



THE V O T E R

LEAGUE OF WOMEN VOTERS OF BERKELEY, ALBANY, AND EMERYVILLE

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Initiative and Referendum in California: A Legacy Lost?

A Study Update of Direct Legislation in California From Progressive Hopes to Present Reality is a document produced in response to direction from the 1997 LWV-California convention. Our League, and others in the state, will be studying this topic during the next few months, leading to UNIT meetings in June.

A definition of the terms as used here is required: **Initiative** is the process by which voters may originate constitutional amendments and statutes by a petition process, thereby placing them before the electorate for adoption or rejection. **Referendum** is the process whereby voters can demand, by petition, that statutes passed by the legislature be submitted to them for approval or rejection. Referendum is not used as much as Initiative, possibly because the time allowed for circulating referendum petitions is shorter, making it more difficult to qualify.

Direct legislation, such as the initiative, goes back to the assemblies of the Greek city-states. It came to California in 1911 when the legislature, in the first term of Governor Hiram Johnson who had been elected on a "reform" platform, passed 23 constitutional amendments providing for the initiative, referendum, recall of public officials, women's suffrage, and many others. All except one were approved by the voters. Virtually every type of interest group since has utilized the initiative process. Between 1912 and the end of 1996, 257 initiatives qualified for the ballot; of these, 85 were approved and 172 were rejected by the voters.

The study update from LWVC and other material on this topic are available in our office for you to borrow. If you want to participate in a study group during April and May, leave your name at the office or call me.

-Phoebe Watts, Program VP

ASUC Election: April 7, 8, 9

We are again assisting the Associated Students of the University of California (ASUC) to run an election for officers of the Association. The League takes responsibility for monitoring the distribution of ballots and overseeing the voting and the vote-count. Members of the League are assigned stations around the campus of the University for half-day shifts; and in the evenings, League members monitor voting in the various residence halls and the student library.

All League members are invited to participate. Several have offered to oversee the daily activities, including *Louise Larson, Heidi Gillies, Lassie Ulman* and *Pat Wadleigh*. Members of the Board have agreed to work two shifts and to sign up volunteers for four additional shifts. They say "it takes a village to raise a child." Well, it takes all of us to make this activity a success! Next month's *Voter* will include a list of the League members whose participation we greatly appreciate and whose commitment we honor. Just in case we missed one of you, and you'd like to join us, please call the office. You will be glad you did!

High School Voter Registration

Although there will not be a mock election in June, we will be soliciting voter registrations at high schools and adult schools in Berkeley, Albany and Emeryville, encouraging eligible students to exercise their fledgling citizenship wings. Join us in late April as we help prepare young people to take off and vote. For more information, call *Anne Wallach*.

President's Message

T. S. Eliot once wrote, "April is the cruellest month, breeding lilacs out of the dead land..." That is not so this year. After all the rain, we are relishing the return of sunshine and with it our busy season of activities, starting with the ASUC election. This is a major source of revenue for our programs, providing funds that support member services such as the *Voter* you are now reading, the Annual Meeting Notice which you will receive next month (containing statements of our local and county positions), and other locally produced publications. Members of the Board have been phoning all of you to ask for your participation in the 3-plus day event, and your responses have been most gratifying. It takes about 100 members, each spending up to 4 hours, to monitor all aspects of this election. Without you, we could not do it!

Another way you can really help the League is by buying grocery Scrip: write us a check, and we'll give you Scrip to use when you shop at Safeway and/or Andronico's. You get full value for your money and the League receives 5 to 6 percent of your expenditures. It's easy for you and great for the League (see the article on How to Buy Grocery Scrip and Support the League on Page 9 of this *Voter*.)

Last month, we were invited to the first gathering of the Berkeley Alliance Advisory Committee. The Alliance is a cooperative arrangement among the University, the city of Berkeley, and the school district, an arrangement we have long advocated. League support of the city and schools' 2x2 committee dates from the early 1980s when we studied the need for ongoing coordination among the school board and the city. With the addition of the University, the Alliance will be able to tackle problems of youth services as well as other vital matters such as disaster preparedness, utilizing resources of the University to meet local needs. We look forward to a long and fruitful relationship among the parties with benefits to the whole community.

Our Voters Services volunteers are gearing up for the June Primary election. We expect lots of speaking engagements, as well as GOTV (Get Out The Vote) activities. If you know of any group that would like to hear the Pros and Cons of ballot measures which include some very complex issues, like Measure B (to continue the existing 1/2 cent sales tax for regional transportation), let us know. Look for your copy of the Pros and Cons in next month's *Voter*.

Enjoy the sunshine.



Board Briefs

As is usual, the Board met on the first Wednesday of March at the South Berkeley Branch Library.

Plans are being finalized for monitoring the ASUC elections in April. The day-time slots are filled but persons willing to be on a substitute workers list are still being sought, as are evening workers. The money earned by monitoring these elections is an important part of our budget.

