



THE VOTER

THE LEAGUE OF WOMEN VOTERS OF CENTRAL YAVAPAI COUNTY

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P. O. Box 11538, Prescott, AZ 86304-1538

July-Aug 2013

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LEAGUE OF WOMEN VOTERS of

CENTRAL YAVAPAI COUNTY



*****SUMMER SOCIAL*****

You are invited to join us for luncheon on August 10th at noon at Plaza Bonita Restaurant on East Gurley next to the Best Western Motel

We will give a brief outline of our upcoming general meetings but this will be about having fun, getting to know one another and a great opportunity to bring a friend.

Price for lunch is \$15 and includes a drink, also special prices on Margaritas and beer

Menu Items: 2 Chicken Enchiladas

Shredded Beef Macho Burrito

Shrimp Salad

RSVP due by August 5th. You may send your check AND food choice in advance to P.O. Box 11538, Prescott 86304 or reply to this email at

vohara@cablone.net



LWVCYC Website: <http://goo.gl/5R9xU>

Our New Board



Front: Chris Adams, Secretary; Vicky O’Hara, President; Juliana Goswick, 1st Vice President (Program)
Back: Nancy Shugrue, Director (In-house Communications); Lindsay Bell, Treasurer; Dale Domzalski, Director (Voter Services).



Welcome, Terri!
 Longtime LWV member Terri Farneti has agreed to become 2nd Vice President for Membership. She will continue as Webmaster.

VOLUNTEERS NEEDED TO HELP REGISTER VOTERS!

Dates for upcoming voter registration

Tues., Aug 20	Yavapai College
Sat., Aug 24	Farmers Market
Sat., Sept 21	Farmers Market
Tues., Sept 24	Yavapai College
	/National Voter Registration Day
Sat., Oct 19	Farmers Market

Contact Dale Domzalski,
 domzalski@cableone.net, 237-9093



Membership News

Tina Blake

New Member



Tina has a background in both government and non-profit organizations where she facilitated events, special projects, and fundraising. Currently, she is the Development Coordinator for West Yavapai Guidance Clinic. Tina believes in the critical need to diversify our resources for future generations as a mother, native Arizonan and person concerned with the mental and physical well-being of our society. She has been married 18 years to her husband, Kevin and has two daughters - Cassidy 11 and Shelby 6. She is affiliated with the Association for Fundraising Professionals, acts a Girl Scout troop leader in Prescott Valley and participates in various area non-profits and church-related activities.

Dale Domzalski

New Board Director – Voter Services

Dale is a native Arizonan. After completing her education in Tempe, she worked in Admissions at Arizona State University. She became a stay-at-home mom working part-time in the business she and her husband started shortly before the children were born. Divorced after 26 years of marriage, Dale began the next chapter of her life. She remarried and several years later moved to Prescott. Once in Prescott, Dale became involved in groups working to make the community stronger, recently adding the League of Women Voters to her activities. With a commercial property in Mesa and a residence in Mesa, Dale remains busy in both business and personal life.



Christina Adams

New Board Member - Secretary



Christina joined the League in 2012. She is a founding partner and southwest representative of Partners In Recognition, Inc. a national design and manufacturing company of recognition walls. Christina has worked with hundreds of non-profit organizations over the past 21 years developing, implementing, and consulting on recognition programs.

Christina is Immediate Past-President of the Association of Fundraising Professionals Northern Arizona Chapter and a founding board member of Chalk It Up! Prescott.

Christina has a BS in management from The Ohio State University. She and her husband Tim are both originally from northeast Ohio and moved to Arizona over nine years ago after spending two years on Maui. She joined the League to gain information on local, state, and federal politics, is particularly drawn to the non-partisan policy and is thoroughly enjoying learning about the League through her board participation. Christina, Tim and their two dogs live in Prescott.

The 2013 League of Women Voters of Arizona State Convention

By Dale Domzalski

Friday night hospitality room: As I walk in I feel my first LWV convention experience is going to be a good one. I see a room filled with women paired off intently engaged in conversation. One or two look up to see a newcomer and smile, but thankfully several stop their conversation to welcome me into the fold. After settling in, I too begin a wonderful conversation regarding health care; nothing frivolous about this group and the “Meat of the Convention” has not even begun.

From beginning to end the convention demands precise timing for each event and surprising to me all events move to the expected beat. The meeting is called to order by President Barbara Klein and is followed by a warm welcome to Tucson from Mayor Rothschild. The schedule is packed with reports, too numerous to count, and five speakers.

One of our speakers is U.S. congressman Ron Barber. Congressman Barber speaks to us regarding several of the bills he has sponsored and his effort to work in a bi-partisan manner. It is very refreshing to hear such dedication from one of our elected officials. Another speaker, Ken Bennett, Secretary of State of Arizona gives a rousing demonstration of the Voting Process. Secretary Bennett’s active, hands on teaching method leaves an indelible mark on our group. Surely, he will be asked to repeat this demonstration in the near future.

Between all of the reports, presentations, and speakers, there is food. It is difficult to say “no” to wonderfully prepared food and all of the little additions such as hot, flavorful rolls and delicious desserts (which are served with lunch and dinner).

Our last speaker is one of the most memorable people of a very busy weekend, David Fitzsimmons, Editorial Cartoonist for the Arizona Daily Star. I laugh so hard and long my lips are tired! He draws caricatures of several convention attendees and makes stories of each person as his drawing progresses. What a gift he offers the group!

