



The Voter

1472 St. Francis Drive, Santa Fe, NM 87505-4038

Phone: 505-982-9766 www.lwvsfc.org

September 2015

Vol. 64, No. 9

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Message from the President

Dear League Members:



Summer has come and gone, but the League never stopped. A number of interesting events took place in July and August, and I hope many of you took advantage of them. I know the hummingbird fest was a big crowd-pleaser and a great time for all to mingle and watch the spectacular little birds.

September will bring us two issue events. The consensus meeting on the idea of a constitutional amendment will be on September 22. This is an important chance for local leagues to express their thoughts on the issue to LWVUS, so please plan to attend. Rooftop solar generation (distributive generation) will be the topic of an issue forum on September 30. There's a great lineup of panelists, and we expect a very lively and informative discussion – from all sides of the issue. Distributive generation will continue to be a hot issue locally as the Public Regulation Commission decides our energy and environmental future.

October will bring more issue forums and, we hope, a social and fundraising event. Stay tuned for announcements.

Our Action and Advocacy Committee is more popular than ever! Join us at Rio Chama the first Thursday of each month for a stimulating lunchtime discussion of local events and activities we're following.

The League board is engaged in analysis and planning activities, and to this end we will have a retreat in the Pecos in early September. We hope to come out energized to make the League bigger, better and more interesting to members. If you are interested in serving on the board or a committee, please contact me: jkwilliams24@gmail.com

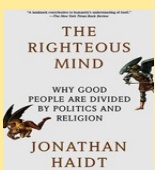
**Join or renew your membership.
See page 12.**



Highlights Board Meeting August 12, 2015

- The Board retreat this September will focus on “strategic planning” and “capacity building” to ensure a strong future for the Santa Fe League.
- The Board has two openings for additional members. These will be saved for new members who demonstrate active participation and leadership potential in the League.
- The “Impact on Issues: 2014-2016”, a 63-page publication from the US League will be available for sale from the League office for \$10.00 each.
- The League President and individual members have been actively protesting the lack of transparency involved with the practice of conducting late night meetings of the City Council and County Commission.
- The Board is looking forward to the two August meetings – Breakfast with Judge Shannon Bulman and the Museum of Spanish Colonial Art Tour. Thanks to Karen Heldmeyer and Janet Lincoln for their respective leadership roles.
- The Board is exploring an October date for a fund-raising event at Sally Bingham’s.
- And Judy’s new fund-raising team will be looking at many new ideas for the future. Contact Judy with suggestions.
- The Board is looking to finalize dates for the 2016 Candidate Forums.
- The Board has tabled League involvement in “It’s the People’s Data” initiative.
- And the Board is extending League involvement in the Tuesday afternoon Southside Farmer’s Market. They have committed to having tables on August 25th and September 22nd. It is hoped that other members will host tables on additional Tuesdays. It’s an opportunity to register voters and hand out educational material.

-Nancy Chambers



Nonfiction Book Club
The Righteous Mind:
Why good people are divided by politics and religion
By Jonathan Haidt

The League will hold its next Nonfiction Book Club meeting on Thursday, October 22, 2015, at Collected Works bookstore, beginning at 10:30 a.m.

The U.S. is rife with political polarization and paralysis. Haidt challenges conventional thinking about morality, politics, and religion in a way that speaks to everyone on the political spectrum. He shows how moral judgments arise not from reason but from gut feelings. He shows why liberals, conservatives, and libertarians have such different intuitions about right and wrong.

-Donna Reynolds

Recycling:	Are Santa Fe & New Mexico Getting Gold Stars or Can We Do Better?
	<p>Learn the latest about recycling in Santa Fe and New Mexico. Experienced recyclers and policy analysts will share what’s happening now and what’s on the horizon. Learn more about the latest trends in recycling and how our community measures up.</p> <p style="text-align: center;"> Recycling Our Trash Evening Forum Thursday, October 8, 2015 5:30 p.m. to 7:00 p.m. Santa Fe Main Library </p> <p> Jessi Just, Recycling & Technical Assistance Specialist, NM Recycling Coalition Adam Schachter, Recycling Education & Outreach Coordinator, Santa Fe Solid Waste Management Agency </p>

It's that time of year again!

The annual dues renewal mailing has gone out, and you should have received yours already. Please fill out the enclosed form with all your current information, and mail it promptly with your check, or renew electronically via PayPal at the website www.lwvsfc.org. It would be much appreciated if your renewal form and check were returned by September 30.

Please also consider making a contribution at this time.