The committee working on a revision of our rent control policy has been hard at work, and board discussed the consensus that was reached at UNIT meetings. The revision is expected to be ready to be included in the Annual Meeting Notice.

A committee to study issues around the Initiative and Referendum process is being formed. This is a timely topic because a very large number of initiatives will be on the California ballot this November.

Other topics discussed were: Annual Meeting plans, membership orientation and the Bilingual Education Forum. These are written about in more detail in other articles in this *Voter*.

-Violet Feinauer, Board Secretary

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LWVUS National Convention Volunteers Needed

The LWVUS National Convention '98 will be held in San Diego June 13-16. Volunteers are needed to assure a smooth running, successful convention. Volunteer positions range from staffing the information and registration desks, the convention floor, the convention office and press room, to hosting a group at one of Coronado's wonderful restaurants for the very popular "Dine Around" activity. You may offer a few hours, a full day or an evening.

As an incentive, volunteers will be allowed to observe plenary sessions at no charge (saving the \$90 to \$170 registration fee). Overnight accommodations can be arranged. For additional information or to sign up, call the LWVBAE office.



Election Activities

1. Ballot Propositions

Would you like to work with first-time voters and to share information about the June statewide initiative with the community? The June 2 primary is just around the corner and there will be 9 propositions on the ballot.

We need you to give ballot information to interested community members. The June ballot includes legislative constitutional amendments and initiatives dealing with a variety of issues such as schools, prison terms and labor.

Please come to a ballot review meeting on April 16 from 3 to 6 pm at 1341 Carlotta Street in Berkeley so that you can learn more. If you can't attend this meeting but would like to participate, please call me at the number shown below. Also, call me if you plan to attend the meeting, as tea and snacks will be served.

2. Candidates' Forum

There will be a special election Tuesday, April 7, to fill the vacancy left as a result of Representative Ron Dellums' retirement from the 9th Congressional District. A candidates' forum, featuring the candidates for the 9th district, Republican and Democratic, will be held on March 30 at 7 pm in the Oakland City Hall, Hearing Room One.

The forum is co-sponsored by the Leagues of Oakland, Alameda, and Piedmont as well as LWVBAE. KTOP, the city of Oakland's cable TV station, Channel 11, has agreed to broadcast the forum. Tapes will be available for showing on all local public access TV stations during the week prior to the election.

**☞ DON'T FORGET TO VOTE APRIL 7
IN THE 9TH CONGRESSIONAL DISTRICT
SPECIAL ELECTION.**

Candidates include State Senator Barbara Lee, Emeryville City Councilman Greg Harper, Randal Stewart of Oakland, and Claiborne Sanders of San Mateo. If no candidate achieves a majority of the votes cast, there will be a runoff on June 2. (Candidates for the 9th district will also be on the June 2 primary ballot; an additional primary candidate will be Gerald Sanders, a Peace and Freedom party candidate.

The March 30 forum will include live audience questions as well as issues related to LWVUS current legislative priorities, including campaign finance reform, protecting motor voter legislation, improving health and child care for working families, paying our UN dues obligation, and protecting our environment.

-Lessly Wikle

LWV: League of Women Voters
LWVBAE: League of Women Voters of Berkeley, Albany and Emeryville
LWVBA: League of Women Voters of the Bay Area
LWVC: League of Women Voters of California
LWVUS: League of Women Voters of the United States

Donors Through February 1998

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Susan A. Duncan *Dr. Grace G. Smith*
Doris Maslach

Foundation

Eloise Bodine *Jeffrey S. Leiter*
Arrietta Chakos *Doris Maslach*

Members and Membership

News You Can Use In Bits and Pieces

LWVBAE members as of February 28: 412

A cordial welcome to membership in our local League to *Scott Fleming*. We look forward to meeting you very soon at a League function.

Bits: Good News

Emma Lue Kopp has recovered well from carotid surgery. We were glad to find her healthy and happy and working at the office on Monday, March second.

Marion Luten is getting back to being herself after a long flu siege. We've missed seeing her smiling face, and hope to see it again very soon.

Bits: Bad and Good News

Jan Blundell received a broken shoulder from a fall. The good news is that she can laugh about it, although she says it has not been very humerus.

Cecile Chrisian is confined to her home because of a broken knee cap. The good news is that she is hoping to be able to be mobile enough to volunteer as a worker for the ASUC election.

Bit: Bad News

Pat Pope underwent knee surgery on February 18 and will require reconstruction surgery on her other knee when the first surgery is "all better."

Pieces

The world premiere of Concerto For Orchestra composed by Fred Cohen, son of proud mother President *Doris Fine*, was presented by the Richmond (Virginia) Symphony on January 31. His American Trepak was premiered by the same orchestra in 1994.

Mr. Cohen, chairman of the Music Department, Associate Professor of Music, and Director of the orchestra at the University of Richmond focuses on new music and has conducted new music ensembles all over the United States and in South America. He

has been the recipient of many honors for his compositions, including a prize from the Virginia Music Teachers Association and a grant from ASCAP.