I appreciate this opportunity to experience the League in action! If you think you might be interested in attending the next Arizona Convention, I encourage you to go for it.

Voter Registration Training

Several of the League members arrived at the Fair Street Administration building on Tuesday, June 25, 2013 at 2:00 pm to participate in a voter registration training session. Betsy Barnes, Dale Domzalski, Teri Farneti, Kene Krogh, June Ruth, and Nancy Shagrue met with Janine Hanna, Registrar of Voters of Yavapai County, Leslie Hoffman, Yavapai County Recorder and several others who help with the voting process.

Besides getting answers to our questions regarding how to complete the Voter Registration Application forms, we were pleased to have open conversation regarding general problems one might face while helping with the voter registration. It is reassuring to know if we are unable to answer a question to the satisfaction of the applicant, the Registrar of Voters will investigate the matter until a solution is found.

I look forward to begin the registration process and hope many of you will be with me to help register new voters or simply answer questions of those who may have inquiries.

Dale Domzalski, Director of Voter Services

Clippings You May Have Missed!

June 25, 2013 10:24 am by Laurie Roberts , AzR

Has the U.S. Supreme Court been paying attention?

Just days after the Legislature passed and Gov. Jan Brewer signed a bill that appears to disproportionately toss obstacles in the way of Latino voters, the U.S. Supreme Court has ruled that no longer will Arizona have to clear its elections moves with the Justice Department.

Fresh off the heels of a 2012 election which featured misleading “robo calls” designed to suppress Latino turnout, an election in which voters in predominately Latino areas had to wait for up to eight hours to cast a ballot and some were given the wrong date for the election, Arizona is off the hook.

As a result of the court’s 5-4 decision striking down a section of the Voting Rights Act, Arizona and eight other states with a history of discrimination are now freed from having to seek federal approval for nearly every election-related decision they make.

Chief Justice John Roberts wrote that the Voting Rights Act violates the Tenth Amendment, which gives states the power to regulate elections. Besides, he said, the act made sense in the 1960s but apparently no more.

“Nearly 50 years later, things have changed dramatically,” the opinion says. “Blatantly discriminatory evasions of federal decrees are rare.”

Are they?

June 25, 2013 5:19 pm by Laurie Roberts

Supreme Court ruling strips away protection for Arizona voters

Six days after Gov. Jan Brewer signed a bill that tosses a few obstacles in the way of Latino voters, the U.S. Supreme Court has ruled that no longer will Arizona have to clear new election laws with the Justice Department.

Gone are the days, according to Chief Justice John Roberts, when our fair state needs to be monitored in order to assure that the voting rights of minority citizens are protected.

“Nearly 50 years later, things have changed dramatically,” Roberts wrote, in striking down a key section of the landmark Voting Rights Act of 1965. “Blatantly discriminatory evasions of federal decrees are rare.”

True, *blatantly* discriminatory evasions are rare. It’s the sneaky stuff you’ve got to be on guard against.

Or not, now that a pre-emptive federal veto of such shenanigans is basically out the window.

Reaction to Tuesday's ruling was swift, as Republicans and the Goldwater Institute lauded the opinion, calling it a victory for states' rights. Democrats and civil rights groups, meanwhile, called it one giant step backward in the drive to protect the fundamental right to vote.

"The real question ... is whether or not you believe there are discriminatory voting practices in the United States," Tucson attorney Vince Rabago told me. "That's the heart of the entire question. If you believe there are none, then you're fine with accepting the Supreme Court's decision. But the reality is that's not the case."

Rabago, a former state prosecutor, filed a complaint with the Justice Department earlier this month, asking the agency to investigate several instances of suppression and intimidation of Latino voters in the 2012 election.

Arizona is among nine states that must get "preclearance" from the Justice Department before making changes to its election laws or procedures. Those who chafe under DOJ supervision are quick to point out that Arizona was unfairly lumped in with the Jim Crow South in 1975 when it was added to the list of states with a history of voter discrimination. This, because we were two years late in offering bilingual ballots.

"Now, more than a third of a century later, Arizona (is) still being punished for having adopted bilingual ballots in 1974, rather than in 1972," according to a press release issued Tuesday by the Arizona Attorney General's Office.

Rather than obsessing over how we got on the list, it seems logical to consider whether we should be off of it.

Consider that DOJ has blocked 18 discriminatory voting laws in Arizona since the 1980s, according to the Arizona ACLU, including the rejections of several newly drawn political districts that minimized the influence of Latino voters.

Consider the 2012 election in which voters in some predominately Latino areas had to wait for up to eight hours to cast ballots and some were given the wrong date for the election or even the wrong ballot.

Consider House Bill 2305, a series of election reforms signed into law last week in a bill that is supported by all 15 of Arizona's county recorders. Among the changes are several provisions that appear to disproportionately affect new Latino voters.

One would target voters for potential removal from the permanent early voter list if they hadn't cast ballots in both the primary and general election in 2010 and 2012. Another would make it a crime for community groups to collect ballots and return them to the polls. Such get-out-the-vote drives boosted minority voter turnout in last year's elections.

"These are primarily new Americans, individuals who have come from countries or cultures that don't have, first of all, a U.S. Postal Service that delivers on time," said Sam Wercinski, executive director of Arizona Advocacy Network. "They have grown to trust and rely on these civic-engagement organizations, who are in their neighborhoods on a regular basis, to ensure their ballot is delivered and will be counted."

Well, they'd better not rely on it in 2014. Tuesday's Supreme Court ruling means that the Arizona doesn't need DOJ's permission to put HB 2305 into effect.

