



Pennsylvania

VOTER

The League of Women Voters of Pennsylvania

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Summer 2004

CIVIL LIBERTIES BECOME NATIONAL FOCUS

Adrienne Kaltman and Susan Fields

For the first time in LWVUS history, a one-time change was made in the rules of convention that allowed resolutions to be proposed from the floor. This change is significant for two reasons. First, it empowered the delegates as a grassroots body to raise issues from the floor of convention. The second reason is that it resulted in the delegate body voting overwhelmingly to raise the current LWVUS position on Civil Liberties to the highest priority. Two Pennsylvanians, Susan Fields, Chester County, and Adrienne Kaltman, Greater Pittsburgh, were part of the caucus group that helped to push it through. The resolution calls for “the LWVUS [to] focus on the urgent need to defend civil liberties by making the League’s position on individual liberties and citizen’s right to know the highest priorities for education and advocacy.” It passed without a dissenting comment or a single “no” vote.

It is important to note that this is *not* a new League position, but one that has taken on new importance because of increased and unprecedented threats to our civil liberties. Because a subsequent motion to raise the PMP to fund a national civil liberties staff person failed, impassioned delegates showed their League spirit and contributed close to \$8,000 by passing a hat at the final plenary session earmarked for civil liberties.

That Leaguers take seriously any challenge to our basic constitutional rights – freedom of information, financial privacy, security in one’s own home, and the Bill of Rights to name a few – is seen

in the grassroots creation of an open forum for all interested League members to share ideas and resources, as well as growing fund contributions, and the continued work of the grass root membership’s Liberty Caucus steering committee. The Caucus believes that deepening our lobbying efforts and working in coalition with other organizations will multiply and strengthen our efforts. All League members are invited to join the email list moderated by Sukey Wilder, Oakland, California which shares programming ideas, resource materials, and engaging thoughts from Leagues around the country by going to lwvliberty@yahoo.com. The process to register is simple and your input is most welcome.

It is clear from the collective voice of grass roots delegates at convention that what members want is a “Campaign for Liberty” involving in-depth education and advocacy at all levels. LWVPA has formed a statewide task force on Civil Liberties, which will work towards accomplishing these goals and invites all interested members to participate in any way they choose. Questions for candidates this fall will include one on civil liberties. Individuals can and are urged to post questions on civil liberties directly to candidates on DNet. Please contact LWVPA, if you would like to join the task force and work on this historical campaign. We look forward to working with you to make Civil Liberties a priority.

The Far Reaching Legislation the General Assembly Forgot

Lora Lavin, *Off-Board Specialist, Election Reform*

Working furiously into the early hours of the 4th of July, the PA General Assembly enacted far reaching legislation to expand legalized gambling, adopted a plan to use some of the proceeds for property tax relief including an ill advised back end referendum on school budgets, and finally adopted a state spending plan for 2004-05. But, in their rush to go home for the summer, they forgot to strike a blow for good government.

Earlier this year, legislators, interviewed by League members across the state, overwhelmingly said they supported legislation that would restore

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PRESIDENT'S MESSAGE

Elizabeth Milner, LWVPA President



Ah, summer. Long days, mild nights, vacations, a little time to rest and rejuvenate, and rain. Lots and lots of rain. My husband, Rob, and I recently spent two weeks in England and Scotland.

Spring was a very busy time. I went to Washington, D.C. for the March for Women's Lives. I met up with LWV members from around the country and two of them helped me to carry our LWVPA banner. There were other LWVPA members there, but we never could find each other. Executive Director, Bonita Hoke and I spent some time in Philadelphia trying to firm up details for our annual Civic Leadership Reception. I also traveled to Philadelphia to attend debates for the Attorney General primary candidates, and to Altoona for a senatorial primary debate. I helped produce a program on the USA PATRIOT Act with my local League, LWV Hershey Area. Bonita and I met with some folks from the Department of State to voice our concerns about the doings of one of the Help America Vote Act (HAVA) panels. I attended the kick-off luncheon in Boiling Springs for the WREN grant awardees. And last but not least, spent a wonderful four days in Washington, DC for the LWVUS Convention.

I am always impressed by the quality of the articles submitted to the Voter by our specialists but I must say, this is one of the best issues I have ever seen. I urge you to read this Voter cover to cover.