Our congratulations to both *Doris* and her son, Fred.

Doggerel By I. N. Ept: The Question Is

Are you an active member,
The kind that would be missed,
Or are you quite contented with
Just your name upon a list?

Do you work with a committee
And try to do your best,
Or are you just as happy when
You leave that to the rest?

Do you support the League's work,
And give it of yourself,
Or would you rather stay at home,
Warm and cozy on your shelf?

If you are one who answered yes
To some of these queries,
Please take a chance and join with us.
Attend the Speakers' Series.

Don't be just a member,
But take an active part.
You'll learn a lot and help the League,
The minute that you start.

-*Eleanor Cox*, Membership Chair

Environmental Concerns

Monday, April 20, 1998

Closing Bay Area Military Bases

Sylvia McLaughlin, Bay Area Environmentalist

Meet at 7:15 pm, 1340 Arch Street, Berkeley

NOTE: This is the third Monday of the month. We are back on our regular schedule

Contact *Erika Kunkel*

Education Committee Hears About the Berkeley Adult School

Which Berkeley school.....

- ...was founded in 1881?
- ...serves 9500 students in the course of a year?
- ...has extraordinary teacher loyalty?
- ...offers services to elementary schools as well as to adults with disabilities?
- ...has a playing court on which the blind use a ball with bells in it?
- ...has no boundaries?
- ...is open twelve months a year?

Margaret Kirkpatrick, enthusiastic principal of Berkeley's Adult School, enthralled members of the Education Committee on February 12 as she described the wide-flung services provided to the community by her school. The 9500 people served are the equivalent of 1500 full-time students. They fill a school building and are also reached at 27 off-site locations.

As part of a federal "Even Start" three-year grant, the school will be doing parent education and literacy at elementary schools. This year, a hundred 19-22-year-olds received their high school diplomas through this fully accredited school, some through an independent study program.

The school has a contract with the state Department of Rehabilitation's success program, provides support to programs for the Latino and Asian communities and to the homeless, and gives classes in many senior centers and nursing homes. English as a Second Language accounts for about 45% of its students and has enrollees from ages 18-92; career preparation, computer and vocational education follow. There are citizenship classes, too.

In addition, Ms. Kirkpatrick wants the school to become a community center and has opened an Internet lab which can be an e-mail and job search site for the public.

The basic academic skills courses are free. Then there are self-supporting offerings for which the public must pay, and, finally, an English program for foreign (visa) students from which the school made enough money to help finance its other programs and which will, unfortunately, be prohibited at adult schools by a new federal law. Part of the Berkeley Unified School District, the school's \$3 million budget is separate from other schools. It is based on the average daily attendance at a rate one-third that of the high school, which must provide more support

services. The adult school also gets some BSEP money, and a few grants. Teachers are paid by the hour, have no contract, but are unionized and get health benefits proportionate to time worked. The school has tried to give as much professional recognition as possible within a limited budget and commands great loyalty from its teachers.

The committee's next guest is John O'Donnell, chair of the Berkeley Schools Excellence Project's (BSEP) Advisory and Oversight Committee. There is no meeting in April, but members are encouraged to attend the Ed Source Conference April 3 (see Calendar page for location).

-Lois Brubeck, Education Committee

LWVBA "Go See Tour"

Come tour beautiful Presidio Park!!
Saturday, May 2, 10 am to 1:30 pm

- | | |
|-------|--|
| 10 am | Meet at Visitors Center, Building 102 (follow the signs). <u>Public transit:</u> SF Muni bus #29 stops in front. |
| 10:30 | Ranger-led tour of the Park. |
| Noon | Brown Bag lunch and listen to speakers at the Visitors Center. |
| 1:30 | Optional, on your own. Visit Fort Point or the Holocaust Exhibit from Washington DC at the Herbst Exhibition Hall. |

Speakers: B. J. Griffin, Presidio General Manager
James Meadows, Director, Presidio Trust

The tour is limited to 70 people. Sign up in our office or call in your reservation by April 15 indicating whether you'll need a ride, can give others a ride, or want transit information. LWVBA representative *Yvonne San Jule* will take it from there.

-Yvonne San Jule, LWVBA Representative

Earth Day

On Saturday, April 25, we will join in the celebration of Earth Day from 11 am to 3 pm at the MLK Jr. Civic Center Park, Berkeley. We will distribute literature and encourage participants to register for the June 2 primary election. Anyone interested in helping, please call the office.

-Eva Bansner, Action Committee



Publications Corner Campaign Finance

Campaign Finance by Norman J. Ornstein is distributed by the LWVUS Education Fund. This pamphlet traces the history of campaign finance from the early 20th century to the present, uses graphics to show the changes in sources of income and expenditures in presidential and congressional elections in recent years, and “is designed to help citizens navigate through the perplexing issues that surround our campaign finance system and its reform.”

