

March 2006 Calendar

Thursday
March 16

Open Government Forum
Auditorium
Glendale Public Library
222 E Harvard
Glendale
Thursday

April 13

**Local Election Study
Consensus Part II**

Friday
April 21
Burbank
Fire & Police Headquarters
311 E Orange Grove
Burbank

LWVC Leadership Council

Sacramento
Saturday
May 20

LWVGB Annual Meeting

Saturday thru Thursday
June 10-13

President's Message

I'M PLEASED TO announce that our League has been selected to host a forum as part of "Openness in Government: Looking for the Sunshine." Looking for the Sunshine is a national League of Women Voters Education Fund project to broaden public awareness about the issues involved in, and the threats related to accountability and transparency in government.

The LWV of Glendale/Burbank is one of 14 Leagues nationwide that will be hosting community discussions during "Sunshine Week 2006" (March 12-18). "Sunshine Week" aims to stimulate public discussion about why open government is important to everyone and why it is under challenge today.

The forum will take place on Thursday, March 16, 2006 from 7pm-8:30pm at the Glendale Public Library Auditorium, 222 E. Harvard Street, Glendale.

*"Openness in
Government:
Looking for the
Sunshine."*

**March 16
7-8:30 pm**

Glendale

Public

Library

Auditorium

222 E Harvard

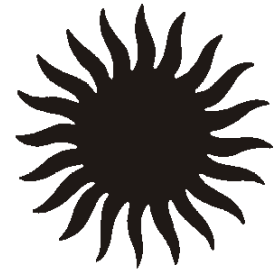
Glendale

Barbara Blinderman, Board Member of the California First Amendment Coalition, will be the featured speaker. Panelists will include (in alphabetical order) **Scott Howard**, Glendale City Attorney; **Gary W. Kemper**, Publisher, Glendale Focus; **Marsha Ramos**, Burbank City Council; **Will**

Rogers, Columnist; Joylene Wagner, Glendale Board of Education and **Bob Yousefian**, Glendale City Council.

Monica Marquez

SHINING THE LIGHT ON GOVERNMENT



What's going on? This is a question we ask every day as we go about our lives. We need information, all kinds of information, in order to make decisions about what we should do and how we plan our lives. And when we are trying to decipher what government is doing, what it should do and how we should vote, accurate information is absolutely crucial.

The League of Women Voters believes that democratic government depends upon the informed and active participation of its citizens at all levels of government. Citizens have the right—and the responsibility!—to keep themselves informed about what government is doing. In order to be informed, citizens must be able to obtain accurate information about their government at every level. Thus the League believes that governmental bodies must protect the citizen's right to know by making public records accessible.

Once citizens have the information they need, it is their right—and responsibility!—to contribute to public discussion of policy. Active participation by the public in federal, state and local government requires that officials make decisions openly and that they provide broadly publicized, convenient opportunities for participation by the public in the process.

California has enacted a number of state statutes that provide for the public's access to government information, including documents and meetings. They can be divided into two categories:

Access to Government Documents. There are two basic laws that provide for the public's access to government documents:

- ***The California Public Records Act*** establishes the right of every person to inspect and obtain copies of state and local government documents. The act requires state and local agencies to establish written guidelines for public access to documents and to post these guidelines at their offices.
- ***The Legislative Open Records Act*** provides that the public may inspect legislative records. The act also requires legislative committees to

maintain documents related to the history of legislation.

Access to Government Meetings. There are several laws that provide for the public's access to government meetings:

- ***The Ralph M. Brown Act*** governs meetings of legislative bodies of local agencies. The act requires local legislative bodies to provide public notice of agenda items and to hold meetings in an open forum. It also covers the right of the public to speak at the meetings of legislative bodies.
- ***The Bagley-Keene Open Meeting Act*** requires that meetings of state bodies be conducted openly and that documents related to a subject of discussion at a public meeting be made available for inspection.
- ***The Grunsky-Burton Open Meeting Act*** requires that meetings of the Legislature be open to the public and that all persons be allowed to attend the meetings.

The California Constitution did not generally address the public's access to government information until 2004 when a constitutional amendment was passed to ensure adequate protection for these laws. **Proposition 59 added to the State Constitution a constitutional right of public access to information.** The measure still exempts some information from disclosure, such as law enforcement records. But future governmental actions that limit the right of access would have to demonstrate the need for that restriction. In light of today's concerns about government secrecy and threats to civil liberties, the statement Californians made by elevating this access to constitutional status is a significant one.

Armed with these tools, citizens can move forward to obtain the information they need to make informed decisions about public policy and contribute to the public debate about the future of our government at every level.

A Background: Renewal of the Voting Rights Act

The League of Women Voters is part of a national coalition to advocate for full renewal of the Voting Rights Act. The debate in Congress begins this month. This article will give members some background about this vital issue.

Why do we need special laws to protect our right to vote?

