

## LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA

# NC VOTER

AUGUST 2003

### A Practical Way to Boost Voter Turnout

*By Peg Chapin*

Should we make it easier for the one million citizens in North Carolina who are not registered to vote to sign up and become voters?

Most of these non-participants are young or moved from one house to another in the past two years. More than two thirds are white and 60% are men.

We know who they are. They're your kids, your neighbors, your friend's husbands.

Many will still not vote, even if we make it easier, but a proposal in the North Carolina General Assembly could help many others get involved.

The proposal, introduced by Rep. Deborah Ross, is called "Same-Day Registration." It follows a practice now used in six states that allows citizens to register and vote on the same day. It gives people who miss the registration deadline a second chance.

North Carolina could definitely use a boost. Less than half the adults in our state vote in the typical presidential election – and that's our peak performance. The average turnout from 1980 through 2000 was 46.3% of the voting-age adults. Only six states had a lower rate of participation than North Carolina over that 20-year period.

The addition of No-Excuse Early Voting has made casting a ballot easier in our state. Voters appreciate the convenience of going to an "early voting" location in the county during the two-and-a-half weeks before the election. "Same-Day Registration" (House Bill 745) offers another convenience.

Under current law, if you don't register to vote at least 25 days before Election Day, you can't participate in the election. The 25 day cutoff is before most people focus seriously on the candidates. If you have moved recently, are young, or are

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### The Media and Elections-Web Cast Forum

*A Voter Education Project of the League of Women Voters of North Carolina & League of Women Voters of Carteret County Citizen Education Fund, Carteret Community College, and the Carteret News-Times, Co-sponsored by Democracy North Carolina, North Carolina Center for Voter Education, League of Women Voters of the United States Education Fund and the Open Society Institute*

**Summary:** In a ground-breaking voter education event, the League of Women Voters of North Carolina, the League of Women Voters of Carteret County, Carteret Community College, and the *Carteret News-Times* will sponsor an interactive web cast, "live" streaming audio and video broadcast via the World Wide Web to a statewide, potentially world-wide audience. Using the 2002 North Carolina judicial elections and public policy changes regarding judicial campaign finance as context, an expert panel will discuss the media's influence on campaigning and election outcomes. North Carolina voters, including absentee voters world wide, with access to a computer and to the Internet, can log on and "attend" the panel discussion. Through emailed questions, the virtual audience will interact with the forum moderator and pose questions to the panelists. Our objective for this project is to deliver high quality information about the role of the media in political campaigns, both positive and negative, to a maximum number of people cost effectively.

**Methods:** The ninety minute panel discussion will use North Carolina's 2002 and upcoming 2004 judicial elections as a framing device. A first thirty minute section will discuss the 2002 judicial elections from the points of view of a judicial candidate, a candidate campaign consultant, "traditional media" such as television and newspaper and the "Free Air" campaign reform project. Time will be allowed for voter questions from both the actual and virtual audiences. The second thirty minute section will discuss changes in North Carolina's public policy regarding judicial elections including voter financing of judicial campaigns, nonpartisan judicial elections, and the predicted effects of the "new media" such as the Internet, with time for voter questions. The last thirty minutes will belong to the voters and will be used to answer remaining voter questions or discuss voter-directed topics.

For ways for local LWV's to participate in this project – see p. 4

*For information contact:*

*Connie Asero; [casero@ec.rr.com](mailto:casero@ec.rr.com); 252-247-9265*

*Mary Klenz; [klenzm@nationwide.com](mailto:klenzm@nationwide.com); 704-542-5012*

See page 3 for the Leadership Development Workshop Schedule

2003 Convention Highlights – page 4

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## LOCAL LEAGUES RECOGNIZED

The LWWNC recognized all the local chapters for their accomplishments at the 28<sup>th</sup> Biennial Convention in June. Each League was presented with a podium sign and a check for reimbursement of the one time charges on national dues.

Some of the accomplishments are highlighted below.

**LWV Asheville/Buncombe** - The Asheville/Buncombe League keeps the citizens of Asheville informed with the many speakers they invite to meetings and breakfasts on a variety of topics.

**LWV Carteret County** - The Carteret League sponsored a regional debate contest for the benefit of East Carteret High School National Forensic League Speech and Debate Club. They received a \$1500 grant from the Civic Education Consortium to pay for simplified civics workshops and the debates.

**LWV Catawba** - The Catawba League sort out different organizations throughout the year to partner with at festivals, local historic celebrations, luncheons and forums.

**LWV Charlotte/Mecklenburg** - The Charlotte/Mecklenburg League began a Spanish Civics 101 program in addition to the original Civics 101 program. It was a great success and they have had much inquiry about the program since it was featured on National Public Radio's Morning Addition.

**LWV Dare County** - The Dare County League of Women Voters received positive press coverage when they Honored Elected Women at a luncheon in April.

**LWV Henderson County** - The members of the Henderson League of Women Voters are called upon by local organizations to provide facilitators, speakers and moderators.

**LWV Macon County** - The Macon County League has been working on a project to change a 3-member Board of county Commissioners to a 5-member Board. The League has been working on this project since the 80's and deserves much credit for perseverance.

**LWV Madison County** - The Madison County League has partnered with the Red Cross, worked with County officials and has developed a flyer with important telephone numbers and emergency information and they distribute this along with the Red cross Disaster Supply Kit.

**LWV Moore County** - The Moore County League held a fashion show fundraiser luncheon. 120 members and guests participated.

**LWV New Hanover County** - The New Hanover County League have successfully increased participation in their Civics 101 program.

