.

Nancy Swigger, our next president, is the daughter of Nina Duncan, one of our founding members. It was during this time that League was active in seeking to save the Petroglyphs. Nancy writes "I think the strength of the League lies in its unwritten assumptions that you will grow to fit the job and that you will be given training to do it whether officially or unofficially." Nancy spoke before City Council and the County Commission several times as we watched a land use issue grow

September 2012

into the establishment of Petroglyph National Monument."

Nancy states "my predecessor proved you could do the job even if you worked full-time. This made me think I could manage with job and family. Amid ongoing complaints about the dwindling woman hours available to us because women were going to work, I rejoiced at having an attorney like Mary Wilson on the board, as well as the traditional wife Alice Mehlberg who didn't work for money, but ran our leadership and nuclear conferences like a pro."

Nancy is the person who took the classes that Jones Intercable offered for nonprofit groups and began to do workshops for members. One of these led to the Get Out the Vote ads in both English and Spanish.

(Continued in a future issue)



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