The first successful reforms in campaign financing came in 1907 when bank and corporation contributions to candidates for federal offices were outlawed. This law was followed by incremental and weak changes until the 1970s when new laws appeared to herald reforms. In 1971, the Federal Elections Campaign Act (FECA) was passed which limited spending for radio and TV ads. However, there were no significant limits placed on contributions.

The Watergate abuses in the 1972 election brought about some major changes:

- spending limits in both presidential and congressional elections;
- a ban on union and corporate direct contributions;
- tight limits for contributions from individuals, PACs and independent groups;
- public financing for presidential elections; and
- creation of the Federal Elections Commission (FEC) to provide enforcement of the campaign spending law.

Much of the law was struck down by the Supreme Court in 1974. The court held that campaign spending was a First Amendment issue and for that reason overturned contribution limits by individuals, but kept limitation of contributions to political parties by PACs. The court also allowed wealthy individuals to spend as much as they wished of their own money on their own campaigns or in independent expenditures. Limits were applied to “express advocacy” (support for or against a candidate), as opposed to “issue advocacy.”

Other changes in finance laws enacted in the 1970s limited individual and PAC contributions to political party committees, and exempted some categories of

state party spending from federal party limits. These changes brought about “soft money” and issue advocacy problems. (Soft money ostensibly goes for party-building and voter drives, but is generally used for advertising and is not subject to contribution or spending limits. Issue advocacy refers to ads that promote or attack an issue but have been used to suggest the candidate associated with the issue.) The growth of soft money has increased as individual “hard money” (contributions subject to contribution limits and which can be used for direct support or opposition for candidates) has decreased. Meanwhile, the cost of running campaigns as well as inflation has increased.

In recent years, more and more money has been spent for advocacy messages; however, an increasing number of these ads are the result of loopholes which avoid contribution limits and disclosure. A recent study found that even though it is not allowed, 90% of the advertisements referred specifically to candidates and 60% used a candidate’s picture, while less than 20% of issue ads were based on issue advocacy positions. According to Ornstein, it now appears that there is no “difference between issue advocacy and advocacy of a politician.”

In 1996, the average successful congressional challenger spent \$1.1 million on a campaign, as opposed to under \$290,000 spent by their opponents; most of the money was spent on TV advertising.

Because it is easier and cheaper to solicit donations from larger contributors, there has been a decrease of “broad-based community financial support.” Common Cause found that in the first six months of 1997, more than 2 ½ times more soft money was donated than in the 1993 and 1995 elections. Campaign Finance suggests that more than a half billion dollars could be spent in soft money in 1998 and even more in 2000. It is anticipated that without significant campaign finance reform, the trends will continue, not only in the amounts of money contributed but in “distortion” of the rules governing soft money.

-Lenora Young, Publications Chair

Note: Defeated recently in the Senate, the McCain-Feingold Campaign Finance legislation may still see action if some provisions are attached to bills likely to pass. The House will also be considering reforms during this session. We will persist....

Forum on the "English Only" Initiative

No one slept at the 1:30 after-lunch forum on the Unz ('English Only') Initiative that is to appear on the June ballot. Co-sponsored by the League and the Berkeley Gray Panthers, the forum was moderated by League member *Eva Bansner*. She introduced speakers Keith Kreitman, columnist for the Independent Newspaper Group, representing the initiative, and UC School of Education Dean Eugene Garcia in opposition. Panelists included Jennifer Carrera, program assistant in BUSD's office of bilingual program, Judy Bodenhausen, Berkeley High math teacher, and Vanessa Landoni, a BHS student and Student Director of the school board.

Having heard a Gray Panther announcement of opposition to the initiative, Mr. Kreitman took a quick and forceful offensive. Admitting that the initiative route is a poor one, he still vigorously praised the initiative's sponsor, Ron Unz, for his determination to see that Latino children are no longer short-changed by being placed in Spanish-speaking classrooms and given little opportunity to learn English, using the statistic that only 5 percent of limited English students are redesignated as fluent each year. He spoke of schools where Latino children were placed against parental will in Spanish-only classrooms and prevented from learning English. He cited his own and the common immigrant experience of learning English by being thrown into a school that provided no special help, and challenged the perceived need for native-language classrooms. (The initiative reads that "Children who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year.")

Dean Garcia said he was not going to argue for bilingual education, although studies show that learning is strengthened when built upon a strong native or first language capability. He pointed out, however, that the successful Canadian programs often cited as validation for the immersion model only work for the confident majority population, the English, when they are being taught French, but do not work in the reverse situation, with an insecure minority French population. He disputed the 5% statistic, saying that 70% of all LEP (Limited English Proficient) students receive no native language services at all, yet make up a large part of those 95% who are not being redesignated annually as English fluent. He objected to the lack of accountability in the initiative and lack of evidence that the immersion program would work, stressing the need for local discussion, implementation and evaluation of any program.