Throughout much of our nation's history, large numbers of Americans have been denied the right to vote both by the federal government and by state and local officials:

- Women were denied a federal right to vote until the Constitution was amended in 1920.
- Native Americans were denied the right to vote until 1924, when the Indian Citizenship Act granted them citizenship and the right to vote.
- Chinese Americans could not vote until the Chinese Exclusion Acts of 1882 and 1892 were repealed in 1943.
- Until 1952, first-generation Japanese Americans could not vote because of the racial restrictions of the 1790 Naturalization Law.
- African Americans in the South and Latino Americans in the Southwest were often systematically denied the right to vote until the enactment of the Voting Rights Act in 1965 permanently outlawed direct barriers to political participation by racial and ethnic minorities, and required jurisdictions with a history of discrimination in voting to obtain federal approval before making any changes to voting practices or procedures.
- Language minority citizens were often denied needed assistance at the polls until the 1975 amendments to the Voting Rights Act required such assistance be provided.

What is the Voting Rights Act?

The federal Voting Rights Act is landmark legislation that was passed at the height of the civil rights movement in 1965. The Act is widely considered to be one of the most effective civil rights statutes enacted by Congress. It removes barriers to voting against minorities and language minorities. The most important provisions of the Act are Section 2, Section 5 and Section 203. This CalVEC website provides summary information of these provisions below. For more detailed information on these provisions and the other provisions of the Voting Rights Act, please visit http://www.civilrights.org/campaigns/vra/learn_more/faq.html and <http://www.usdoj.gov/crt/voting/overview.htm#vra>.

HISTORY

Forty years ago on Sunday, March 7, 1965, civil rights activists marched peacefully in Alabama for the voting rights of African Americans. This march ended in bloodshed when the activists were beaten by law enforcement officers. In the aftermath of Bloody Sunday, the Voting Rights Act was signed into law on August 6, 1965 as a means of protecting the rights of minority voters by prohibiting racial discrimination in voting. In 1975, the Act was amended to include Section 203, which protects the voting rights of language minority groups, including Latino and Asian Americans.

SECTION 2

Section 2 of the Act is a nationwide, permanent prohibition against voting practices and procedures, including redistricting plans and at-large election systems, poll worker hiring, and voter registration procedures that discriminate on the basis of race, color or membership in a language minority group. It prohibits not only election-related practices and procedures that are intended to be racially discriminatory, but also those that are shown to have a racially discriminatory impact. The U.S. Attorney General, as well as affected private citizens, may bring lawsuits under Section 2 to obtain court-ordered remedies for violations of Section 2. Section 201 is also permanent and bans the use of literacy tests nationwide as a prerequisite to voting.

SECTION 5

Section 5 of the Act is a temporary provision that freezes changes in election practices or procedures in states with a documented history of discriminatory voting practices until the new procedures have been determined, either after administrative review by the Attorney General, or after a lawsuit before the U.S. District Court for the District of Columbia, to have neither discriminatory purpose or effect. If the jurisdiction submitting the proposed change does not meet its burden of showing that the proposed change is free of discriminatory purpose and effect, the Attorney General may block implementation of the change by interposing an objection. This process is called "pre-clearance."

VOTING RIGHTS continued on page 4

Examples of voting changes that must be submitted for pre-clearance include plans for redistricting, annexation, at-large elections, re-registration requirements, polling place changes, and new rules for candidate qualifying. The U.S. Supreme Court has recognized that seemingly insignificant changes can constitute subtle attempts to discriminate against voters.

Section 5 has proved vital in protecting the rights of minority voters. Before Section 5 was enacted, constitutional litigation failed to eliminate discriminatory practices because jurisdictions simply developed new methods of discriminating against voters after one method was held unconstitutional. By invalidating discriminatory election laws before they are put into place, Section 5 removes the need for minority voters to continually bring costly litigation to ensure that their voting rights are protected.

Currently, Section 5 affects all or part of 16 states. Section 5 covers all of Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, and Texas. It covers most of Virginia, four counties in California, five counties in Florida, two townships in Michigan, 10 towns in New Hampshire, three counties in New York, 40 counties in North Carolina, and three counties in South Dakota. The four covered counties in California are Kings, Merced, Monterey, and Yuba.

SECTION 203

Section 203 of the Act is another temporary provision and requires covered jurisdictions to provide bilingual voting assistance to voters in communities where there is a concentration of citizens who are not yet fully proficient in English, referred to as “language minority” voters. A jurisdiction is required to provide

bilingual voting assistance to a language minority population if the language minority population meets either a percentage threshold or numerical threshold. Congress enacted Section 203 in 1975 after concluding that English-only elections and voting practices had effectively denied the right to vote to a substantial segment of the nation’s language minority population, including Latino Americans, Asian Americans, Native Americans and Alaskan natives.

Jurisdictions that are covered under Section 203 are required to provide language minority populations with bilingual registration and voting materials for all elections. Jurisdictions are also required to provide bilingual poll workers at poll sites to assist language minority voters. In addition, jurisdictions must make efforts to publicize the availability of bilingual voting materials and oral assistance.