Still, all is not lost. Minority voters' hopes to reimplant teeth into the Voting Rights Act now lie in the capable hands ofCongress.

(Column published June 26, 2013, *The Arizona Republic*.)

Arizona Republicans, prepare for backlash

It could go down in Arizona lore as the night the Republican Party shot itself in the tuckus.

At least, the Democrats, Libertarians and Greenies hope so. This week, they're preparing to launch a counter offensive to thwart a late night raid by Republicans – one aimed at riding off with a few congressional seats.

“This,” said Libertarian Barry Hess, “is going to be political war.”

To explain, I take you to final night of the Arizona Legislature 2013. After 151 days, our leaders were finally ready to vote on a series of election reforms aimed at ... well that's the question, isn't it?

At issue were several changes sought by county election officials. Republicans insisted the bill was about adding fairness and integrity to elections. Democrats insisted it was about suppressing Latino turnout and keeping Republicans in power.

Then, in the final hours of the session, a little gem was added to House Bill 2305, one that looks to be the crown jewel in the Republican Party's 2014 election strategy.

The new law dramatically raises the number of signatures that third-party candidates must collect to get on the ballot — by more than 4,000 percent for Libertarians seeking statewide office.

So why, you might ask, would Republicans be so anxious to keep Libertarians off the ballot? So much so that the spokesman for the National Republican Congressional Committee would lobby for the bill's passage?

Well, let's listen in on Rep. J.D. Mesnard, R-Chandler, as he explained his vote that night on the House floor.

“I believe that, if you look at the last election, there was at least one, probably two congressional seats that may have gone in a different direction ... if this requirement had been there,” Mesnard said.

Busted.

Republicans – still smarting from losing all three swing congressional districts last year – believe that more races will fall their way once Libertarians stop soaking up votes. Their aim: seats now held by Democratic Reps. Ann Kirkpatrick, Ron Barber and Kyrsten Sinema.

Rep. Eddie Farnsworth, R-Gilbert, the man behind the signature boost, didn't return a call to explain any other conceivable reason for this sudden urge to stick it to third-party candidates.

But Daniel Scarpinato, national press secretary for the NRCC, says the bill is about fairness. The new law requires candidates to collect signatures from a percentage of all registered voters rather than just a percentage of the party's voters in order to stand for their party's nomination.

Scarpinato lobbied for the bill's passage as it headed toward defeat, urging state Sen. Steve Pierce to change his vote to support this and other “reasonable reforms” in the bill. Scarpinato says he wasn't speaking for the NRCC but as an Arizonan who believes we'll see better third-party candidates on the ballot as a result of making it harder for them to get there.

“I don't know that it'll have a huge impact on who wins these races,” he added.

Well, someone sure thinks it would because Pierce told *The Republic's* Mary Jo Pitzl that Rep. Adam Kwasman was furious at his initial vote against the bill. Kwasman, R-Oro Valley, plans to challenge Kirkpatrick next year.

Last year, Republican Jonathan Paton lost to Kirkpatrick by 9,180 votes. Meanwhile the Libertarian in the race got 15,227 votes.

Sure, this bill is alllll about fairness ... and plowing the field clear of potential spoilers.

Democrats believe Libertarians have increasingly siphoned Republican votes in recent years. They credit the “conservative protest vote” for the Libertarian as instrumental in Democrat Richard Carmona’s strong showing in last year’s U.S. Senate race.

Hess, however, says Republicans are miscalculating if they believe wiping out Libertarian candidates will lead to victory. Especially now, when people are riled.

“They believe they’ve got a Republican majority, with Libertarians climbing over onto their bandwagon,” Hess told me. “That’s not going to happen.”

Look for the backlash to begin on Tuesday morning as Democrats, Libertarians and others meet to organize a referendum to put HB 2305 on hold until the November 2014 election. They’ve got the money, Hess says, and they’ve certainly got the motivation.

That’s bad news for Republicans who already have to worry about a potential Medicaid referendum, a genius move by the party’s own right wing. If successful, 300,000 angry people could flock to the polls, hoping to save their access to health care.

Add in now the chance to vote on HB 2305, prompting angry Libertarians and angry Latinos to hit the polls next year when all statewide offices are up for grabs.

If you’re a Republican candidate, that’s going to leave a mark.

What's the Matter With North Carolina?

The state went from beacon of tolerance to bastion of voter suppression in a month.

By [Dahlia Lithwick](#) | Posted Wednesday, July 24, 2013, at 11:20 AM

North Carolina is proving itself to be the poster child for all that is wrong with modern American democracy and—with [thanks to Moral Mondays](#)—also highlighting all that may someday save it.

Once a temperate and tolerant beacon of the South, the state is poised to enact a rash of inexpressibly awful legislation, rushed through a Republican legislature. Because the GOP has veto-proof super-majorities in the state House and Senate and a Republican governor—for the first time since Reconstruction—the party has been on a spree. Republican-controlled redistricting was fantastically effective. So much so that in the 2012 elections, nearly 51 percent of North Carolina voters picked a Democrat for the U.S. House, yet Republicans won nine of the state’s 13 House seats, as [Chris Kromm](#) and [Sue Sturgis](#) recently pointed out.