Panelists were then called upon. Judy Bodenhausen argued the need to move high school language learners

through their academic subjects with help in their own languages from teachers, tutors or other students while they are learning English, so that they do not drop behind and fail to graduate. She was also concerned that the initiative's language could lead to teachers being sued for using non-English with their students and that this would seriously affect their ability to teach. (According to the initiative, "Any school board member or other elected official or public school teacher or administrator who willfully and repeatedly refuses to implement the terms of this statute by providing such an English language education option at an available public school....may be held personally liable for fees and actual damages by the child's parents..." Kreitman argued that all laws have comparable enforcement provisions.) Vanessa Landoni attributed her success to early ESL classes and a continuing elementary bilingual program.

Jennifer Carrera pointed out that the state mandate is to provide primary language instruction on a purely voluntary basis-no child can be assigned against parental wishes. In the BUSD, there is primary language instruction at Columbus, Thousand Oaks and Cragmont elementary schools with one class at each level: there are different methodologies at each site. All other elementary schools have individual learning programs with children pulled out for short periods of sheltered instruction. At the secondary level there are English as a Second Language and English Language Development classes as well as sheltered English. Responding to questions, Bodenhausen criticized as totally unfeasible and unrealistic the initiative's provision that "The requirements....may be waived with the prior written informed consent, to be provided annually, of the child's parents...(and) that (they) visit the school to apply for the waiver..."

Questions about how to best help California's growing non-English speaking population, the differences between early bilingual and later ESL programs, whether bilingual programs work or whether they need reforming, whether immersion programs have been adequately tested, and whether the initiative process is the best way to go about the whole thing were still being discussed after *Doris Fine* brought the meeting to a conclusion at 3:30. The forum was videotaped by *Jill Martinucci* and *Masako Yamada* and will be shown several times on B-TV.

-*Lois Brubeck*, Education Committee

The Greenbelt Alliance

The Environmental Concerns February 9, 1998, meeting hosted Tom Mooers of the Bay Area Greenbelt Alliance. Discussion focused upon Alliance efforts to stop sprawl development in Contra Costa County.

According to the Alliance, two proposed major developments that would destroy prime greenbelt and have a devastating impact on the East Bay are the Cowell Ranch and Tassajara Valley projects. The Cowell Ranch development proposes 5,200 housing units southwest of Brentwood along Marsh Creek Road, in the shadow of Mt. Diablo where lie 4,000 acres of rolling hills, marshland and prime agricultural soil. South of Mt. Diablo along Camino Tassajara, is Tassajara Valley. The Tassajara Valley project would add nearly 6,000 housing units over 4,500 acres from the base of Mt. Diablo to the Alameda County line. It's located just east of Dougherty Valley, which is the site of an 11,000 unit housing project - the largest single development approved in county history. Of the "gruesome twosome" developments, Mooers said the impacts would be too severe to mitigate. "We don't want to mitigate, we want to stop them," he said.

Together, these developments would increase traffic congestion, compromise air quality, destroy farmlands, threaten existing community water supplies and other resources, pave open space, and destroy critical wildlife habitat, he said. Traffic congestion at Cowell Ranch would result from the addition of some 40,000 daily new car trips to the area, while the Tassajara project would add an estimated 50,000 more car trips each day, bottleneaking the region including the I-680 corridor and Route 4, with suspected gridlock at the intersection of Camino Tassajara and Crow Canyon Road.

If Cowell Ranch is approved, loss of prime agricultural land would be some 350 acres, including an orchard that produces 20% of the county's apple crop. Threatened wildlife includes the San Joaquin kit fox, red-legged frog, California Tiger salamander and vernal pool fairy shrimp. No adequate water supply has been identified to support either development. The Cowell Ranch project would require more water than is currently used by the city of Brentwood, and EBMUD recently voted against providing water for the Tassajara Valley project, he said. Furthermore, sprawl development costs more to service than it generates in tax dollars, he said. For example, fees generated by the Tassajara Valley project would generate only one-quarter of the anticipated \$88

million needed to construct new schools for that project.

Greenbelt Alliance is a land conservation and urban planning organization which works to protect the region's greenbelt. The greenbelt is a broad band of open space that surrounds the cities and towns of the nine-county San Francisco Bay Area. Advantages of greenbelt protection include the opportunity for community identity and independent economic stability, protection of agricultural lands, habitat biodiversity, flood control, water and air quality protection, and recreation.

Greenbelts are not defined in state law, but are often protected by urban growth boundaries (UGBs). An UGB is an officially adopted and mapped line dividing land to be developed from greenbelt land to be protected for natural or rural use. UGBs are regulatory tools, designated for long periods of time - 20 or more years. In order to provide greater certainty for both development and conservation goals they are rarely subject to revision and can be made permanent over time. UGBs work best as part of comprehensive growth and management strategies. UGBs can be made permanent by policy or by land acquisition and easements. In California, state law is silent on the issue of boundaries, leaving them to local option. Proposals have recently been made to integrate them into state and regional planning guidelines.

"When the greenbelt is lost, it's lost forever," Mooers said. "Its protection expands the debate to not whether we grow but to how we grow." To help stop Contra Costa sprawl, urge your Supervisor to reject the Cowell Ranch and Tassajara Valley projects, Mooers said.