**LWV Onslow/Coastal Pender Counties** - The League sponsored high school essay contests in 2 high schools. The winning essays were published in the local newspaper and three student winners from each school received monetary rewards.

**LWV Orange, Durham, Chatham (ODC)** - The League of Women Voters of Orange, Durham, Chatham have been working on Eldercare issues. Because of the influx of residents over the age of 65 from other parts of the country, the ODC League has worked on this issue and a member of their league represents the league on the Council of Aging.

**LWV Piedmont/Triad** - The Piedmont/Triad League works with Guilford County Board of Elections to set up and staff a phone center on Election Day to answer questions from Guilford County resident about voting procedures and to help solve voting problems. This project is the League's fundraiser.

**LWV Pitt County** - Round Tables on Race began in 2001-2002 and engaged students from several high schools who have now begun Students Tackling Issues of Race and Cultures (STIR).

**LWV Union County** - The League of Women Voters of Union County promoted EcolSP, an Internet service provider. EcolSP donates 50% of the profits to the LWWUS Education Fund.

**LWV Wake County** - The League of Women Voters of Wake County has 44 new members. They have come up with innovative ideas to attract new members and profile them in the newsletter.

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*Quote from a Justice at Stake Survey "The League of Women Voters was ranked second, just after the Supreme Court, by participants in a national survey when asked to rate their assessment of people and organizations of impact."*

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2003-03 LWWNC Board Meeting dates: all meetings are on Saturday, 10:00AM – 3PM, in Raleigh.  
August 9, 2003; October 18, 2003; February 21, 2004; April 17, 2004; Council date to be announced.

### Schedule for Leadership Development Workshops – September to January 2004

#### September

##### Workshop Working Locally for Social Change

Sept. 6<sup>th</sup> - 9AM-3PM

Plaza United Methodist Church  
5900 The Plaza, Charlotte, NC

Sept. 27<sup>th</sup> - 9AM-4PM

Quality Inn Appalachian  
Conference Center  
949 Blowing Rock Road  
Boone, NC

#### October

October 2<sup>nd</sup> - 9AM

##### Forum

Judicial Reform Legislative  
Update  
LWV Henderson County

October 11<sup>th</sup>

##### Advanced Training Workshop

Asheville, NC

October 18<sup>th</sup> - 9AM-3PM

##### Working Locally for Social Change

The Learning Center  
Conaheeta Street  
Murphy, NC

#### November

Nov. 1<sup>st</sup> - 7PM-11PM

##### Fundraiser

for Democracy NC and  
Institute for Southern Studies  
Hayti Heritage Center  
Durham, NC

Nov. 8<sup>th</sup> - 9AM-3PM

##### Advanced Training Charlotte

Nov. 14<sup>th</sup> - 7PM

##### Forum

Judicial Reform Legislative  
Update  
LWV Dare County

#### December- January

January 20<sup>th</sup> - 6PM

##### Forum

Judicial Reform Legislative  
Update  
LWV New Hanover County

For more information on the Schedule for Leadership Development Workshops  
Contact Peg Chapin  
704-846-2540  
[ehchapin@aol.com](mailto:ehchapin@aol.com)

### REPORT: LWVNC MEMBERSHIP/LEADERSHIP DEVELOPMENT PROJECT

By Billie Hayward

In 2002-2003 the Executive Service Corps held focus groups with League members throughout the State to help LWVNC Board identify the critical issues and top goals of Local leagues and to get their ideas about how the Board could support them in achieving their goals. In January, 2003, the State Board held a retreat to address the findings and to develop goals and strategies to meet the needs of Local Leagues. Two of the four critical issues that were identified as priorities at that meeting were membership and leadership development.

The Membership Development goal established by the board for 2003-2005 is to increase net membership at the State and Local level to equal a 5% increase by June 30, 2004. This project was inaugurated with a workshop at State Convention in June. The interactive workshop which was designed and facilitated by Cheryl Graeve, Membership Field Services Director for LWVUS, and Billie Hayward, Orange, Durham, and Chatham Counties League, focused on strategies for recruiting, retaining and engaging new League members. The workshop was

attended by 21 delegates representing 15 of the 17 local Leagues in the State. Delegates discussed their challenges and successes in recruiting and retaining new members. Materials were distributed which outlined best practices and guidelines for membership growth. Each of the Leagues designed a written Plan for Membership Growth which set a specific membership goal, identified a list of who to recruit and where to find them, established the time frame for the membership campaign, identified additional resources needed, shared tools for assessing member interest, explored strategies for engaging new members by creating flexible opportunities for participation, and planned for New Member Orientation.

State Board member Billie Hayward will work with local Leagues to support them in implementing their plans during the next year. Regional meetings will be held to focus on leadership development and community outreach for local Boards and new members. In June, 2004, we expect to celebrate successful achievement of 5% increase in membership!