We value your membership and know that you want to see the LWVSFC thrive and continue to grow. Encourage someone to attend one of our many events with you and perhaps even join.

Let's make 2016 an even bigger success!



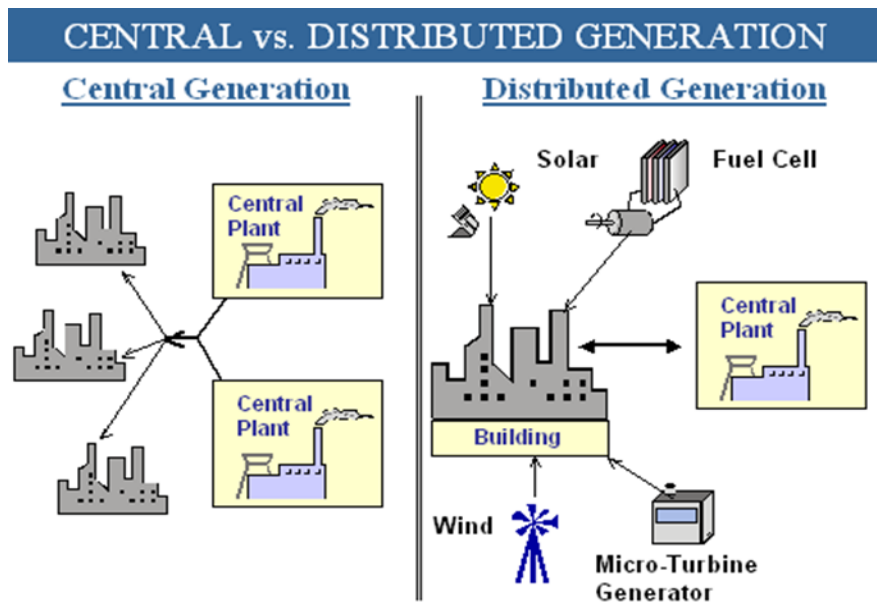
Many thanks,
Janet Lincoln, Membership Chair

Creating a Collection of League Studies



We are organizing files of previous League studies. In the past, if you have been part of a League study and have materials or reports, either in written or electronic form, and would like to turn them over to the League, please let us know how we can obtain them from you. jkwiliams24@gmail.com

Distributed Generation—Illustrated



continued →

Distributed Generation—Explained

Distributed generation is electricity generated by customer-owned generation facilities which are distributed throughout the electric grid. It supplements the electricity supplied to the grid by the electric company from large central plants. It can take several forms, but the most common is solar panels.

Recent rapid growth and anticipated further increases in distributed generation are widely expected to bring a significant restructuring of the electric grid. Responses to these changes by electric companies and regulators will affect how the costs of operating the grid are allocated among customers who install solar panels, customers who do not, and the owners of the electric companies. They can also affect the number of solar panel installations, and even the way spending is allocated between electricity and other energy sources such as gas and oil.

The League of Women Voters is sponsoring a forum titled “Next Steps in Distributed Generation” to be held on Wednesday, September 30, from 6 to 7:30 p.m. at the downtown library. The League has invited participants whose views can be expected to differ in order to illustrate the complexity of the issues to be faced, and the range of suggestions for meeting these issues. Panelists have been asked to focus on how regulation of distributed generation should change as its penetration of the market increases. The speakers will be Ron Darnell, PNM; Jeremy Lewis, Energy Conservation and Management Division, New Mexico Energy, Minerals and Natural Resources Department; David Van Winkle, New Energy Economy, and Regina Wheeler, Positive Energy.

This article provides information to help make the discussion more understandable, as well as two examples of the problems to be dealt with.

In New Mexico, electric companies are regulated by the Public Regulation Commission (PRC). A company is granted a monopoly to serve a defined area, and in return is obliged to provide all users in that area as much electricity as they want to consume. In Santa Fe this company is PNM.

Prices charged must be approved by the PRC. The percent of total electricity that must come from renewable sources is set by statute (currently 15%), and the percent of renewable energy that must come from distributed generation is set by the PRC (currently 3%).

The PRC requires electric companies to allow the option of net metering to qualifying generation facilities. Under net metering, customers’ electricity bills are calculated as if their meter runs forward when they take electricity from the grid, and runs backwards when their solar panels (or other generation) return electricity to the grid. When customers in Santa Fe take more from the grid than they return, they pay PNM only for the net usage shown when their meter is read. If they return more to the grid than they take, they get a check or credit from PNM.