Election Reform Specialist, Lora Lavin writes about issues discussed at Convention; some new Election issues; and about our lack of lobbyist disclosure laws.

Gambling Specialist Kay McKenna writes of our disappointment at the signing of a bill that will allow for the placing of over 60,000 slot machines around the Commonwealth

Education Specialist Judy Rice writes about No Child Left Behind, the impact of the gambling legislation on school funding and property tax relief, and new laws giving residents the right to approve

or disapprove school budgets.

Reapportionment Specialist Charlotte Glauser has some very interesting things to say about partisan redistricting in Pennsylvania.

Board member Adrienne Kaltman has written an article about Civil Liberties. LWVPA will be following this issue very closely with the addition of a new off-Board Specialist for Civil Liberties and Citizens Right to Know, Susan Fields.

Bonita Hoke has written about membership. This is becoming a critical issue for us. If your League is doing something that has increased your membership, please share it with us.

Watch for an update on LWVPA Convention 2005. Plan on traveling to Scranton next June. Also, if you think you might like to serve on the Board, or know someone who might like to do so, please let us know.

We are starting to gear up for Fall. Debate Coordinator Katherine Miller, after putting together a terrific set of debates for the Primary election, is now hard at work firming up our Fall debate schedule. The Phonathon is about to begin, and we are also busy making preparations for the Civic Leadership Reception in October. This promises to be a very interesting political season.

I want to thank all of you who contributed to this excellent edition of the Voter. And thanks to all of you for your support. If you are wondering what you can do to make LWVPA more successful, it's easy. Ask your friends and acquaintances to join the League.

Until next time, I am very proud to represent you as your President.

The Far Reaching Legislation the General Assembly Forgot

(Continued from page 1)

lobbyist disclosure. The PA Supreme Court ruled PA's 1998 disclosure law unconstitutional on a technicality. But members of the PA House went home without ever getting a chance to vote on HB 2080 that would meet the courts objections and was reported out of the State Government Committee. A companion bill, SB 1 was introduced by Senate President Pro Tempore, Robert Jubelirer only in the last week before the summer recess

Because of the Court's decision, Pennsylvania is, as of this writing, almost unique in having no law requiring disclosure by lobbyists who spend significant sums to influence state government. An exception is that the Senate adopted rules requiring disclosure by those who lobby senators. Were it not for this rule we would not know that, as reported in the Philadelphia Inquirer, gambling companies spent at least \$1.9 million last year to persuade senators to legalize slot machines. This is in addition to the estimated \$5.8 million they gave in political campaign contributions. (The new law does ban campaign contributions from gambling licensees to any state or local candidate in Pennsylvania.)

Let us hope that legislators will restore lobbyist disclosure before the end of the current session so that, in the next session, we can move on to such far reaching reforms as limits on campaign contributions.

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Founded in 1920, the League of Women Voters is a nonpartisan, political organization, which encourages citizens to play an informed and active role in government. At the local, state and national levels, the League works to influence public policy through education and advocacy.

The LWVPA welcomes tax-deductible contributions to the Citizen Education Fund and, encourages interested persons to name LWVPA as a beneficiary in their wills.

For timely information on state government and legislation, call the LWVPA Citizen Information Center, 1-800-692-7281, look up our web page at <http://pa.lwv.org> or send e-mail to lwwpa@epix.net.

Serious Issues Top Debate at LWVUS Convention

Lora Lavin, *Off Board Specialist, Election Reform*

The 46th biennial national convention of LWVUS was held June 12-15 in Washington, DC. More than seven hundred delegates from 47 states, the District of Columbia and the Virgin Islands attended. The theme was “Engaging the Nation”. Attendees celebrated the League’s accomplishments, especially civic engagement, campaign finance reform and election reform.

A lively forum was held on Friday evening regarding the implementation of the Help America Vote Act. A panel of election experts discussed whether the U.S. election process is prepared to provide voting systems that properly record voters’ intent, election practices that protect the franchise, and an election that will enable Americans to have confidence in the legitimacy of the election results. Many critical issues were debated in workshops over the next three days. The security of Direct Recording Electronic voting equipment (DREs), and civil liberties were both high on the agenda of many delegates. Susan Fields of the Chester County League co-chaired the caucuses on civil liberties along with a delegate from California. Other issues included the death penalty, the ERA, and No Child Left Behind. LWVPA Board member Judy Rice of the Haverford League chaired the No Child Left Behind caucuses.