For information: [billiehayward@earthlink.net](mailto:billiehayward@earthlink.net); 919-942-7847

## The Media and Elections—Shaking up the Status Quo

A Voter Education Project of the League of Women Voters of North Carolina & League of Women Voters of Carteret County Citizen Education Fund, Carteret Community College, and the Carteret News-Times Co-sponsored by Democracy North Carolina, North Carolina Center for Voter Education, League of Women Voters of the United States Education Fund and the Open Society Institute

There are several ways for local leagues to participate in this exciting project including:

- Because of our late fund raising start, we are still looking for funds to make the League's first webcast possible. Donations to the project can be made through the League's Citizen Education Fund.
- Our [www.beforeyouvote.us](http://www.beforeyouvote.us) website is still under construction by the students at Carteret Community College's Internet technology program. However, we will notify you as soon as it is constructed. Once it is up, local league websites can be prepared with links to [www.beforeyouvote.us](http://www.beforeyouvote.us), and publicity and instructions for the webcast can be prepared ahead of time. Our technical team has very good instructions for logging onto the webcast and participating which we will forward to interested leagues as soon as possible.
- North Carolina's community college system has excellent Internet Technology programs. Instructors can be asked for student assistance in website preparation and other technical support. This kind of partnership gives students real world experience working with a "client" and helps promote the League.
- Government, political science, paralegal, journalism, and other community college classes can be notified of the event and students can participate remotely from a campus computing center. Student and instructor participation has the extra advantage of helping us evaluate the webcast as a voter education tool.
- Community Colleges can also be asked to host a "remote site." The webcast can be projected onto a screen in a small auditorium where a facilitator can take questions from the audience and email them to the panel moderator for discussion. A follow up discussion led by a League member or college instructor will also be a useful evaluation tool.
- And publicity for the webcast is always appreciated. Local Leagues can send out announcements to their listserves, advertise it in the local media, and pass the news word of mouth.

We will be sending out information about this exciting project periodically. One of the first bulletins will provide contact information to Carteret Community College which will be prepared to assist in any way with this project. Thank you for your interest—send money.

Connie Asero: [casero@ec.rr.com](mailto:casero@ec.rr.com); 252-247-9265

## 28<sup>th</sup> Biennial Convention Highlights

*By Mary Klenz*

Delegates from 100% of the Leagues in North Carolina and friends attended the twenty-eight biennial convention in Charlotte on June 21 and 22<sup>nd</sup>. Special guests included national President Kay Maxwell, North Carolina national board liaison Xandra Kayden, LWVUS field support director Cheryl Graeve, the Honorable Judge Butterfield and Fannie Flono, Associate Editor of The Charlotte Observer.

Kay Maxwell opened the convention with an address to the delegates. She spoke of the challenges organizations like the League are facing in today's world and urged members to examine new ways of tackling our most pressing issues in the changing climate of volunteer organizations. She suggested that locals apply national positions to local issues and chose those areas where we can make a unique contribution. Members found her remarks motivating and some pointed out that they are already doing that. Election and campaign reform and energizing local citizens are issues that the League has worked on from the beginning and can bring talent, experience and energy to the process.

Judge Butterfield's address on judicial independence pointed up the challenges Judicial candidates face in costly, highly partisan elections. His Honor urged the League to continue our work in the area of reform. A comment from Observer Editor Fannie Flono points out some of the possible implications of these changes.. "It's scary to think judges we elect feel it's now acceptable to publicly state a bias and point of view on issues they will rule on in campaigning for their judgeship. But Judge Butterfield made it clear in his talk to the League's state convention that for many candidates that is the case. The integrity of the court system is being threatened in a much more direct way than I had realized. After hearing him, it was much clearer why citizens must educate themselves better on judicial candidates, and push for laws that keep ideological, agenda-driven judges off the bench."

Delegates approved the 2003-04 budget, the 2003-05 slate of officers and the 2003-05 state program. Issues for emphasis for 2003-05 are:

- Campaign finance reform, judicial independence and other election related issues
- Continuation of leadership and membership development programs for local Leagues
- Plans to develop and implement a plan to enhance the operating budget

The LWVNC complete program can be downloaded from the website [www.lwvnc.org](http://www.lwvnc.org) under the heading of positions.

In addition to conducting the business of the League, participants attended workshops on membership development, campaign and election reform, writing for the newspaper and participated in round tables on such issues as NC budget and taxes, reproductive

(continued on page 5)

## 28<sup>th</sup> Biennial LWNVC Highlights

(Continued from page 4)

choice, domestic violence court observation project, the environment, appointment of judges, voter service, technology for today's LWV, and administrative functions of local boards. On Saturday evening conventioners visited some of Charlotte's most interesting restaurants as part of the dine around.

Members who facilitated the workshops were Connie Asero, Karen Bean, Peg Chapin, Regina Dobson Coursar, Betty Ellerbe, Dot Greenwood, Billie Hayward, Nelda Holder, June Kimmel, Ellen Olson, and Eva Rogers.

The convention passed a motion by the Moore County League asking that the LWNVC support a motion before the NC Superior Court. The Moore County position adopted by the convention called for requiring capital cases to be tried and reviewed by appointed judges instead of elected judges.. The action motion directed the state board to send a letter to all 170 North Carolina legislators informing them of the Leagues support of this issue. The letter along with a copy of a news article from the Moore County League that appeared in The Pilot, was sent to the full legislative bodies on August 1.

The state board would like to thank Charlotte-Mecklenburg and the convention committee for hosting the event. Thanks to committee members Karen Bean, Regina Dobson Coursar, Kelly Eaves Boykin, Maxine Eaves, Sandy Feldman, Gloria Kuczminski, Janie Mauney, Malyn Pratt, Bernie Parker and parliamentarian Nelda Holder.

### LWNVC Represented at National Council

Mary Klensz and Eva Rogers represented the LWNVC at national council in Washington DC in June. Both were invited to participate on panels; Mary to talk about the LWNVC Voter Education Advisory Team and Eva talked about North Carolina's activities on judicial independence.

United States Supreme Court Justice Sandra Day O'Connor addressed the convention. She chronicled the history of the suffragist movement and stayed for a signing of her latest books.

Other speakers included Suzanne Morse, Pew Partnership, Bob Hansan, Capitol Advantage, LWNVC United Nations observer Doris Shapira and members of the sixth grade class and their parents from Nashua, NH. The students were recognized for their class project on a mock election that increased parent and community participation in the election process.