Some of the gems advanced recently in the legislature include [an abortion bill tacked first onto an anti-Sharia law](#) and then snuck in [through a motorcycle safety law](#) (new [TRAP regulations](#) may shutter all but one clinic in the state). Another bill forces all educators to teach seventh graders that [abortion causes preterm birth](#) (it doesn’t). Lawmakers also enacted legislation (described [here](#) and [elsewhere](#) as “the harshest unemployment insurance program cuts in our nation’s history”) that resulted in [70,000 North Carolina citizens losing their unemployment benefits](#). The state is one of the 15 to have refused Medicaid expansion under Obamacare. A [proposed education bill](#) would slash teacher compensation, (already ranked among the lowest in the nation), eliminate tenure, and use vouchers to reallocate \$90 million of

public-school funding to private schools (The school superintendent issued a statement this week saying that in light of the proposed deep cuts to the education budget “For the first time in my career of more than 30 years in public education, I am truly worried about students in our care.”) Don’t forget the embarrassing proposed resolution allowing counties and cities to enshrine a state religion. Or the proposed ban on nipples.

But none of this is a joke. For reasons that Kromm and Sturgis lay out at length, it’s a well-funded, Koch-endorsed Christmas rush to get everything done right now.

How does the state legislature control an electorate that by all accounts really hates the state’s new legislative initiatives? Simple. Drown them out—by diluting minority/Democratic votes through redistricting, or suppressing the vote.

Under Section 5 of the Voting Rights Act, 40 counties in North Carolina had to go to the federal government for pre-approval of any change to local election law. When the Supreme Court locked up Section 5 last month, by a vote of 5–4, it gave a great gift to the disenfranchisement community. States no longer need to check their crazy with federal courts or the Justice Department. The obligation to prove that you aren’t harming minority voters (or expressly targeting them) has gone. Texas and Mississippi charged ahead with their own controversial voter ID laws within hours of the Supreme Court ruling. Alabama and Mississippi have either passed or are working on similar ones. And Tuesday, North Carolina took the first step to expanding its Voter ID bill to better disenfranchise a few more voters who might have leaned left, including students, African-Americans, and women.

Indeed, North Carolina has just put in place a vote suppression regime that can only really be described as political performance art. Here is the proposed new elections omnibus bill. It drastically reduces early voting, does away with same-day voter registration, weakens the disclosure of so-called independent expenditures, disenfranchises felons and the “mentally incompetent,” authorizes vigilante poll observers, and penalizes families of college students who vote out of state.

The voter ID component of the bill is probably the most draconian in the nation. It cuts to seven the forms of permissible identification. If it passes, no county or municipal government or public employee IDs will be valid proof of voter identification. Nor will any photo ID issued by a public assistance agency, or any student ID from any college. The new voter ID rules will hit African-American voters, women, and Democrats hardest. The indispensable Ari Berman sums up the aggregate effect as follows: “According to the state’s own numbers, 316,000 registered voters don’t have state-issued ID; 34 percent are African-American and 55 percent are registered Democrats. Of the 138,000 voters without ID who cast a ballot in the 2012 election, 36 percent were African-American and 59 registered percent Democrats.” And the scourge of voter fraud in North Carolina, at which the proposed law is directed? Between 2000 and 2010 there have been *two* cases of alleged voter impersonation. In that period three people also ate pop rocks and died.

While the General Assembly allocated \$1 million in the budget to implement the new voting regime, estimates of the actual cost range from \$3 million to \$20 million. It is the voters themselves who will soon be paying for the privilege of being denied the vote.

This brings us to the rather amazing book review in the New York Review of Books this weekend, by retired Justice John Paul Stevens, of Professor Gary May’s superb new book, *Bending Toward Justice: The Voting Rights Act and the Transformation of American Democracy*. May scrutinizes the forces that led to the original passage of the Voting Rights Act in 1965, with an emphasis on the brute violence and racial ugliness that accompanied efforts to vote, organize, and protest.

Stevens aligns himself with Justice Ruth Bader Ginsburg’s dissenting opinion in the Supreme Court’s June decision that hamstrung Section 5, and expressly takes on Chief Justice John Roberts’

constitutional claim that the “fundamental principle of equal sovereignty among the states” controlled the case. Stevens also lambastes the majority for usurping the role of Congress, writing that while some neutral decision-maker could surely find that the preclearance formula is now dated: “The opinion fails, however, to explain why such a decision should be made by the members of the Supreme Court.”

May’s book offer a grim reminder of how truly awful things were for Southern Blacks before the VRA was enacted, and how hard Southern whites worked to suppress their votes, long after they were legally granted the franchise. He details the beatings, deaths, police-led violence and brutality that culminated in the events of “Bloody Sunday” in March of 1965. As May concludes, “History reveals that improved conditions come less from a revolution in white attitudes toward African-Americans than from the act’s effectiveness in altering electoral conditions that had prevented blacks from winning elections.” Stevens’ object in his review is not just to call out the majority for its institutional overreach—although he does that with gusto—but to try to shake his colleagues out of their willful ignorance of how egregious state efforts at vote suppression have been and continue to be, and how extensive the record of brazen misconduct remains.

The underlying paradox of the Supreme Court’s June ruling is that it was deployment of the Voting Rights Act that stopped efforts to suppress votes and limit voting in Texas, North Carolina, and Florida in the 2012 elections. The law was a victim of its own success, not just in the distant past, but only months earlier. In her dissent, Justice Ginsburg wrote that “the sad irony of today’s decision lies in its utter failure to grasp why the VRA has proven effective.” She famously added that throwing out the law’s key protection for minority voters “is like throwing away your umbrella in a rainstorm because you are not getting wet.”

Less than a month later, it’s raining vote suppression in North Carolina. And the forecast calls for a whole lot more of the same.