The Pew Partnership for Civic Change, a national civic research organization, presented the League with their 2004 Civic Change Award. This is the first time that an organization, rather than an individual, received the award. In making the announcement, Alma Powell, Pew Partnership’s national advisory board chair and a past recipient, said, “The League of Women Voters has made this country better for more than eight decades . . . Its voice of wisdom and reason has raised the level of our civic conversations and given future generations the tools to create a better America.”

Additional highlights of the convention included a panel discussion on “Balancing Civil Liberties and Homeland Security in a Post- September 11th Age,” featuring representatives from the 9/11 Commission, Georgetown University Law Center, the Council on Foreign Relations and the Constitution Project; and remarks by U.S. Senator Richard Lugar (R-IN), Chairman of the Senate Foreign Relations Committee. Famed White House correspondent Helen Thomas delivered an enthusiastic banquet address.

Delegates voted to adopt the FY2004-2005 LWVUS budget, raised the Per Member Payment by \$.80, and elected a new Board

LWVUS Position on Election Technology

“In order to ensure integrity and voter confidence in elections, the LWVUS supports the implementation of voting systems and procedures that are secure, accurate, recountable, and accessible.”

Delegates to the June LWVUS Convention voted to substitute the above language setting forth principles and criteria for language that previously took a stand on a type of technology, i.e. an individual paper confirmation for each ballot, or voter-verified paper trail (VVPT). These criteria will be part of the LWVUS position on Citizens Right to Vote. In a June 22 memorandum to State and Local League Presidents, LWVUS President, Kay Maxwell, said the criteria “are not code words for VVPT or for any other type of technology.” Under the new position: “The League neither supports nor opposes any type of technology per se, such as Direct Recording Electronic voting machines (DREs), VVPT, or optical scan.”

To read the full text of the memorandum go the www.lwv.org and look for the June 2004 [League Voice e-Newsletter](#).

of Directors. President Kay Maxwell was elected for another two-year term. She announced that Delaware County League member Olivia Thorne will be appointed for another term on the National Board.

Attendees also set the LWVUS program agenda for the next two years. They made protection of civil liberties a national League priority and voted overwhelmingly to revise the League’s stance on DREs to remove references to voter verified paper trails. Citing confusion among League members on the interpretation of the position taken by LWVUS on “Citizens Right to Vote” questioning whether a Voter Verified Paper Audit Trail should be a requirement with DREs, the LWV of Minnesota successfully moved a resolution to remove all reference to that position. The new interpretation now reads: “In order to ensure integrity and voter confidence in elections, the LWVUS supports the implementation of voting systems and procedures that are secure, accurate, recountable, and accessible.” (See “LWVUS Position on Election Technology” for more on the revised position.)

In other floor action, delegates voted down a proposal to concur with the position of the LWV of Illinois supporting abolition of the death penalty. Also voted down was a proposal from the LWV of California to conduct a national concurrence with their position on election systems to ensure that those elected to executive offices such as governor, mayor, or president have the majority of votes. The latter concurrence would have permitted the League to support alternatives to the prevailing “winner-take-all” system such as Instant Runoff Voting. They also voted down resumption of active involvement by LWVUS in campaigns to get three more states to ratify the Equal Rights Amendment. Judy Rice’s efforts to put action on No Child Left Behind into the national program agenda was unsuccessful, but did result in her building the nucleus of a nationwide network to exchange information on the impact of the law in the various states and to take action on a national level when appropriate.

Overall it was a pleasure to spend four days with so many knowledgeable and articulate women and men who are committed to making democracy work.

Top Five Risks

While much concern has been focused on the security of DRE’s, the League notes that most jurisdictions will not be switching to new voting equipment before the 2004 elections so many voters will vote on the same systems that they used previously. This means that we can expect the same types of problems as we saw in 2000. LWVUS has identified these top five risks to eligible voters in the 2004 elections:

Voter registration problems

- Erroneous purging
- Problems with the new ID requirement
- Difficulty with voting systems
- Failure to count provisional ballots

“We Tried to Develop Members but . . .”