More than one hundred members and friends attended the council, representing all fifty states.

## A Practical Way to Boost Voter Turnout

(Continued from front page)

preoccupied with the pressures of daily life, you won't realize you missed the deadline until it's too late.

The proposal in the state legislature provides a second change by letting a citizen go to one of the early voting locations to register and immediately vote. They would have to show an ID and evidence of their current address, plus swear "under penalty of perjury" that they are a citizen, are at least 18 years old, and live at the address given. If they lie, they can be convicted of a felony.

Opponents of the bill have invoked images of illegal aliens being bused to the polls to steal elections. But such fear mongering reveals more about the storyteller's fantasies than the truth about same-day registration.

"We have had not one case of fraud", says the elections administrator for Idaho, which began same-day registration in 1994. In Wisconsin, where the program began in the 1970s, a student made headlines in 2000 by claiming he had registered and voted more than once. He later admitted he lied, and investigators found that safeguards protect the system from abuse.

Under the North Carolina proposal, a person who wants to register and vote on the same day would have to show an elections official more proof of identity than anyone else who wants to vote, plus sign a sworn statement attesting to the document's accuracy.

This new option would be available only at an early voting location during the 19 days before Election Day. Nearly all these locations are equipped with computers that can immediately verify that the person is not registered elsewhere and can record new data so no one can go to another location and vote again.

A legislator recently told his General Assembly colleagues, "Our highest calling is encouraging more people to participate in the elections process. This is their government, not ours. We need everyone who is eligible to vote to get involved, to take responsibility" .....He's right!

If you still don't think it's smart to boost voter participation, here's another fact from a Democracy North Carolina study: The states with the highest voter turnout are the ones with the smallest gaps between rich and poor, the least regressive tax systems, the best high school graduation rates, and lowest crime rates.

They are not the states with the most rich people, per capita, but the ones where the most citizens take an interest in shaping their society and making sure their government serves the broad public interest. When more people vote, everybody benefits.

Article taken from The Pilot dated Sunday, June 1, 2003

## Appointment of Judges a Must For Fair and Impartial Courts

By Joan Barriage and Joanne Robinson  
Special to The Pilot

Appointment of the judges has been the position of the League of Women Voters of North Carolina since the early 1990's. The Current spotlight on capital punishment cases highlights the need for change in the system of electing judges in North Carolina.

Judges are subject to a different standard from other elected officials. They do not represent a constituency. They sit to apply the law with knowledge, objectivity and impartiality for the parties involved. They should not feel pressured to appeal to voters, contributors or special-interest groups. Their decisions should be free of concern for re-election. Otherwise, judges might feel reluctant to make unpopular decisions or let it affect their determination of critical issues before the courts.

The U.S. Supreme Court in June 2002 filed an opinion in which five justices expressed serious concern about whether the popular election of judges is consistent with the principles of due process. Justice Sandra Day O'Connor wrote "to express my concern about judicial elections generally" and stated, "I am concerned that, even aside from what judicial candidates may say while campaigning, the very practice electing judges undermines this interest [in an actual and perceived impartial, judiciary]. We of course want judges to be impartial in the sense of being free from any personal stake in the outcome of the cases to which they are assigned. But if judges are subject to regular elections, they are likely to feel that they have at least some personal stake in the outcome of every publicized case. Elected judges cannot help being aware that if the public is not satisfied with the outcome of a particular case, it could hurt their re-election prospects".

The LWV of North Carolina advocates that appointments be made from names submitted by a nonpartisan, representative group and then stand for a retention election. Under such a

system, an appointed judge, once on the bench, remains without obligation or feeling of debt. The retention election vote determines whether a judge remains or is removed, but is not in competition with another candidate. Both the Judicial Standards Commission and the retention election would handle judges who should be removed.

Some of the people best qualified for the bench will not run because of the fund-raising required and time away from judicial duties. In fact, some judges have quit the bench rather run for re-election. Possibly there is no perfect system, one without political influence, but appointment of judges attracts the best qualified, those who are there for knowing and applying the law and being impartial – not having to appeal to the public or give up a practice for uncertainty or raise money, not having to take time away, or be concerned about making unpopular decisions.

We support the motion pending in Superior Court that argues that capital cases should be tried and reviewed by appointed judges instead of elected judges. North Carolina has a number of appointed judges who have been designated to fill vacancies, and only those appointed judges should be scheduled for capital cases.

Many agree that improvements are needed in processing criminal cases, including those the death penalty, but the emphasis needs to be on appointed judges. The LWVNC is for appointed judges, and this could be a first step in that direction. No matter where you stand on the death penalty, for the sake of due process, let us immediately assign only appointed judges to capital punishment cases.

(See related articles on pages 7&9)

### LWVNC Board Briefs: 8/9/03

From Sec. Lee Mahan Evans

Information and \* Response needed:

- Budget reflected spending \$2000 over. *Good news:* we had money to cover it
- New Mission Statement: LWVNC: *educating and advocating for democracy.* \*Please use this mission statement to interpret our work.
- ZSReynolds \$50,000 grant for Public Education on Judicial Reform January 2004
- \*Carteret County Webcast program, 10/20. Media & Elections. Will you participate?
- Issues for 2003-5: \*Increasing Membership – **by 5% and increase revenue.**
- **LWVNC Fundraising Letter to come out soon \*\*\*\*\***
- **\*In fundraising – Do not forget lapsed members**
- Board will develop a Marketing Plan to assist us on every level

- \* **June 5, 2004 NC Council Meeting, Save the date!**

#### CEF REPORT

**Total: \$33,977.21; Local League holdings: \$21,797.30; Endowment: \$15,815.92**

Need to develop strategies for use of Endowment

- Importance of developing ways to make contributors feel appreciated!
- Recent address by Pres. LWVUS on League's position and the Patriots Act. Check LWVUS Website for that and other information.