Why is the Voting Rights Act important in California?

California is home to many traditionally underrepresented and disenfranchised communities, including Asian Americans, African Americans and Latino Americans. By ensuring that these communities are able to fully participate in the electoral process, the Voting Rights Act contributes to a healthy and functioning democracy.

Section 203 of the Act has been particularly beneficial to ensuring that language minority voters have access to voting materials and oral assistance. Forty-three percent of Latino American voters and 39% of Asian American voters in California are not yet fully proficient in English.

Membership Application

It is easy to join the [LEAGUE OF WOMEN VOTERS OF GLENDALE/BURBANK](#). All Citizens of voting age are welcome.

Associate Membership is open to all others.

YES! I want to add my voice to yours by joining the League of Women Voters as part of your voice for citizens and force for change. I enclose: (please check one or more of the following)

- \$60.00 for a one-year individual membership (includes a copy of our VOTER, nine times per year)
- \$100.00 for a one-year household membership for two members who share the same address (include a copy of our VOTER, nine times per year)
- \$30.00 for a one-year student membership

Name/Names _____

Address _____

City, State, Zip _____

Telephone _____

- I would like to receive my VOTER by email. My email address is _____

Make check payable to League of Women Voters. Mail to Vera Naylor, 7714 Via Capri, Burbank CA 91504

I am unable to join League at this time, but enclose a contribution of \$ _____ **Gifts made payable to “LWV Education Fund” are tax deductible.**

LWVCalifornia news

Easy Voter Expands

In December the LWVCEF received a \$200,000 grant from the Irvine Foundation to help cover expenses related to the *Easy Voter Guide* in the 2006 election cycle. The Foundation is particularly concerned with increasing voter turnout in areas of the state where participation has historically been low, such as the San Joaquin Valley and the Inland Empire in Southern California.

One of the commitments we made to the Foundation as a condition for receiving the grant was to establish a standing committee to assist local Leagues with outreach to communities where we have not traditionally had a presence—many of which are in the Foundation’s area of concern. After some discussion at the January LWVC board meeting, it was decided that the committee will be called the Outreach Resource Committee. The committee’s three charges will be to:

- Train and assist local Leagues in doing outreach to communities that we have not traditionally reached, e.g., non-English speaking groups and the literacy community.
- Assist local Leagues in contacting community newspapers to encourage them to reprint League election materials in their publications. (Online editor note: See *Easy Voter Guide* reprint form)
- Act as a clearing-house for outreach ideas and success stories from around California.

For the 2006 election cycle the committee will focus on the *Easy Voter Guide* as the major outreach tool.

The committee will be made up of five to seven members representing various parts of California, with special focus on the areas of interest to the Irvine Foundation. Tuesday Ray, our Voters Service Director, is currently recruiting committee members and we hope to be able to announce the full “lineup” very soon.

The LWVC has made a strong, long-term commitment to outreach and diversity. We must make the League look like California or risk becoming irrelevant. With the formation of the Outreach Resource Committee, we intend to provide local Leagues with the tools and expertise needed to make that commitment a reality.

Robbie Davis, *Chair, LWVC Education Fund*,
edfund@lwvc.org

Changes to EPA Rules on Toxic Release Inventory Standards Opposed

The LWVC recently joined several other state Leagues in opposing changes to the current EPA rules on the Toxic Release Inventory (TRI). Under existing rules, facilities that release 500 or more pounds of toxic substances each year must reveal how much of each chemical is emitted into the air, discharged into waterways and taken to landfills or other disposal sites. The changes were opposed as detrimental to public health and safety as well as to the public’s right to know for these reasons:

Moving annual reporting requirements to every other year reporting would eliminate half of all toxic release data and make emergency planning, as well as other local and state planning, more difficult.

Raising the reportable amount from 500 pounds to 5,000 pounds would allow companies to release 10 times as much pollution before reporting how much pollution was produced and where it went.

Less detailed reporting of persistent, bio-accumulative, toxic chemicals would allow them to be under-reported, potentially withholding information from the public on releases identified as “chemicals of special concern”

Water Use Efficiency

The Pacific Institute has also issued a report on water efficiency, *California Water 2030: An Efficient Future*. It is quite clear to many observers that, as population continues to grow in California, it will be necessary for all of us to become more efficient in our use of water. This report discusses “how smart technology, strong management, and appropriate rates and incentives can allow the state to meet its needs well into the future with less water.” For more information on this report, including directions on downloading, go to http://www.pacinst.org/reports/california_water_2030/index.htm

The Voter

THE VOTER IS PUBLISHED nine times a year by the League of Women Voter of Glendale/Burbank, California.

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Circulation: Anna Rundle

The **League of Women Voters**, a nonpartisan political organization, encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education advocacy.

The League never supports or opposes any political party or candidate. We advocate only on issues that members have studied and come to a consensus on. In an era of proliferating and powerful special interests, the League's advocacy in the public interest is increasingly recognized as an essential voice of democracy.



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LWV California
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