Bonita C. Hoke, *Executive Director*

Seldom has so much productive discussion been packed into 60 minutes. It was an intensive feeding frenzy of state League executive directors at the LWVUS convention hungry to learn how other Leagues were doing. At the top of our concerns were fundraising and membership generation—two issues joined at the hip.

Nonprofit organization best practices demonstrate that a group's membership fees should support 30% of its operating budget. To circumvent that critical principal by relying on short-term and unreliable foundation or corporate funding to compensate for lack of membership revenue is to crawl far out on a really shaky limb. As we talked we learned that:

- One state League made and cost-shared more than \$80,000 last year when its local Leagues called a list of 5,000 members and non-members.
- California was present with job descriptions in hand to hire a new executive director.
- Vermont was honored at the LWVUS convention for its outstanding membership generation efforts as they implemented a 3-year plan to double their member numbers.

The last item reminded me of an Illinois membership recruitment study someone placed on my desk on my first day at the League's state office. Three years hence I can only conclude that the findings of that study contain a list of things people want to deal with even less than a mountain of laundry. But the laundry fares a great deal better because it gets done at least some of the time. Here are some of the study's highlights:

- The League's essential problem in recruiting members seems to be a lack of interest in doing so.
- The link between recruiting members and the League's mission has somehow been broken.
- Difficulty experienced by interviewees in articulating League member benefits points to an institutional forgetfulness of the League's purpose of engaging the public in the political process.
- Recruiting and outreach strike some members as alien, but recruitment is nothing more than making people interested in what the League does.

Study Recommendations:

- Focus on recruitment more than retention
- Do a “pilot recruitment project”
- Choose activities based on a need for members, not a need for volunteers
- Implement a two-track recruitment strategy that focuses on retirees as well as younger people.
- Every League needs to be clear that recruitment is THE priority
- Prominent State Board involvement in launching the recruitment initiative by giving input on recruitment needs in terms of the League's mission. Emphasis placed here will alleviate the need for more volunteers and funding, as they will be a natural outgrowth.
- Board liaisons attend meetings of local Leagues in their jurisdiction
- Set ambitious recruiting goals. A League with 30 members can recruit 8 members rather than saying the chapter should grow by 25%. Recruitment takes place one person at a time.
- Don't just recruit, do a campaign. Don't make a big effort for dropouts. Five rookies is a group and ten is even better. Mass orientations are great and filled with energy.
- Establish a recruitment campaign season. Leagues should approach people intensely, like the United Way in a time period that has a beginning and an end.
- Stop making a point of longevity! Customs of recognizing people based on how long they've been involved by counting backward from 50 years is charming unless you've just joined. This will usher newcomers right out the door because nobody wants to be the last one recognized. Can this be gracefully retired?

Summary:

How does the League compare with similar organizations in terms of member growth?

Most similar civic organizations are experiencing membership declines. Some substantial component of the League's decline is self-inflicted. There's no need to assess the limits of growth until after genuine recruitment has been tried.

Is calling the League a volunteer organization an appropriate identification?

The League should emphasize desired policy outcomes rather than volunteer input needed.

How is the League perceived by non-members?

The League strikes non-members as a club to which they have not been invited and as a white women's organization. Both interfere with the League's efforts to foster growth and diversity.

What are the League's greatest assets and liabilities?

To the extent that the League is issues-focused they will be reluctant to recruit new members whose positions on issues may be different than current members. By contrast, the civic-education focus is not enhanced, but **represented** by efforts to attract new members and interest them in political participation.

What groups should we appeal to? How much diversity is realistic?

If the League reached out to women of all races, ethnicity, ages, and economic levels it would have plenty of members. It may be more trouble than it is worth to try to recruit working women with children, because so much else competes for their time. On the other hand in communities where the central League issue is schools they may be a prime audience.

How should our approach differ from group to group?

There should be no difference. It should differ from League to League. Leagues should reflect their communities racially, ethnically, economically and in terms of age. Issues should be chosen that span those groups. The greatest roadblock to membership is a sense of being alien or unwelcome. We should not assume that all members of minority groups need financial assistance to join.

Is there a difference in effective approach for metropolitan areas, out-state and/or countywide communities?

It's a matter of identifying people and inviting them individually. However, communication systems differ from place to place. Everyone in a small town may read the same newspaper, but in metropolitan areas they may not. Someone will need to identify media used by target populations, media in the broadest sense, and spread the League's mission through them.