*Board welcomes Diana Phillips, new appointee with the Endowment portfolio. Continued improvement wishes to Jana Albritton, former Sec. LWVNC. Best wishes to Doris Naumann, recovering from throttle by-pass surgery.*

**PRESS RELEASE: LWFNC**

**Action Motion Adopted at LWFNC 28<sup>th</sup> Biennial Convention, June 22, 2003, Charlotte, NC**

**Press Release sent to six major dailies, Associated Press and all NC Legislators**

At the 28<sup>th</sup> Biennial Convention of the LWFNC delegates voted to support a motion pending before the NC Superior court in Moore County. The motion asks that it be required that capital cases be tried and reviewed by appointed judges rather than elected judges. NC has a number of appointed judges who have been designated to fill vacancies and the League believes that only those appointed judges would be scheduled for capital crime cases.

Judges are subject to a different standard from other elected officials in that they do not represent a particular constituency. They serve to apply the law using their knowledge, objectivity and a sense of impartiality toward the parties involved. Their decisions should be free of concern for re-election and they should feel pressured to appeal to voters, contributors, special interests or be perceived to be bowing to popular opinion. Such

concerns and perceptions only serve to undermine the public confidence in a fair and impartial judicial system.

Many agree that improvements are needed in processing criminal cases and that no known system of selecting judges is perfect. However, assigning only appointed rather than elected judges to capital cases is one way to move our system of justice in the direction of increased impartiality.

The LWFNC has supported the appointment rather than election of judges for more than a decade and the current spotlight on capital punishment cases further highlights the need for change. Delegates from all NC chapters attended the convention in Charlotte on Jun 21 and 22, 2003.

The LWFV is a nonpartisan organization of women and men. It was founded in 1920 when women won the right to vote. It does not support nor oppose candidates or parties.

**Judicial Elections Advisory Council Meets**

By Marian Lewin – Wake County LWFV

On Tuesday, July 1, I observed the first meeting of the Advisory Council to the State Board of Elections. The Council members are GK Butterfield, Thomas Ross, Robert Hunter, Wallace Respass and Willis Whichard. Appointed by the Governor, two were nominated by the Democratic Party, two by the Republican Party and one was unanimously chosen. Also attending were State Board of Elections Chairman Larry Leake, Director Gary Bartlett, Deputy Director Kim Westbrook.

The Advisory Council is designed to implement the new legislation passed last year which removed partisan distinctions from higher level judicial elections. Judges will no longer run as Democrats or Republicans in future elections. The legislation also

approved the campaign finance reform in the form of a state-administered campaign fund. This Advisory council will publish a Candidates Guide to the new campaign rules, determine qualified donations, administer the campaign fund, initiate research projects, issue the Voter Guides and distribute the Voter Guides.

There are a lot of details which need to be worked out. It will be interesting to see how this important legislation changes judicial elections in North Carolina. The next meeting will be on July 30 at 2pm at the State Board of elections on W. Harrington St in Raleigh. This will be working meeting and many difficult decisions need to be made.

**The LWFV: e-Newsletter, "Our Democracy, Our Airwaves"**

LEAGUE ANNOUNCES SUPPORT FOR "OUR DEMOCRACY, OUR AIRWAVES" LEGISLATION

The "Our Democracy, Our Airwaves Act", sponsored by Senators McCain (R-AZ), Feingold (D-WI) and Durbin (D-IL), and recently introduced in the US Senate, requires television and radio stations to provide free airtime to candidates and political parties. "The time has come for ideas to matter more than money," stated Kay J. Maxwell, League President. "As campaigning costs have gone up, driven by the skyrocketing cost of buying television advertising, the political system has eroded," said Maxwell. "Candidates have lost their focus. Instead of taking the time to speak to voters about their candidacies and issues, they are forced to spend enormous amounts of time raising money, and all too often that money is from powerful special interest groups," noted Maxwell.

**Letter sent to Speaker of NC House on 7-16-03**

Date: 7-16-03

The Honorable James Black, Speaker  
North Carolina House Representatives

Dear Speaker Black:

On behalf of the LWFV of Asheville-Buncombe County, where I serve as president, and on behalf of the League of Women Voters of North Carolina where I serve as environmental chair, I offer our solid support for the pending coastal ecosystem protection bill, HB 1028.

This is basically non-controversial but extremely important environmental legislation that we as North Carolinians can be very proud of. I hope you will do everything possible for its passage.

Sincerely,

Nelda F. Holder  
LWFV of Asheville-Buncombe County  
221 Miles Building, 2 Wall Street  
Asheville, North Carolina 28801

(828) 258-8223 or 252-8569

## NOTES & NICHES

By Nelda Holder, Environmental Chair

### ***Clean Smokestacks vs. Clear Skies***

North Carolina, home of the "Clean Smokestacks" legislation, has once again gone on record in support of the lungs and health of its citizens. In a letter to the US Environmental Protection Agency, our governor has taken EPA to task for reporting that the Southern Governor's Association is on board with the proposed "Clear Skies" legislative proposal. In Governor Easley's own words: *"The EPA's press statement issued Tuesday, August 5, 2003, and titled 'Clear Skies Receives State and Local Government Support' gave the impression that the Southern Governor's Association supports the Clear Skies Initiative. It is my understanding that the SGA has taken no such position. Following the Governor's Air Summit held in Charlotte in May 2002, I and the governors of Tennessee, Georgia and South Carolina sent the President a letter, which conveyed our support for the development and implementation of a strong national multi-pollutant strategy to reduce the emissions of sulfur dioxide, nitrogen oxide and mercury, particularly from electric utility plants. However, the question remains as to whether the Clear Skies Initiative will accomplish that task."*

The letter further challenges the effect of the proposed Clear Skies initiative on the rights of states which exit under the venerable Clean Air Act to seek pollution reductions from upwind sources in other states, noting the statute would severely restrict or delay *"proven tools to remedy the transport of air pollution from one state or region to another"*.