For more information contact the Greenbelt Alliance at 1372 North Main St., Suite 203, Walnut Creek, CA 94596 or call (925) 932-7776.

-Gail Schickele, Environmental Concerns

LWVBA Proposed Study

The LWVBA plans to review the powers, plans and financing of the five 9-county regional agencies to identify areas of concern that do not fall within the authority of any of them (e.g., protecting urban growth boundaries) as well as areas where there are overlapping or duplicated powers. Their report will be very useful to local Leagues.

Eastshore State Park Update

Where are we in the long, complicated process of saving our shoreline for park land? The League of Women Voters has followed this issue since 1983 and has participated in the Coalition for Eastshore State Park (CESP). Without this citizen action group, high-rise development, not open space, would no doubt be our experience today.

The East Bay Regional Park District (EBRP) was given responsibility for land acquisition, planning and design for an integrated waterfront by State Assembly Bill 754. The land included shorelines of Richmond, Albany, Berkeley, Emeryville and Oakland. The purchase of lands from Catellus (formerly Santa Fe Railroad) is presently in escrow until soil remediation is completed (in approximately one year.) Before title can be transferred to the state, BCDC (Bay Conservation and Development Commission), the Regional Water Control Board, and the Corps of Engineers must issue permits.

CESP has recently developed general policies to guide the planning for the entire state park. A memorandum of understanding or agreement between the EBRP District, the state and the several cities involved is necessary. During this process it will be decided if Berkeley's César Chávez Park (previously North Waterfront Park) will become part of the state park. In Berkeley's 1977 Master Plan, the City Council passed a policy that its "North Waterfront Park should be used for unstructured public recreation. This area will be pedestrian and bike oriented (with no public roads through or around the area), protected from intrusion of incompatible uses." The plan further divided the area into 3 zones-recreational, transition, and natural. Recently, an area of the natural zone has been designated for use as a dog park, to be evaluated after a year's use.

Once the state obtains title to the property, many public meetings will be held regarding the various uses of these park lands. Hopefully, a good balance of uses will emerge for this much needed regional recreational area. You can be sure that the LWVBAE will be watching developments, and will keep you informed.

-*Meda Rechen*, LWVBAE Waterfront Consultant

on BTV

Two LWVBAE video programs related to the June election will be shown during April on Berkeley's BTV Channel 25. They are:

- Bilingual Education or English Only? A "spirited" discussion of the upcoming state measure. Taped from the February 11 forum sponsored by the Gray Panthers and LWVBAE (90 minutes).

Monday 4/6 9:30 am

Tuesday 4/7 7 pm

- Alameda County Transit: June ballot Measure B. Background information and pros and cons on the proposed renewal of the Alameda County half-cent sales tax used for highways and transit (30 minutes).

Thursday 4/2 8:30 pm

Friday 4/3 10 am

Saturday 4/4 3 pm

The above program schedule is subject to change, so be sure to check BTV's schedule in either the Berkeley Voice or the West County Times.

-*Jill Martinucci*, LWVBAE Video Director

How to Buy Grocery Scrip and Support the League

If you shop at Andronico's or Safeway, you might consider trying out our Scrip program. Scrip is accepted by the stores as cash and you receive cash back if the value of your purchase is less than that of the Scrip tendered (Safeway requires that you spend at least 80% of the Scrip on merchandise; Andronico's has no such requirement.) For every \$ you spend, the LWVBAE receives 5% (Safeway) or 6% (Andronico's).

If you decide to give the program a try, just call me at the number shown below or leave me a message in my office folder. Tell me how much and for which store you want Scrip, and one of our faithful distributors will call you to arrange for delivery. You may pay him/her or mail a check to the office. If we have no distributor in your area, we will mail Scrip to you. Once you decide that you like the system, you can either place a standing order or you will be asked for your order on a monthly or bimonthly basis. We buy Safeway or Andronico's Scrip in alternate months. Scrip comes in denominations of \$10 and \$20 and we require a minimum order of \$50. Give it a try and support our League!

-*Eva Brecher*

IT'S EASY TO JOIN
THE LEAGUE OF WOMEN VOTERS

Just cut out and mail this coupon
with your \$41 dues check to:
LWVBAE

**1414 University Ave., Suite D
Berkeley, CA 94702**

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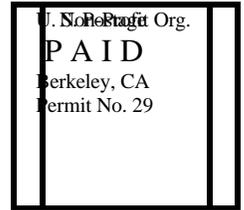
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League of Women Voters State of Berkeley, Albany, and Emeryville
Berkeley, CA 94702



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APRIL
1998

March

- 30 Mon. 7 pm Candidates Forum (9th Dist) Oakland City Hall (*Wikle*)
- 31 Tues. All Day Women in Action Lobby Day Sacramento (*Price*)