Court weighs school financing

Taken from article by Mary Jo Pitzl, The Republic | azcentral.com Tue Jul 23, 2013

the Arizona Supreme Court heard arguments concerning whether the Legislature must increase the base education formula every year by either 2 percent or the change in the gross domestic product, whichever is less. Proposition 301, approved by voters in 2000, called for such increases and the Legislature complied for nearly a decade.

But when state revenue took a nose dive during the recession, the Legislature stopped the increases in July 2010, a policy which continues today. Over the past three years, the schools lost an estimated \$250 million in funding. This year, with revenue improving, the Legislature boosted funding by \$82 million, which equals a 2 percent inflation adjustment, although it technically was not for inflation.

School districts sued, insisting the voter-approved initiative required the annual increase. After conflicting lower-court rulings, the case landed before the five-member Supreme Court.

The case revolves around the Voter Protection Act, which puts strict limits on the Legislature’s ability to alter voter-approved measures. The education funding measure is covered by the act.

The court took the case under advisement. The justices did not indicate when they would rule.

What is Government Doing to Assist The Families of the Fallen 19 Firefighters?

Taken from Arizona Republic plus some additional research on the Web.
<http://www.azcentral.com/news/arizona/articles/20130718benefits-fallen-hotshots-families-detailed.html>
 By Robert Anglen and Russ Wiles The Republic | azcentral.com Fri Jul 19,

Surviving families of the 19 Granite Mountain Hotshots who died in the Yarnell Hill Fire will receive standard death benefits for first responders.

Families of the six full-time firefighters will receive average lump-sum payments of \$470,000 and up to \$100,000 annually for years to come.

Families of the 13 part-time or seasonal workers who died will receive lump-sum payments of \$328,000 and monthly worker's compensation based on the firefighters' hourly wages. They will not receive lifetime survivor benefits, life-insurance payments or continued health-insurance benefits.

Almost all of the benefits will be tax-free.

	full-time (6)	part-time (13)
<u>Federal Government:</u>		
Federal survivors benefit to children and spouses. For the unmarried firefighters, payments would go to parents	\$328,613 lump sum.	
Federal Public Safety Officers' Educational Assistance	\$987 per month for eligible survivors (spouses and children under age 27) for educational expenses	
Social Security survivor benefits:	Yes. Based on pay, other factors	Uncertain. Based on pay, other factors
<u>State Government:</u>		
Workers' compensation:.. based on average monthly compensation	Approx. 2/3 of average monthly wage, maximum \$2,792/month	
Public Safety Retirement System:	Monthly amount equal to average monthly compensation	None
Arizona State Retirement System:	Refund of contributions	
Life-insurance/accidental-death benefits:	Two times annual pay, lump sum.	None
Health insurance for survivors	Yes	None from state; 100 Club to assist for 1 year.
Workers' compensation burial reimbursement:	Up to \$5,000	
Tuition waiver at Arizona universities and colleges	Yes, for spouse, children	
<u>Private groups:</u>		
100 Club of Arizona death benefit:	\$15,000 + other	
Other fundraisers and charitable groups:	Currently \$7-8 million, usually said to be split 19-20 ways + Yarnell relief.	

Former justices add star power to case against new law for appointing judges

By Gary Grado, [Arizona Capitol Times](#) , Published: July 22, 2013

Having a Dream Team of six former state Supreme Court justices brings more than just brain power to a lawsuit seeking to strike down a new law giving the governor a larger pool for appointing judges.

The sponsor of the measure, HB2600, sees the former justices' presence in the lawsuit as a hypocritical political statement to influence the Supreme Court. Legal experts say their participation is a good strategy because they bring a high level of prestige, expertise and even intimidation.

"I think it's very powerful," said Phoenix School of Law professor Dave Cole, a former solicitor general and Superior Court judge. "These are six people with varied backgrounds and varied judicial philosophies and if all six of them are in a position to join together to say this is a good idea or bad idea."

The former justices are Stanley Feldman, Ruth McGregor, Charles Jones, Thomas Zlaket, James Moeller, and Frank Gordon, who was the first justice chosen under merit selection after voters put it into law in 1974. Moeller did not submit an argument in opposition to Proposition 115 and is the only one of the group to not serve as chief justice. They are six of the eight living former justices. The former justices not involved in the case are Fred Martone and Andrew Hurwitz, who are now judges with the U.S. District Court and 9th U.S. Circuit Court of Appeals respectively.

HB 2600 changes the minimum number of nominees vetting committees can send to the governor from three to five. A proposal to increase the minimum to eight nominees was part of Proposition 115, a 2012 ballot measure that made a host of changes to merit selection, the way judges are chosen in the state's three largest counties. Judges are elected in the rest of the state's counties.

The ballot proposal failed by a vote of 72.5 percent to 27.5 percent, as five of the six former justices who are co-counsel in the lawsuit took a political stance by submitting an argument against it in the Voter's Guide.

"This was a strategic decision to have those names as counsel of record to send the message that this shouldn't be considered on its merits, this should be considered on who's bringing it," said Rep. Justin Pierce, R-Mesa, the sponsor of HB 2600.

Pierce, who is an attorney, was a staunch supporter of Proposition 115 and participated in debates and spoke in support of it in public appearances.

The suit alleges the new law, which takes effect Sept. 13, is unconstitutional because only voters can change the number of nominees, not the Legislature. A secondary argument asserts that the number of nominees is voter protected because of the failure of Proposition 115.