*"North Carolina has demonstrated that States can successfully exercise their right to impose more stringent controls than federal law requires. States must retain the ability to bring about reductions in specific geographic regions and at specific sites in order to protect the public health and welfare, and the environment. Section 116 of the Clean Air Act currently provides this important right, which should be expressly preserved"*.

Well said, Governor. And thank you.

(Visit the national website, [www.lwv.org](http://www.lwv.org) to read the League's own letter regarding the weakening of the Clean Air Act.)

### ***Down Home Report***

Many thanks to the staff at North Carolina Conservation Network for their quality updates on state legislation affecting our environment this session. LWNVC is a member organization, and we rely heavily on their reporting since we have no loopiest in the State House. Here are some of the wrap-up notes via ConNet to issues we have been tracking.

*SB 945, Timely Environment Permitting.* This was the one you heard a lot about from me. It would have allowed companies to build plant facilities BEFORE receiving their state air pollution permits. After a lot of input from the public, this bill was negotiated to the point that – although it passed – it reflects a compromise which leaves current law in existence for new facilities; expanding plants will have to get special permission to build before applying for a permit. Looks like this one got pulled out of the fire.

*HB 566, Disapprove Swift Creek.* A mystifying initiative, this bill opposed the water quality protections recommended by a 10-year study for the 273 square-mile Swift Creek watershed in the Tar-Pamlico River basin. Again, thanks to public pressure, it was modified, though in this case the results are much more questionable.

Modest protections were allowed to stand on 2/3 of the watershed, leaving 1/3 unprotected. Maintaining critical habitat suffered a severe blow. Maintaining legislative integrity received a severe blow, also; this ended with a promise to study the critical lower section of the creek next year to see if it should receive the same protections (those being, of course, the protections already recommended by a lengthy study).

*HB1112, Amend Environmental Laws (the "Hog Pardon" bill).* I'm going to quote ConNet verbatim on this one, they said it so well. "The bill would have allowed hog farmers to let their waste lagoons fill to unsafe levels without penalties. After the state environmental agency agreed to convert a number of violations to 'notices of deficiency,' and to convene a stakeholder discussion this fall, the senate sponsor sent the bill back to committee. Depending on the results of the discussions, we could well see this bad bill return next year."

Other legislative tidbits include the survival of SB 846, which was tied down in committee but will be eligible for action when the Legislature reconvenes; it would remove certain legal obstacles to installing solar systems in homes. SB 825 was passed, aimed at stopping the wholesale capture of our increasingly rare turtles for export out of state. And HB 1028, which the NC Coastal Federation considered the best coastal legislation of the decade, promotes more environmentally friendly methods to reduce estuarine erosion (and bans hardened structures).

### ***Storm water Rules vs. Reality***

In the storm water rules just passed by the state's environmental Management Commission, rates of 12 percent impervious coverage were set along the coast, with rates of 24 percent set for the remainder of the state. Documentation shows that degradation begins at a 5-8 percent impervious rate. (Yes, we're talking about paving paradise.) The mountain folks are lobbying for a lowered rate comparable to the coast, based on the precarious topography needs. I know this may be entirely out of your realm, but if you ever have a chance, check out some of the new "pervious" surfaces available now to builders, and think about lobbying for them in your local planning ordinances.

### ***Digital Democracy***

Here's a project some other areas may want to replicate to suit their own territories. Devised by the RiverLink organization in Asheville (French Broad River Basin) and riverkeeper Phillip Gibson, this website, [www.riverlink.org](http://www.riverlink.org) will be ready in 2004 to provide information to developers, realtors, residents, and middle school students in the rural counties on the French Broad River watershed. RiverLink recently received a \$110,100 grant from the North Carolina Rural Internet Access Authority to develop an interactive digital map that will teach people about streams, stream health, toxic sites, regulations, locations of parks, boat launches, and much more.

### ***A Network Reminder***

Please update your League's contact information so the each League receives our environmental alerts. Any individuals who would like to receive them are welcome to the list also. It is carefully managed so as to keep your e-mail to a minimum. (Contact Nelda Holder at [westofthemoon@charter.net](mailto:westofthemoon@charter.net) for more information.)

**LETTER SENT TO NC LEGISLATORS 8-1-03**

By Mary Klenz

Dear Member of the North Carolina Legislature,

The League of Women Voters of North Carolina has had a position supporting the appointment of judges for several decades. At its twenty-eighth biennial convention delegates voted to continue to speak out on this issue. 100% of the local chapters were represented in Charlotte on June 21-22. More details on the League's position are presented in the enclosed newspaper article which appeared in *The Pilot* on June 1.

The League realizes that many North Carolinians strongly support their right to elect judges. In light of that the legislature's support of voluntary funding of elections for the North Carolina Supreme and appeals Courts judges is an important step to ensuring the integrity of the process and the League thanks you for that.

Our judicial system is facing many challenges today; challenges of adequate funding, public perceptions of fairness and equity, pressures from special interest groups and the questioning of the ability of judges to provide impartial rulings in light of the demands of election campaigns. League members hope that as lawmakers you will consider these concerns when debating issues related to the judiciary.