So long as there was very little customer generation flowing to the grid, net metering got little scrutiny. But recent growth in installations of solar panels has made the practice more controversial, raising the question of how the cost of operating the electric grid should be allocated between those who have installed solar panels and those who have not, and whether regulations should be changed to ensure fair allocation.

Another problem that arises as distributed solar generation increases is the appropriate allocation of the costs of line upgrades that may be required when solar installations on a distribution line grow beyond a certain point.

The current practice is to require the applicant whose application triggers the need for a specific distribution line upgrade to pay its full cost, even if the upgrade will also benefit future applicants on that line. There is no provision for cost sharing among current and future users who benefit from the upgrade. If upgrade costs are too high for one user to bear, this practice can limit the number of solar installations on a particular distribution line to those who get there first.

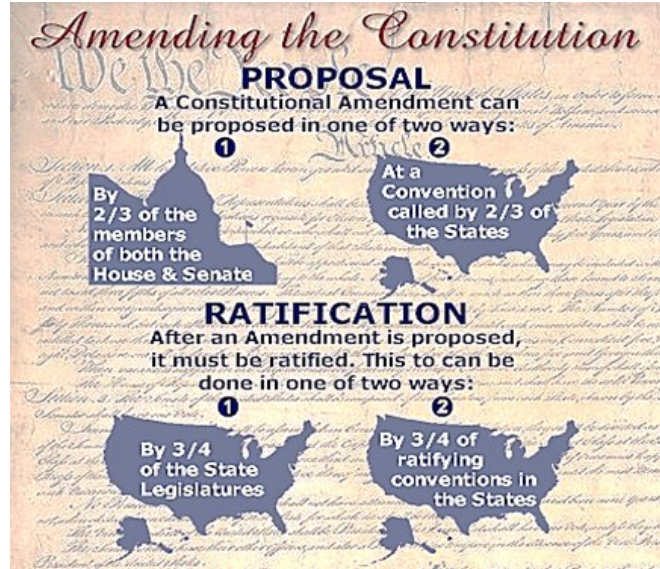
Responses to these problems from electricity companies and state regulators vary widely. For examples and a more detailed discussion, copy and paste into your browser

<http://www.lwvsfc.org/events.html>

to see the article on distributed generation posted on the League of Women Voters Santa Fe County website.

-Neva Van Peski

U.S. Constitutional Amendments Consensus Meeting September 22, 2015



The League of Women Voters of Santa Fe County will hold a Constitutional Amendment Consensus meeting on Tuesday, September 22, 2015, from 9:00 am to 12 noon at the Santa Fe County Health and Human Resources Conference Room. Only members are permitted to participate in the discussion and consensus process.

During 2015, the LWVUS Constitutional Amendment Committee is conducting a study with the League's member agreement process on amending our nation's Constitution. In addition to other topics, the League study will explore what constitutes an appropriate and well-crafted amendment.

Please review the article which begins on page 6, the consensus questions which follow, and be prepared to participate at the September meeting.

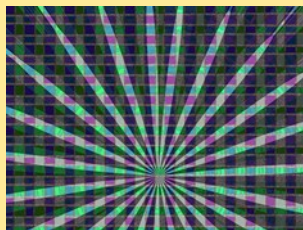


Forum

**“Next Steps in Distributed Generation”
Wednesday, September 30, 2015
6 to 7:30 p.m.**

Community Room, Downtown Library

Speakers will discuss the regulation of distributed generation in New Mexico.



Ron Darnell, PNM
David Van Winkle, New Energy Economy
Regina Wheeler, Positive Energy
Jeremy Lewis, Energy Conservation and Management Division, New Mexico Energy, Minerals, and Natural Resources Department



“Constitutional Amendmentitis”

A synopsis prepared by the LWVUS
Study Committee on
Constitutional Amendments
July 2015

This short paper presents a synopsis of the article, “Constitutional Amendmentitis,” by Kathleen Sullivan that first appeared in the December 19, 2001, issue of The American Prospect, <http://prospect.org/article/constitutional-amendmentitis> (accessed 6/19/2015).

Writing in 2001, Sullivan notes a flurry of activity, with more Constitutional amendment proposals active then (and now) than at any time since the 1970s. The Constitution is very difficult to amend. Of the 11,000 amendments that have been proposed since the Constitution was adopted, only 27 have actually passed. As a result, the Constitution remains a “relatively pristine document.”