April

- 1 Wed. 9 am Board Meeting South Berkeley Lib. (*Fine*)
- 3 Fri. 9 am - 3:15 pm Ed Source Conference Pleasanton Hilton (*Brubeck*)
- 3 Fri. 4 pm Deadline for May-June Voter at the LWVBAE Office
- 7 Tues. 7 am - 8 pm 9th Congressional District Special Election
- 7, 8, 9 Tuesday, Wednesday, Thursday ASUC Election, UC Berkeley
- 15 Wed. 9 am Action Committee 1419 Grant Street (*Price*)
- 16 Thur. Noon - 1:30 pm Speakers' Series TBA West Berkeley Lib. (*Miyazaki*)
- 16 Thur. 3 pm - 6 pm Voters Service Meeting 1341 Carlotta Ave. (*Wikle*)
- 20 Mon. 7:15 pm Environmental Concerns 1340 Arch St. (*Kunkel*)
- 25 Sat. 10 am - 3 pm Earth Day MLK Jr. Civic Center Park (*Bansner*)
- 25,26 Sat./Sun. Presidents' Council Claremont, Calif. (*Fine*)
- 29 Wed. 9 am Executive Committee 2 Eucalypus Rd. (*Fine*)

May

- 2 Sat. 10 am - 1:30 pm "Go See Tour" San Francisco Presidio (*San Jule*)
- 6 Wed. 9 am Board Meeting South Berkeley Lib. (*Fine*)
- 16 Sat. 9:30 am - 1 pm **LWVBAE Annual Meeting**
Guest Speaker - Peter Schrag, Author and Journalist will speak on the Initiative Process
Northbrae Community Church (*Watts*)

The public is welcome at all League meetings-Berkeley addresses unless otherwise indicated-

Action Update

April 1998

NATIONAL

Campaign Finance Reform is dead for this session of Congress. The Senate could not rise above the individual members' lack of statesmanship to put a reasonable curb on the unwarranted and out-of-control raising of campaign money.

STATE

- AB 160 (Hertzberg)

This bill, which would have required health plans to cover prescription drug expenses for a variety of prescription contraceptive methods, was vetoed by Governor Wilson. The Governor based his veto on the lack of a conscience clause that would exempt employers from such a requirement on religious or conscientious grounds; but such an exclusion would "gut" the provision entirely.

- Campaign Finance Reform

As reported last month, the fate of Proposition 208 passed by the voters in November, 1996 continues to be tied up in the courts. Some of the bills introduced to revive various provisions of the measure that are not tied to contribution or spending limits are as follows:

-SB 304 (Karnette) provides for statewide and legislative statements and photos in the ballot pamphlet or sample ballot materials, and requires that radio, tv, and print ads for ballot measures and initiatives disclose to the campaign committee the two largest donors of \$50,000 or more. Also, ballot measure committee names must clearly identify the economic or special interests of their large donors.

-Assembly members Firestone (R-Los Olivos) and Thomson (D-Davis) are introducing bills including a requirement that independent expenditures of more than \$1,000 must be reported within 24 hours in public campaign reports to the candidates affected, as well as a ban on accepting contributions in off-election years.

-Senate members Vasconcellos (D-Santa Clara), Johnson (R-Irvine), Kopp (I-San Francisco), and McPherson (R-Santa Cruz) are introducing proposals for more comprehensive reform of restriction on transfers between candidates, or in the form of public financing of legislative and statewide campaigns.

- Reversal of the Shift of Property Taxes to the State for Schools
LWVC has joined the Allies for Cities, Counties, and Special Districts. This is a coalition that lobbies for change in local government funding through reversal of the shift of property taxes to the state for school support..

-The Legislative Analysts Office reports a current surplus of more than \$1 billion new state revenues and a reserve of nearly \$450 million.

-California's cash-strapped local agencies are calling for relief from the mandate to shift 1/6 of all property taxes to the state for schools, resulting in billions of local property taxes being handed over to the state every year for K-14 schools. These property tax shifts have caused local governments to reduce many programs and continue to strain local budgets. Annually, \$3.4 billion in property tax revenue is diverted to the state (\$14.3 billion cumulatively since 1992). The state has partially covered those losses with public safety and trial court funding, but local governments still face major cutbacks in local service areas.

-AB 95 (Sweeney) and SB 880 (Craven) provide for relief to cities, counties, and special districts by restoring property taxes now diverted to the state.

Allies for Cities, Counties, and Special Districts believe that plans to restore property taxes will allow local governments to have an opportunity to return to fiscal health.

COUNTY

LWVBAE Comments on the Proposed Alameda County Transportation Sales Tax Measure B

- Background

In November, 1986, local voters approved Measure B authorizing a ½-cent sales tax for specific transportation improvements under a new agency: the Alameda County Transportation Agency (ACTA). This measure expires on March 31, 2002, with a sunset clause for the agency. Not all of the projects will have been completed. Among other reasons for non-completion, their costs were underestimated. Funding from the gas tax was not considered a viable alternative to the sales tax for a number of reasons; e.g., gas tax revenues have not kept up with inflation, and voters are generally unwilling to approve an increase in the gas tax large enough to adequately fund transportation projects. In addition, voters generally believe that gas tax revenues should be allocated to highway, rather than to transit projects.