As some of you may know, the League of Women Voters is a nonpartisan organization of women and men founded in 1920 when women won the right to vote. It does not support or oppose candidates or political parties. Its mission is to educate all citizens in the processes and issues of governance. Members have worked to further education and citizen participation in their government for eighty-three years. Thank you for your considerations and your willingness to serve the public through elected office.

Warmest regards,

Mary Klenz

Co-president

**SIGN UP NOW TO RECEIVE THE LEAGUEe-VOICE MONTHLY NEWSLETTER**

As a member of the League's online community, you receive biweekly, text-only messages about current League activities and action alerts. We would like to invite you to sign up for the LeagueE-Voice, the new electronic HTML newsletter published by the LWVUS. Sent monthly, the newsletter will include timely action alerts and press releases as well as program updates and upcoming events.

Subscribing to the LeagueE-Voice is easy. Just send a blank email to [league-voice-subscribe@lists.lwv.org](mailto:league-voice-subscribe@lists.lwv.org).

To read more and learn what you can do go to:  
<http://www.capwiz.com/lwv/issues/alert>

LWVNC is the state partner for the free airtime coalition.

**ENDOWMENT NEWS**

By Diana Phillips

At the August board meeting the board decided that we need to have a feasibility study for the Endowment in order to find out how to best go about this long-term fundraising project. We are fortunate to have Bev Kawalec (LWV-ODC) join the Endowment Committee. Bev has a degree at work experience in city planning and she has fundraising experience with local and state organizations.

In early December we will have another holiday luncheon for endowment contributors at the North Carolina Museum of Art. Details will follow.

We will welcome any leaguer who wants to join the endowment Committee. Please call Diana Phillips (919) 732-3561 or email [dianaphillips2003@yahoo.com](mailto:dianaphillips2003@yahoo.com).

**THANK YOU TO OUR 2002-03 ENDOWMENT CONTRIBUTORS****Donors (\$1 - \$99)**

Donna Duke, MAL  
Alma McKee, Henderson  
Eva Rogers, Pitt  
Nancy Salmon, ODC  
Fran Syptak, Catawba

**Supporters (\$100 - \$499)**

Billie Hayward, ODC, in honor of Margaret and Sam Holton, ODC  
Diana Phillips, ODC, in honor of Phyllis Rogers, Henderson

**Benefactor (\$1000 and over)**

O. B. and Elizabeth Falls Foundation

**From the LWVUS****SUPPORT CIVIL LIBERTIES**

The LWV strongly believes that basic civil liberties must be preserved and protected as the nation seeks to guard against terrorism and other threats to national security. We are particularly concerned about the impact of provisions of the USA Patriot Act passed by Congress in October 2001, the possible extension of the sunset provisions of that Act, and Administration proposals for a new Domestic Security Enhancement Act (DSEA), also known as Patriot Act II.

These are challenging times for all Americans. We recognize that there are real and serious terrorist threats, but American citizens and our elected representatives must remain vigilant to protect against encroachment on basic civil liberties.

To read the League's letter to congress on protecting civil liberties, visit our website at: <http://interactive.lwv.org/news>

## BUDGETS and TAXES

### A short primer -

The good news is that we don't have to devise a budget. We have elected representatives to our General Assembly, and they have to make sure that the taxes collected meet the budgeted needs.

The bad news is that North Carolina, like almost every other state, is suffering from revenue not received because of the stock market collapse, the non-recovery recovery from a recession, and in our case, two lost lawsuits, two hurricanes, major tax reductions in the '90's and a continuing slide in manufacturing jobs.

We have made a commitment to our teachers. We want our children well educated. We want the poor, disabled and elderly to have medical care. And that is where our expenses have risen. In the 2000-2001 budget Medicaid was \$1,520.5 million dollars. In the 2001-2002 budget it was \$1,984.7 million dollars, a 30.5% increase. Without salary increases our schools budget was up 1.7 percent. Our debt service was up 15.3% and everything else was down 1.4%. (Budget and Tax Center Newsletter June 2001)

We are not a "high tax" state. We rank 37<sup>th</sup> in combined state and local taxes as a percent of personal income, just the same as we did in 1979. In total taxes per capita. we rank 31<sup>st</sup>.

### Where do we raise our Money?      Where does it go?

50.7% Individual income	58 % Education
28.4% Sales and Use Taxes	41 % K-12
21 % Property	12.3% UNC System Schools
5.7% Corporate Income	4.7% Community Colleges
15.2% Other	25 % Health & Human Services
2 % Motor Vehicle Tax	60 % Medicaid
4.3% Non-tax revenues	18 % Mental Health
2.7% Insurance Taxes	6 % Health Choice
2.7% Transfers	10.3% Justice and Public Safety
2.5 % Franchise Taxes	6.1% Corrections
1.2% Alcohol Taxes	4.2% All else
1.8% Inheritance, Tobacco Gift, etc.	6.7% All other budge expenses: Natural and economic resources, general government debt services, reserves, capital improvements (N&O May 18, 2003)

How much is our budget? **\$14.3 billion dollars.** And, we have a constitutional requirement to have a balanced budget on June 30<sup>th</sup> of each year. Unlike the federal government, we can't print more money if we need some extra cash.