Those that have passed have little altered the overall structure of the Constitution. According to Sullivan:

The first ten amendments, the Bill of Rights, were added in one fell swoop by the First Congress and ratified in 1791 as part of a bargain that had induced reluctant states to ratify the Constitution. And the 13th, 14th, and 15th Amendments, which abolished slavery and gave African Americans rights of equal citizenship, were essentially foisted on the southern states by the Reconstruction Congress as a condition of readmission to the union in the wake of the Civil War.

The remaining amendments have tinkered little with the original constitutional design. Four expanded the right to vote in federal elections: The 15th Amendment eliminated racial classifications in voting, the 19th extended the franchise to women, the 24th abolished the poll tax, and the 26th lowered the voting age. Only two tried outright to govern social policy: The 18th Amendment imposed Prohibition and the 21st repealed it. Only two amendments worked significant structural changes in the original constitutional framework: The 17th Amendment provided for popular election of senators and the 22nd imposed a two-term limit on the presidency. And only four amendments were enacted to overrule decisions of the Supreme Court: The 11th Amendment barred suits in federal court by citizens of one state against another state, the 14th recognized the United States citizenship of African Americans, the 16th permitted Congress to impose an income tax, and the 26th lowered the voting age to 18--all in contrast to what the Supreme Court had said the Constitution permitted or required. The remaining handful of amendments were national housekeeping measures, the most important of which was the 25th Amendment's establishment of procedures for presidential succession.

Against this backdrop, the current enthusiasm for amending the constitution is concerning in that “there are strong structural reasons for amending the Constitution only reluctantly and as a last resort.”

Stability. It has stood the test of time. “If it ain’t broke, don’t fix it.” Stability is one of the key virtues of having a Constitution in the first place. Amending it too often undercuts that purpose and undermines public confidence in the basic structure of our government.

The Rule of Law. The Constitution is our fundamental charter of government. It should not be cluttered up with the sorts of directives found in legislation. The point of having a constitution is to establish a separation between the legal and the political realms. The constitution lays down those fundamental political ideals (equality, representation, individual liberties) that place limits on how far any short-term, political majority may go. The Constitution is our higher law. The rest is politics. Too-frequent amendments erode the boundary between our higher law and politics, making support for the Constitution a matter of political preference.

Coherence. The Constitution was written as a unified document; amendments are piecemeal and can affect other parts of the whole. For instance, a balanced budget amendment could affect taxing, borrowing, and spending currently accomplished by a simple majority vote by imposing supermajorities on these actions, thereby transferring so much power to the minority that they may extort concessions in other areas, with the potential for significant spill-over effects. This is only one example, but it is clear that amendments can create conflicts within the document as a whole and thus have repercussions beyond their specific subject matter.

Generality. The Constitution is purposefully drafted in general terms. Specifics are to come through judicial interpretation. However, generally worded amendments can be problematic. Either by what it specifies or does not specify, an amendment can have the potential to effect a major change to our fundamental governing document such as a redistribution of powers among the three branches of government. Striking the appropriate balance is incredibly difficult to get right.

The Role of the Court. We have granted the Supreme Court broad interpretive powers. Constitutional amendments, especially those that overturn Court decisions, undermine respect for the legitimacy of the Court. It also erodes the social benefits of peaceful conflict resolution. Remember that we have amended the Constitution only four times in order to overrule the Supreme Court. The Court itself can squander public respect by so abruptly changing interpretations of the Constitution that they appear more politics than law. But that fact does not strengthen the case for more readily amending the Constitution. Rather, it illustrates the very pitfalls of constitutional mutability that amendment fever would exacerbate.

In summary, this does not mean that the Constitution should never be amended. But for all the reasons outline above, there should be a strong presumption against doing so except when changes consistent with the Constitution’s broad purposes are unlikely to be enacted by ordinary legislative means. See LWV <http://forum.lwv.org/category/member-resources/our-work/constitutional-amendment-study> for more information.

Constitutional Amendment Consensus Questions

This study is in three parts. The questions in Part I are to develop guidelines for evaluating constitutional amendment proposals. Part II asks about aspects of an Article V Constitutional Convention that may be important in conducting such a convention. Part III asks two overall balancing questions between process and positions.

Answer each question, regardless of your answers to other questions.

Part I - Considerations for Evaluating Constitutional Amendment Proposals

1. Which of these should or should not be a consideration in identifying an appropriate and well-crafted amendment?

a) Whether the public policy objective addresses matters of such acute and abiding importance that the fundamental charter of our nation must be changed.