Paul Eckstein, the plaintiffs' lead attorney, said there was no political or legal strategy behind the former justices working as co-counsel other than they know the merit system well. Each was appointed to the bench under the system and the five former chief justices all served as chairman of the Commission on Appellate Court Appointments, the selection committee that nominates Supreme Court justices and judges for the Court of Appeals.

"They understand and believe that the Legislature was trying to destroy merit selection," Eckstein said.

None of the former justices contacted for this story immediately returned calls for comment.

Pierce said their participation as co-counsel is an obvious attempt to influence the Supreme Court and is the “height of irony” because merit selection supporters have always argued that the system is necessary to keep politics out of the judiciary.

“I’ve never seen a group of co-counsel like this on a petition like this,” Pierce said. “This was clearly a strategic decision.”

Jordan Rose, founder of Rose Law Group and a frequent legal commentator for television news shows, said the strategy is brilliant.

She said the presence of those justices is the equivalent of a legal tsunami and will make a great impact on the Supreme Court, making the case almost impossible for the state to win.

“You’ve got some of the greatest legal minds who have been the deciders of what is legal in Arizona agreeing that this law is just not,” Rose said. “When have we ever seen this many of our most respected judicial minds in 100-percent agreement on anything.”

Cole said judges do take notice of the lawyers involved in a case, but it is the judge’s responsibility to make sure the lawyers’ reputation or prestige doesn’t impact his thinking.

“I’ve seen situations where former judges and former justices have represented parties and the judge that is now involved in the case can be a little cowed by that,” Cole said.

GOP lawyer asks court to order new legislative districts for 2014

- [Howard Fischer Capitol Media Services](#) 7-21-2013

PHOENIX - Arizona's 30 legislative districts need to be redrawn before the 2014 election, an attorney for Republican interests contends, citing the U.S. Supreme Court's recent ruling that voided a key section of the Voting Rights Act.

In legal papers filed in federal court late Friday, attorney David Cantelme said the Independent Redistricting Commission's data show that it overpopulated some of the districts and underpopulated others.

he result was to politically disadvantage Republican candidates, he said.

Cantelme also pointed out to the three-judge panel that the commission's key legal argument for why it made those decisions was that it needed to comply with the federal Voting Rights Act.

Commissioners wanted to ensure that the map it drew was "precleared" by the U.S. Justice Department and didn't dilute the voting strength of minorities.

But the high court last month overturned a provision of that law that created a formula to identify which states and counties have a history of discrimination and must submit any changes in voting laws to be precleared. That list included nine states, including Arizona, and parts of several others.

The justices said the formula, parts of which date back to 1965, is no longer valid.

With the formula now void, no state or county is subject to preclearance. The court ruling effectively means the commission had no legal right to skew the maps to meet Department of Justice concerns, Cantelme said.

Attorneys for the commission give their response to Cantelme's argument next month.

But attorney Joe Kanefield said the Supreme Court ruling is legally irrelevant. He said the commission, in drawing the maps in 2011, had to rely on the law as it stood at the time.

The Supreme Court ruling came a year after Cantelme first sued.

The outcome of this legal battle could determine the makeup of the Legislature for the balance of the decade.

If the trial court agrees with Cantelme, the judges could order the commission to redraw the maps.

Voters created the commission in 2000 to draw lines for congressional and legislative districts, a task that previously was left to state lawmakers.

The constitutional amendment requires them to draw lines that create districts of equal population. On paper, that should mean 30 legislative districts, each with about 213,000 people.

But the commissioners also are charged with other issues, including protecting communities of interest, creating politically competitive districts and complying with the Voting Rights Act.

The final maps had districts in size from 203,026 to 220,157 people. Commissioners said those adjustments ensured there would be no objections from the Justice Department affecting minority voting strength.

Cantelme contends the goal was to create as many districts as possible where Democrats had a chance of winning by purposely moving Republican strongholds into adjacent - and already Republican - districts.

He said that happened because commission Chairwoman Colleen Mathis, while a registered independent, routinely sided with the two Democrats on the panel against the two Republicans.

Before the latest redistricting, Republicans controlled 21 of the 30 seats in the Senate and had 40 of the 60 House slots. After redistricting the GOP edge was reduced to 17-13 in the Senate and 36-24 in the House.

But there were other factors, including that 2012 was a presidential election year. And while Barack Obama did not carry Arizona, his presence on the ticket may have brought out more Democrat voters.

If the judges intend to order the legislative maps redrawn, they need to act quickly: Incumbents and challengers already have been forming campaign committees for the 2014 race.

\$28M bond would fund Prescott school improvements

Patrick Whitehurst, The Daily Courier, 7/3/2013

PRESCOTT - Prescott Unified School District Facilities Director Jay Collier said his staff has resorted to a "baling wire and duct tape" method for keeping the district's buildings in operation.

Should voters approve a \$28 million bond in November, however, the district would implement a number of improvements to its infrastructure - enough to keep the schools and offices up to par for another decade or more, Collier said.

"On this new bond, we're looking at the kinds of things that could put us in good shape for the next 10 to 15 years, the major items being safety improvements, energy management, technology, buildings and grounds projects, furniture and equipment, athletic facilities and transportation," Collier said.

Roofing and playground equipment are among those items sorely in need of repair and replacement. More than \$8,000 is proposed for roofing, concrete and asphalt repair, and \$7,000 would go to update the district's technology systems, including computers and networking needs.

With decreases in state funding, schools have been forced to seek money from other sources, Collier said. That includes bonds and grants when possible.