Is there any benefit in trying to form Leagues in areas not currently served?

If there were such an area, it would be worthwhile to invest energy in founding a new local League. But if the state League is overextended in serving existing Leagues the priority should be to build where a foundation already exists.

What factors are most influential in non-renewal of membership?

A sense of being unwelcome, the only stranger in a group of old friends. Also a sense that the League is busy but not accomplishing anything.

What rate of retention is reasonable to expect?

If you're below 75% (especially if no recruitment has been done recently) something is very wrong, either recruitment of the wrong people or treating them wrong. More than one-fourth of a League's new members should not suddenly find that they have someplace else to be.

New Lines Call for New Rules

Charlotte Glauser, *Off-Board Specialist, Reapportionment*

Pennsylvania's Constitution presently states that reapportionment after the US census [every 10 years] will be redistricted based on "contiguous and compact" regions for representation in the General Assembly and the US Congress. There is no Commission for this purpose for Congressional representation as there is for state representation. That is done by a bipartisan commission composed of two members from each party, in each house – the state Senate and the state House of Representatives. That group then selects a chair from outside who is often a dean of a state law school. Even this presumably non-partisan group has seldom agreed on the chair who then is appointed by the Supreme Court of Pennsylvania (also a partisan-elected group of judges).

Representative districts for Congress are decided by a statute passed by both houses of the General Assembly and signed by the Governor. In 2001, both houses of the General Assembly and the governor's position were held by the same party, Republican at that time. An appeal by several people in Montgomery County adjacent to Philadelphia was made in the Federal District Court on the basis of gerrymandering. That court agreed with the Commonwealth position that it was legal according to both the PA and the US Constitution. The case was appealed to the US Supreme Court in *Veith vs. Jubelirer*. The decision was 5-4 against *Veith* on the matter. Therefore, Pennsylvania's redistricting statute stands.

The arguments were most enlightening. The majority – Reinquist, O'Connor, Scalia, Thomas and Kenned – decided the case was non-judicial, meaning that the Constitution was not applicable. The dissenters strongly disagreed. They referred to a previous decision in 1986 where redistricting was based on racial lines and the Court had agreed that the lines were unconstitutional. Justices Breyer, Ginsburg, Souter and Stevens felt that the partisan nature of

the redistricting fell into the same Constitutional category. Montgomery County alone was divided into 6 Congressional districts, even dividing one township into four!!

In his dissent, Justice Stevens stated:

In my view, the same standard should apply to claims of political gerrymandering, for the essence of a gerrymander is the same regardless of whether the group is identified as political or racial. Gerrymandering always involves the drawing of political boundaries to maximize the voting strength of the dominant political faction and to minimize the strength of one or more groups of opponents.....

In seeking the desired result, legislators necessarily make judgments about the probability that members of identifiable groups – whether economic, religious, ethnic, or racial – will vote in a certain way. The overriding purpose of those predictions is political.

In Pennsylvania we can no longer count on the Supreme Court to rescue us from our own failures. It is time now to see that our own Constitution is amended to ensure that we are fairly represented in the halls of Congress. Iowa presents the model we can emulate. It has a commission that is non-partisan, presents its plan to the legislature and holds public hearings. Best of all, it works!! We don't have t

Democrats are 48.1% of registered voters in PA
Republicans are 41.3% of registered voters in PA
Democratic representation in Congress: 36.8%
Republican representation in Congress: 63.2%

WREN Awards Grants to 26 Community Based Water Resources Education Projects

The Water Resources Education Network (WREN) Project, a program of the League of Women Voters of Pennsylvania Citizen Education Fund, announces the award of nearly \$110,000 in funding to community partnerships across the state. The various communities will carry out water resources education projects in the coming year. Funding comes from the PA Department of Environmental Protection for activities that will either address non-point source pollution issues on a watershed basis or help protect sources of drinking water. To learn about the successful grantees, log onto the WREN website at www.pa.lwv.org/wren.

For more information, contact Sherene Hess, WREN Project Director, 724-465-4978 or shernehess@yourinter.net.