We spent and saved and returned money in the '90's and the tax cuts then are one of the problems we have today. Today, those cuts cost the general fund about 7% of its annual revenues. Actually, excluding Medicaid, the state general fund appropriations as a share of the state's total personal income have decreased since the beginning of the '90's from 7.05 percent to

6.17 percent. For every \$100 in income earned by state residents, the state's general fund is taking 88 cents less today than it was in 1990. Medicaid, even though the state is liable for only \$1 out of \$3 spent, is rising much faster than inflation, and its cost alone can completely account for our real growth in state spending.

*(CO 6/20/03 – from Elaine Mejia's article. Elaine is with the Budget and Tax Center in Raleigh)*

Some points:

A tax policy needs to produce the funds required to cover the expenditures for on-going commitments like our bond debt, our payments to retired government workers, salaries of teachers, our state health plan, growth in public schools, community colleges and universities, environmental trust funds like the Clean Water Fund, and other items we have agreed to fund.

Our tax code was written many years ago and needs updating. North Carolina has been in the forefront of the states wanting to tax Internet sales. We probably will look at taxing some professional services, such as legal, accounting, advertising, computer, consulting and engineering. It is hard to not see tobacco as a target for an increase. The Center on Budget and Policy Priorities suggests that, to county the regressive nature of any tax on services there could be a floor below which no one would pay taxes (\$300 dollars??) so that haircuts and basic services would not be subject to the tax.

The League was in the forefront of the effort to reduce the sales tax on food, with each percentage point worth about \$80 million in revenue, but the general sales tax has been increased by 1/5 percent, largely negating the effect of the food tax cut for poorer families. In addition, the tax cuts at the federal level have not benefited poorer families, and relief to the states with their Medicaid costs is not assured in the future, making it difficult to decide how to allocate those funds for the coming year.

North Carolina has a higher corporate tax (6.9%) than some other southern states. It also has a higher marginal tax rate (8.5%). However, the state pays for items and services that other states devolve to the local jurisdictions, which makes our total tax burden less than Georgia or Virginia. We ranked 10<sup>th</sup> in personal income tax, but 41<sup>st</sup> in property taxes. (Census 2002).

The income tax is considered a progressive tax because it raises more from wealthier people. The sales tax is considered a regressive tax, because poorer people must spend a higher proportion of their income for "things," which makes their tax burden as a percent of their income higher.

(The Newsletter of the NC Budget and Tax Center can be found at [btc@ncjustice.org](mailto:btc@ncjustice.org).)

Presented by June Kimmel, 6-21-03, LWVNC Convention (2003)

**LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA  
OFFICERS AND BOARD OF DIRECTORS – 2003-2005 (7/3/03)**

Management Team:

Peg Chapin, 10000 Four Mile Creek Rd., Charlotte 28277

704-846-2540

[EHChapin@aol.com](mailto:EHChapin@aol.com)

Mary Klenz, 7404 Sherwood Forest Dr., Charlotte 28226

704-542-5012 (w)

704-542-9858 (h)

[klenzm@Nationwide.com](mailto:klenzm@Nationwide.com)

Secretary: Lee Mahan Evans, 626 Knollwood Vlg, Southern Pines 28387

910-695-1850

[jevans20@nc.rr.com](mailto:jevans20@nc.rr.com)

Treasurer: Betty Ellerbe, Raleigh, NC

919-870-7284

[ellerbetty@aol.com](mailto:ellerbetty@aol.com)

Directors:

Billie Hayward, 100 Overlake Dr, Chapel Hill 27516  
Membership/Leadership Development

919-942-7847

[billiehayward@earthlink.net](mailto:billiehayward@earthlink.net)

Nelda Holder, 107 Blue Ridge Ave., Asheville 28806  
Environment

828-252-8569

[westofthemoon@charter.net](mailto:westofthemoon@charter.net)

Sunita Kumar, 433 West 8<sup>th</sup> St, Charlotte 28202  
Public Access TV Team

[sunita.kumar@framatome-anp.com](mailto:sunita.kumar@framatome-anp.com)

Doris Naumann, 27 Parkwood Trail, Hampstead 28443  
Voter Editor

910-270-1766

[Doriswn@charter.net](mailto:Doriswn@charter.net)

Jonah Person, PO Box 579, Robbins, 27325  
Election Reform

910-948-4243

[jazzyjonah@yahoo.com](mailto:jazzyjonah@yahoo.com)

Diana Phillips  
Endowment

919-732-3561

[dianaphillips2003@yahoo.com](mailto:dianaphillips2003@yahoo.com)

Eva Benson Rogers, 301 Plateau Dr, Greenville 27858  
Judicial Independence

252-830-4868

[Ebrog43@aol.com](mailto:Ebrog43@aol.com)

Fran Syptak, 3015 5<sup>th</sup> St. Place, Hickory 28601

828-328-4591

[Fsyptak@charter.net](mailto:Fsyptak@charter.net)

Dianne Wilkins, PO Box 1552, Winterville, 28590  
Special Projects

252-355-1057

[Diannewilkins@hotmail.com](mailto:Diannewilkins@hotmail.com)

Nominating Committee Chairman

Beverly Kawalec, 111 Laurel Hill Circle, Chapel Hill 27513

919-942-6369

[Kawalec@attglobal.net](mailto:Kawalec@attglobal.net)

LWVNC, 3801 Barrett Dr., #204, Raleigh, NC 27609-7214; Ph: 919-783-5995; 800-851-8683 (VOTE)

[www.lwvnc.org](http://www.lwvnc.org)

[lwvnc@mindspring.com](mailto:lwvnc@mindspring.com)

**League of Women Voters of  
North Carolina  
3801 Barrett Drive, Suite 204  
Raleigh, NC 27609-7224**

**NON-PROFIT ORGANIZATION  
U.S. POSTAGE PAID  
HAMPSTEAD, NC 28443  
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