Members of the PUSD Governing Board voted unanimously to proceed with the bond effort in early June. Besides the bond, voters will also decide on an override initiative, which effectively raises the district's maintenance and operation budget by just over \$2 million.

PUSD Superintendent David Smucker said the November bond and override questions will be mail-only elections, with ballots expected in October.

If voters approve the measures, owners of average-priced homes (about \$185,000) would pay about \$60 more per year in property taxes, or \$5 a month.

There are currently five elementary schools, two middle schools, a high school, a preschool, an administrative office, a central kitchen and a bus barn in the district.

"The average age of our buildings is 67 years old," Smucker said.

"A lot of the furnishing within the buildings are really antiquated," Collier said. "The most critical need right now is roofing. If we have continued breakdown of the roofs, then the rest of the building is compromised."

PUSD Chief Financial Officer Renee Raskin said administrators will also speak to the public about the bond and the override in order to provide facts, but school district employees are not allowed to make any for-or-against statements themselves.

"We'll go out and factually talk about it. We can't say yes or no," Raskin said. "We work with a bond company and they give us a checklist of what we need to go through for both of the elections. For the bond, the next thing is getting ready to gather the pro and con statements for the pamphlet."

Pro and con statements can be submitted through the PUSD website, Raskin added.

With the help of PUSD staff, a committee made up of community members first began the process for the bond in February before bringing the proposal to the Governing Board for a decision.

"The committee was made up of local business folks, folks outside of the school district, and they're the ones who put all the information together," Smucker said. "Our board had a big decision to make, but they also recognized they want the best for the students in this community."

I think that's really what drove their decision."

Members of that committee will also do the brunt of the legwork when it comes to selling the bond to voters, Smucker said.

Voters last approved a bond in the district nine years ago for \$18.7 million.

Proposed bond expenditures

Safety improvements - totaling \$5,594,026

- Revamping the district's fire systems, which include fire alarms, valves, intercoms and campus surveillance.
- Replacing entrances for outdoor security.
- Replacing unsafe playground equipment.
- Bringing bleachers up to code.

- Replacing outdated bathroom stalls.

Technology improvements - totaling \$7,863,722

- Rehaul of district's network system.
- Replacing hardware.
- Positioning for worldwide classroom and distance learning enhancements.
- Renovations to existing technology locations and infrastructure.

Energy management - totaling \$3,575,250

- Replacing single-pane windows with dual pane.
- Sprinkler repairs.
- Repairing leaks in water systems.
- Updating utility infrastructure.
- Replacing inefficient hot water and boiler systems.
- Field renovations, including a possible alternative to grass at some sites.

Buildings and grounds improvements - totaling \$8,242,892

- Roof repairs.
- Paving replacement.
- Concrete restoration.
- Locker room renovations.
- Painting and sealing.

Furniture and fixture improvements

- totaling \$239,004

- Replacement of lunch tables.
- Replacement of teacher and student desks.

Athletics

- totaling \$763,200

- Maintenance for tracks, tennis courts and gym floors.

Transportation

- totaling \$1,644,163

- Replacement buses and travel vans.

Total: \$28 million

**Prescott Valley Schools to ask voters
for 10 percent override**

Sue Tone, Prescott Valley Tribune, 7/3/2013

Since the 2008-2009 school year, cuts in education funding by state legislators, decreasing student enrollment, and efforts to balance the budget by eliminating programs and personnel have meant Humboldt Unified School District could not give its teachers and staff a raise.

For six years.

The district governing board is now asking voters to support a 10 percent override for \$2.8 million that will support four purposes:

- Increase school safety.

- Restore academic programs including music, PE and early childhood.
- Reduce class size.
- Attract and retain high quality staff.

Board members unanimously approved the call for a maintenance and operation budget override election in November at its June 25 special meeting. Member Suzie Roth was not present.

The district hired consultant Paul Ulan to conduct a survey of voters to explore community support for an override. Of the 300 people surveyed, 55.8 percent indicated they would vote for a 10 percent override; a lesser number, 46.8 percent, said they would approve a 15 percent override.

One survey question provided a list of uses for the money. Ulan said answers indicated the most important factors were music, art and PE classes (93.4 percent) and school safety (92 percent). Competitive salaries received 83.7 percent, reduced class sizes 82.1 percent, athletics 86.4 percent, and increase student achievement ranked third at 87.4 percent.

"Originally, we were looking at a 15 percent override. Ten percent is doable," Ulan said, adding that 10 percent is not what is needed, it is what the community is willing to support.

2013-2014 budget

The board also approved the 2013-2014 budget following a presentation by Finance Director Cynthia Windham that set out revenues the district expects from the state and its expenditures.

The state no longer gives districts soft capital money - which would have provided \$200,000 this past year - that pays for textbooks, library books, technology, and curricular software. The state no longer provides building renewal funds and has reduced unrestricted capital funds. Because the state legislators took that money away, the district cannot rely on a projected \$1.7 million.

By law, the state also was to give a 2 percent increase to the base level amount per pupil each year, but has not done so since 2008-2009, a loss of more than \$2 million to the district for the 2013-2014 year.

Windham also covered actions taken by the district to reduce its budget since 2008-2009 that include eliminating: custodial staff, technology staff, free full-day kindergarten, middle school librarians, counselors and assistant principals, English Language Learners teachers and staff, mail delivery driver, district office staff, and administrator performance pay.

The district also has reduced its budget for supplies, maintenance efforts and elementary music staff. It has increased class sizes and pay-to-play athletics fees.