New Study Initiatives

The Centre County League is conducting a study of Ballot Access in Pennsylvania and the Greater Pittsburgh League is conducting a study on Reducing the Size and Cost of the State Legislature. Those from other Leagues who are interested in participating in either study should contact Candace Dannaker (Ballot Access) by telephone at 814-355-7577 or by email at dannaker13@aol.com and/or Mary Larsen (Legislature Size) at mlarsen08@earthlink.net.

Gambling Legislation Enacted

Kay McKenna, *Off-Board Specialist, Gambling*

In the early morning of July 4, 2004, the Pennsylvania House of Representatives passed the bill which proposed the largest expansion of gambling suggested since Edward Rendell became Governor. The Senate had approved the bill two days earlier, and it has since been signed by Governor Rendell.

The legislation provides for fourteen sites for slot machines at racetracks and free standing casinos, including one in Pittsburgh, two in Philadelphia, and two at resorts. The number of slot machines projected for Pennsylvania is sixty-one thousand.

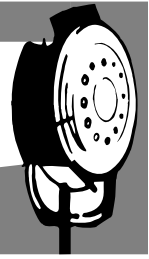
The property tax reduction bill, the promised reward for new gambling, passed as a separate bill. It will take about two years until racinos and casinos are up and running. However, the seven member Casino Control Board, as designed by the legislation, has the power to borrow against expected profits in order to reduce property tax by next spring. This is only one troubling aspect of the power given to the Board, which will license and monitor all racinos and casinos. The Board will be composed of three people selected by the Governor and one each by the majority and minority caucuses of the General Assembly.

There is a prohibition against legislators owning more than one percent of any gambling establishment. However, the questions put to Majority Leader DeWeese, during the many attempts to add amendments to the bill, yielded certain information that there are types of ownership not named in the prohibition clause that would allow a board member or legislator to own ANY percentage of a casino or racino.

Many amendments were offered to designate funds to ameliorate the social problems which may be caused by addiction to gambling. All were defeated.



SPOTLIGHT ON LOCAL LEAGUES



Hershey Area Elects New President and Reorganizes

On June 18, 2004, the League of Women Voters of the Hershey Area elected a new president, Dianne Masek. Additionally, the Hershey League has been reorganized to include several committees, each with its own leader, in order to assign tasks in a more concise manner.

A debate has been scheduled for Oct. 12th, between John Payne and Dr. Dan Holt. Other scheduled dates are as follows: (tentative) Sept. 21st – Holden and Paterno; Sept. 29th – Piccola and Epstein.

The Hershey Area League has invited the Harrisburg Area League to their next meeting to collaborate on upcoming events particularly, to capitalize on the general election and to secure a voter registration booth at Harrisburg East Mall.

Dianne Masek has expressed excitement about the future of the League and feels very honored to have been elected President.

Lewisburg Area Educates Young Voters

Pamela K. Mauger, LWV of Lewisburg Area, Voter Services Chair

During the month of March, Lewisburg Area League members Ann Heath and Pamela Mauger taught the junior and senior students in the American Citizenship in Action classes at the Lewisburg Senior High. The lessons took the students through the voting procedure from registering to actually voting on the demonstration Votomatic machines used in Union County. The following topics were covered with the students:

- Values and reasons for voting
- Who qualifies to vote

- Differences between a primary and a general election.
- How to complete a voter registration card
- Description of a polling place and procedures to expect at the polls
- Voting practice on the demonstration machines
- When and how to use an absentee ballot
- Use of the League's publications: The Voter's Guide and the Facts for Voters

A few months later, members of the junior class voted on Union County voting machines for the election of junior class and student council officers. The election process proceeded in an efficient and orderly manner. Seventy-nine percent of the one hundred fifty-seven members of the class who had previously registered to vote actually cast ballots. After signing in to vote, students received brief instructions as to how to use the voting machines and cast their ballots; their ballots were then turned in to be tabulated by the Union County Office of Elections and Voter Registration. The election results clearly showed that students had learned and understood how to: write-in candidates, split their votes, and vote for candidates not on the first ballot position. Furthermore, there were no defective or invalid ballots in this election.

As the students handed in their ballots, several dozen students, who will be eligible for the presidential election, took voter registration forms to complete and return to the Union County Office of Elections and Voter Registration enabling them to vote in November. The junior class students set a good citizenship example for the adults in the Greater Lewisburg Area as they displayed a high percentage of voter registration, voter turnout, and demonstrated sophisticated abilities to use the election ballots without error.