ACTA appointed a 40-member committee to put together a new expenditure plan for a proposed ballot measure to extend the existing ½-cent sales tax. The League, through the Alameda County Council of LWV's, commented on the lack of financial interest disclosure and the imbalance of the committee, but no changes were made. The committee was divided into four sections to represent the four geographic areas of the county. For planning purposes, each section of the committee was allocated a portion of the total amount to be raised by the sales tax, based on population projections for the year 2000. The populous north county (Oakland, Berkeley,

Emeryville and Albany) supported major investment in public transit. Other parts of the county supported heavy investment in highway projects. The new expenditure plan provides that approximately 26% of the expected \$1.1 billion go to cities and the county for local street, road, pedestrian, and bike improvements; 25% to BART projects; 23% to local transit: 21% to highways; and 4% to “enhancements”- for bicycle and pedestrian projects and for the purchase of open space to protect agricultural lands or provide project mitigation.

Big projects typically require money from other sources. Some are in the Regional Transportation Improvement Plan; e.g., MTC would fund one direction of widening I-238 between I-580 and I-880 while Measure B funds would be utilized for the opposite direction. Other projects do not have a source for identified needed additional funds; e.g., the Warm Springs BART extension and the People Mover to the Oakland airport. Under the proposed measure, funds could be shifted to other projects in the same corridor if an identified project fails to get full funding.

Under the replacement measure, there would be a watchdog committee created “with the assistance of the League of Women Voters.” This language is used in the measure without having consulted any League in Alameda County or the Alameda County Council! It would appear to be a grasp at using the League’s name to help pass the measure.

- LWVC Positions
 - “rational organization of powers and functions of the several levels of government”
 - “minimal use of direct voting by citizens on tax sources and rates”
 - “adoption of ear-marked funds and taxes only in those situations where social benefit significantly outweighs the loss of flexibility”
 - “public participation in decision making”
 - “increased public transportation services and other viable alternative to reduce vehicle miles traveled”

There is no logic to the division of transportation projects to be funded by this replacement measure and projects to be funded by the region, therefore this measure does not seem to contribute to a rational organization of powers and functions of these levels of government. Also, the sun setting of ACTA and its rebirth as ACTA II, separated from the liabilities of the old agency, seems to confound notions of government accountability. Separating the responsibilities of ACTA I and ACTA II means that the new project list, based on new information and needs, will not be jeopardized by the mistakes of the old measure.

Earmarked funds from the old Measure B remain with no provision in the new measure to return those funds to the pot; e.g., the 1960’s Foothill Freeway would still have funds to start a scaled down phase I. Once a transportation project is set in motion with no other action than insufficient earmarked funds, it seems to live on beyond the reach of new information regarding cost effectiveness and environmental considerations.

Although there were numerous public meetings at locations throughout the county, the public was not given an analysis of the costs and benefits of alternatives in spite of the League’s having requested this information. The League County Council did express its appreciation of

wider public engagement than had been available for the previous Measure B. MTC's planning process compares unfavorably.

Transit operations money for AC Transit, other busses, and ferries is to increase from 11.8% under old Measure B to 19.6% in the replacement measure. This level of funding would restore most recent service cuts. There is also more money for AC Transit to provide service to people with disabilities and to implement welfare-to-work transportation programs. Funds are also allocated to a "Livable Routes" project, either on San Pablo Avenue or Telegraph Avenue, for modern, high-technology "fast bus" services. These are referred to as Tier I objectives. Tier 2 projects would consist of pedestrian and bike improvements. AC Transit does not have any identified sources of funds to replace Measure B funding if it should sunset without an extension in the year 2002.

- LWVBAE's Recommendation to the LWV County Council

Gas tax funding of transportation improvements would be more consistent with the League's position on influencing travel behavior to lessen air and water pollution and waste of land. However, an increase of at least ten cents a gallon would be necessary but this appears to be politically unacceptable at this time.

While the new Measure B is far from perfect (as noted above), the overriding importance of funding public transportation systems remains as a necessary and desirable element of the replacement measure. **LWVBAE, therefore, recommends support for the replacement Measure B.**

LOCAL

- Berkeley
 - A letter was sent to the city council commending them for establishing a Rules Committee that will deal with streamlining city council meetings. The first results of their efforts are expected in the approval of holding hearings and zoning appeals at only one meeting per month when only the consent calendar will be on the agenda. The next expected result will be the restructuring of the agenda to be tried for the first time at their meeting on March 24. The League counts this as a true step forward and looks ahead to more good things coming from this city council committee.

N.B. This report was compiled from publications received from various levels of League and from information shared at Action Committee meetings. The county section was compiled by *Eva Bansner*, Berkeley Action Chair.

-*Jo Ann B. Price*, Action VP