Budget reductions for 2013-2014 include eliminating 11 teachers (accomplished through attrition), increased health insurance deductible, reduced allocation for substitute teachers/staff, and requiring tax credit donations to support middle school sports.

"To not be able to offer cost of living raises for our people for six years is painful," HUSD Board President Rich Adler said.

Teachers seek higher pay

Windham said the impact on teaching staff over the past three years has led to a turnover of about a third of the teachers. A large number of teachers retired or resigned this year, said Dan Streeter, HUSD Human Resources director.

"With frozen salaries entering their sixth year and additional requirements coming from the state and federal levels, more and more retirees are recognizing this as a good time to leave the profession," he said.

He said there was little incentive for teachers nearing retirement to stay working based on the economy, the way the Arizona State Retirement System works, and new mandates for teachers. Teachers' resignations also are based on salary freezes.

"What was once a manageable difference between salary schedules in our area and those in the Phoenix area become increasingly problematic as many districts have been able to maintain raises for their employees through override elections and steady or increased enrollment," Streeter said.

Override efforts

By asking the community to step up and support education, Jeri Kooiman, member of the Superintendent's Steering Committee, said, "We have our work cut out for us."

Board member Gary Hicks said in one community where he was gathering signatures to run for school board, he heard several people say teachers are paid enough already. Many retired people on fixed incomes may not support the override.

"We have to do this. It's our obligation for our students and our community," said board member Carm Staker.

2013-2014 LWV Calendar

General meetings open to the public will be held on the first Saturday of the month, beginning in September. We will continue at Las Fuentes for most meetings.

Board meetings will be on the first Friday after the first Saturday, will alternate between 8:00am and 11:00am, and will be held at Vicky O'Hara's house.

Social meetings: The Annual Business Meeting/Luncheon will move to May. December will be social only, with a Holiday Luncheon.

Friday, Aug. 9	11:00 AM	Board Meeting	
Saturday, August 10	noon	Summer Social	luncheon at Casa Bonita
Saturday, Sept. 7	9:30 AM	General Meeting	Funding of Education
Friday, September 13	8:00 AM	Board Meeting	
Saturday, Oct. 5	9:30 AM	General Meeting	Gun Regulations
Friday, October 11	11:00 AM	Board Meeting	
Saturday, Nov. 2	9:30 AM	General Meeting	Hunger and Poverty
Friday, November 8	8:00 AM	Board Meeting	
Saturday, Dec. 7	TBA	Members	Holiday Luncheon
Friday, December 13	11:00AM	Board Meeting	
Saturday, Jan. 4	9:30 AM	General Meeting	ALEC/Common Cause
Friday, January 10	8:00 AM	Board Meeting	
January 29	TBA	Meet and Greet	Non-Profits and Government Officials
Saturday, Febr. 1	9:30 AM	General Meeting	Local and State Program Planning
Friday, February 7	11:00AM	Board Meeting	
Saturday, Mar. 1	9:30 AM	General Meeting	Legislative Update
Friday, March 7	8:00 AM	Board Meeting	
Saturday, Apr. 5	9:30 AM	General Meeting	Poverty and Education
Friday, April 11	11:00 AM	Board Meeting	
Saturday, May. 3	TBA	Members Only	Annual Meeting and Luncheon,

**IMPORTANT WEBSITE
REFERENCES**

LWVUS Website
www.lwv.org

LWVAZ Website
www.lwvaz.org

LWVCYC Website
<http://centralvavapai.az.lwvnet.org/>
OR: <http://goo.gl/HxKph>

We recommend that you check these out monthly, or more often. Lots of good information! Bookmark them to save on typing, or go to lwvaz.org, where there are links to click on. Or Google LWVCYC!

Our website includes current and past VOTERS, and other great material. You can also find us on Facebook and Twitter.

Reminder – Members are always welcome to attend Board meetings, which are the Thursday following a General Meeting, at 8:30 AM at the home of President Vicky O’Hara.

To request placement of an item on the Board agenda and/or to receive the Board agenda packet, contact the LWVCYC President a week in advance.

LWV MEMBERSHIP REGISTRATION

2013-2014

Membership in the LWV is open to any person 18 and over who subscribes to the purposes and policies of the LWVUS. Dues for 2013-2014 cover payment for local (\$11.00), state (\$13), and national (\$31.00) memberships.

Name: _____

Address: _____

City/Zip: _____

Phone: _____ Fax: _____

Email: _____

Note type of membership, and make check to “LWVCYC”:

_____ \$55/Yr Individual Membership

_____ \$82.50/Yr Household Membership

Plus suggested donation:

\$_____ Contribution to League (not tax deductible)

\$_____ *Contribution to Education Fund (tax deductible)

*Donations to the LWVAZ Education Fund must be made by separate check, to preserve tax deductibility. This supports our Webpage and Voter Service activities. Thank you!

Both new and renewal members, please include this form with your check.

New: _____

Renewal: _____

OR

Be a “Friend” of LWVCYC:

_____ \$50/Yr Individual or _____ \$75/Yr Household
(open to businesses and individuals)

Please mail this form and all checks to:

**LWVCYC
PO Box 11538 Prescott, AZ 86304-1538**

Please renew your membership, if you have not already done so!



**League of Women Voters
of Central Yavapai County
P.O. Box 11538
Prescott, AZ 86304-1538**

A nonpartisan membership organization, the League of Women Voters neither supports nor opposes political parties or candidates, but encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.