Election Day

Lora Lavin, Off-Board Specialist, Election Reform

• Help at the Polls and Help the League

Here is a way you can assist in the election process, learn how the elections system really works at the grass roots, and help the League at the same time. County election officials have trouble finding enough poll workers and would welcome offers from League members to work at the polls. The long day should no longer be a deterrent. State election law changes, under the Help America Vote Act, now permit poll workers to work half days instead of full days. Exceptions are those who serve in elected positions such as the Judge of Elections. If you don't need the money, sign your check over to the League of your choice. According to election officials, state law requires poll workers to live in the election district in which they serve. However, if by five days before an election, county election officials are unable to fill all the positions in an election district then workers can be assigned from outside the district. To be a poll worker call the chair of either major political party in your municipality or call the election office in your county.

• Make Election Day a School Holiday

Schools make ideal polling places because they are easy to find,

parking is available and they are more likely to be handicap accessible than many private facilities. But security issues make some school boards reluctant to allow schools to be used. This problem could be avoided if school boards would schedule holidays or in service days on election days. Furthermore, changes in state law, adopted under the Help America Vote Act, now permit students who are at least 17 years old on election day to serve as poll workers (clerks or machine inspectors) if they have good academic records and the permission of the school principal or director. This is a great way to bring young people into the election process but public school administrators are reluctant to let students skip a day or half day of school for this purpose. Making election day a holiday for students would help. Talk to the members of your local school board.

• How Does Your Polling Place Measure Up?

To be sure your polling place is operated in compliance with the law, including the new requirements under Help America Vote Act, visit www.pa.lwv.org before you vote and download a copy of the LWVPA CITIZEN POLL WATCHERS CHECK LIST. Make copies for your friends as well. The check list includes information on how to file a complaint. Compare notes with other League members and your local board. If there are problems that need correcting bring them to the attention of your county Board of Elections.

Public Education Policy Update

Judy Rice, *Education Specialist* Judith.Rice@verizon.net

Is it an old Irish expression that says, "Be careful what you wish for"?

Education advocates knew that the Ridge/Schweiker Administration was not a supporter of public education as witnessed by the consistent advocacy for vouchers for private schools and failure to address long standing and notorious problems of inadequacy of state support for public schools. When Governor Rendell was elected after a campaign emphasizing support for public education as well as agreement with League positions on social and environmental issues, we too quickly heaved a small sigh of relief. In the second year of this new administration, we find ourselves with the fait accompli of the establishment of policies we have long fought and believe to be unsound.

On July 5th, the Governor signed the bill providing for 61,000 slot machines in Pennsylvania, (second in number only to Nevada), a bill whose provisions and manner of passage are major exhibits of poor policy. Immediately upon approval of the slots bill, Act 72, the property tax/ referendum bill was debated and passed. This bill gives residents the right to approve or disapprove school district budgets along with the promise of property tax relief that is tied to expected income from slot machines. To be eligible for this relief, a school district is required to enact by May 2005 a one-tenth of one percent Earned Income Tax (EIT) with no requirement for voter approval. Act 72 is ridden with complicated details and exceptions. Voter approval is required for budget increases over a certain "index", calculated as the average of the percentage increase in the statewide average weekly wage and the employment cost index for elementary and secondary schools. Exceptions to this requirement include expenses incurred because of emergencies and disasters, financial commitments for facilities or labor agreements entered into before the effective date of this Act, unusually large increases in expenses in certain approved categories or especially great losses in local funding capability. Districts with an aid ratio greater than .400 (poorer districts) are permitted a higher index, in concert with the League's contention that poorer districts will have both more need for the referendum and less likelihood of passage. Philadelphia receives wage tax relief but not property tax relief, thereby providing two tax breaks for suburban residents who work in the city and providing no tax relief for city home owners who are not working.

Tax relief will not be available until there is \$400 million in the Property Tax Fund and \$100 million additional for other commitments promised from slot revenues. The formula for tax relief allocation to each school district will be based on such factors as the aid ratio, tax effort and size of school population. It is not clear when funds for tax relief will be available. This will depend upon whether the Gaming Commission, not yet formed, borrows money to make tax relief available before there is actual income from slots.

State Budget

The state budget for 2004-2005 provides a 3.5 per cent increase in basic education subsidy, a 2.7 per cent increase in special education funding and an additional \$200 million in accountability grants to aid districts in compliance with NCLB mandates. The budget also addresses the crisis in funding the Approved Private Schools (APSs), which educate the children with the most severe learning disabilities. The state will pay moneys owed for services provided over the past several years and will move to a system of funding which hopefully will avert future crises. Neither the budget nor the tax relief legislation addresses the fundamental problems of resource inequities among the districts. We can only hope that disparities will not be exacerbated by these new policies.

Update on Pennsylvania's implementation of No Child Left Behind

The US Department of Education, already feeling the pressure of criticism around the country, has made four significant concessions nationwide:

- Allowing testing participation rate to be based on three years data instead of each year.
- Allowing children for whom English is not a native language to forgo testing in English for a year.
- Allowing one percent of special needs children to be excused from proficiency requirements.
- Allowing rural districts more leniency in "highly qualified" staffing provisions.

Under the direction of Secretary of Education Vicki Phillips, who will leave in August to become superintendent of Portland, Oregon schools, the Department of Education (PDE) issued a position paper requesting approval from the US Department for modifications to the Ridge administration's No Child Left Behind implementation plan. In a letter of response the US Department advised PDE that it may use the flexibility already offered to the states, rejected some requests and permitted Pennsylvania two additional modifications.

1. Pennsylvania may change Annual Yearly Progress (AYP) targets for attendance and graduation to 90% and 80%, respectively, and monitor continual progress from one year to the next on those indicators for schools and districts that are below the targets.
2. Pennsylvania may apply a 95% confidence interval to AYP status and a 75% confidence interval to safe harbor decisions- this is a statistical method to allow a bit more leeway for a school, particularly with few students in a category, not to be considered unsatisfactory.

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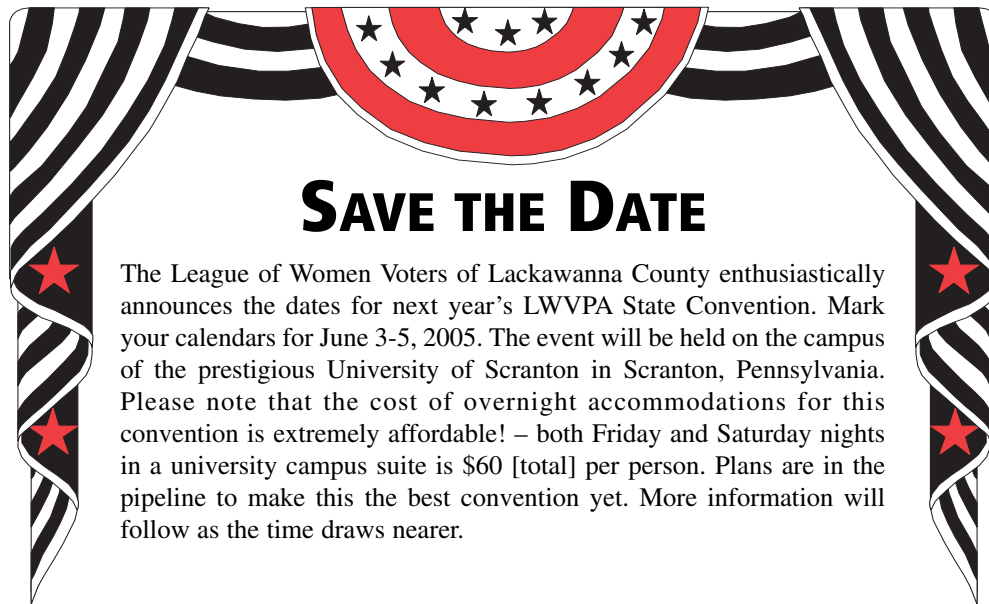
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Pennsylvania Voter



SAVE THE DATE

The League of Women Voters of Lackawanna County enthusiastically announces the dates for next year's LWVPA State Convention. Mark your calendars for June 3-5, 2005. The event will be held on the campus of the prestigious University of Scranton in Scranton, Pennsylvania. Please note that the cost of overnight accommodations for this convention is extremely affordable! – both Friday and Saturday nights in a university campus suite is \$60 [total] per person. Plans are in the pipeline to make this the best convention yet. More information will follow as the time draws nearer.

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