PRO: *Amendments are changes to a document that provides stability to our system and should be undertaken to address extreme problems or long-term needs.*

CON: *When public sentiment is overwhelmingly in favor of change, restraint based on veneration of the document is misplaced.*

Should **Should not** **No consensus**

b) Whether the amendment as written would be effective in achieving its policy objective.

PRO: *Amendments that may be unenforceable, miss the objective or have unintended consequences will not work to achieve the policy objective.*

CON: *It's all right to deliberately put something in the Constitution that will need to be interpreted by courts and legislatures over time.*

Should **Should not** **No consensus**

c) Whether the amendment would either make our political system more democratic or protect individual rights.

PRO: *Most amendments have sought to make our system more democratic by extending voting rights, for example, or to protect the rights of minorities from powerful interests.*

CON: *What has been typical in the past is not a good measure of what's appropriate or necessary today or in the future, especially since there have been relatively few amendments.*

Should **Should not** **No consensus**

(d) Whether the policy objective can be achieved by a legislative or political approach that is less difficult than a constitutional amendment.

PRO: *Due to the difficulty of amending the Constitution, it is important to consider whether legislation or political action is more likely to succeed than an amendment, in order to achieve the objective and to expend resources wisely.*

CON: *Important policy objectives should sometimes be pursued through a constitutional amendment even though it may be difficult for it to be enacted and even when other options are available.*

Should **Should not** **No consensus**

e) Whether the public policy objective is more suited to a constitutional and general approach than to a statutory and detailed approach.

PRO: *It is important to consider whether the goal can best be achieved by an overall value statement, which will be interpreted by the courts, or with specific statutory detail to resolve important issues and reduce ambiguity.*

CON: *Getting action on an issue is more important than how a policy objective can best be achieved.*

Should **Should not** **No consensus**

Part II - Aspects of an Article V Constitutional Convention

2. What conditions should or should not be in place for an Article V Constitutional Convention initiated by the states?

a) The Convention must be transparent and not conducted in secret.

PRO: *The public has a right to know what is being debated and voted on.*

CON: *The lack of public scrutiny and the ability to negotiate in private may enable delegates to more easily reach agreement.*

Agree **Disagree** **No consensus**

b) Representation at the Convention must be based on population rather than one state, one vote.

PRO: *The delegates represent citizens and should be distributed by U.S. population.*

CON: *The U.S. is really a federation of states that must agree by state to any change in the Constitution.*

Agree **Disagree** **No consensus**

c) State delegates must be elected rather than appointed.

PRO: *Delegates represent citizens and therefore need to be elected by them.*

CON: *Appointment allows for experts who wouldn't run in an election.*

Agree **Disagree** **No consensus**

d) Voting at the Convention must be by delegate, not by state.

PRO: *As at the Articles of Confederation Convention, delegates from one state can have varying views and should be able to express them by individual votes.*

CON: *Because any amendment proposal will go to the states for ratification, voting by state blocs—however the delegates are originally chosen—reflects the probability of eventual ratification.*

Agree **Disagree** **No consensus**

e) The Convention must be limited to a specific topic.

PRO: *It is important to guard against a “runaway convention.”*

CON: *The convention alternative was provided for a time when Congress was not listening, so the delegates should not be constrained.*

Agree **Disagree** **No consensus**

f) Only state resolutions on a single topic count when determining if a Convention must be called.

PRO: *Counting state requests by topic ensures that there is sufficient interest in a particular subject to call a convention, and enhances citizen interest and participation in the process.*

CON: *There is no requirement for Congress to count state requests by topic and when enough states are unhappy enough to ask for a convention, it should happen.*

Agree **Disagree** **No consensus**

g) The validity of state “calls” for an Article V Constitutional Convention must be determined by the most recent action of the state. If a state has enacted a rescission of its call, that rescission should be respected by Congress.

PRO: *A state legislature should be free to determine its position in regard to an Article V Constitutional Convention. A rescission should be equally acceptable to Congress as a state's call for a convention.*

CON: *A state legislature's call for a Convention can not be overturned because the process may never end.*

Agree **Disagree** **No consensus**

3. Should the League oppose an Article V Constitutional Convention to propose amendments to the U.S. Constitution because of unresolved questions about the powers and processes of such a convention?

PRO: *The Constitution is too important to trust an unknown or uncontrollable process. It is unclear whether conditions or safeguards regarding powers and processes for a convention can be successfully put in place.*

CON: *A convention is intended to be an unrestrained process to propose amendments to the Constitution.*

Should **Should not** **No consensus**

Part III – Balancing Questions

4. Should the League consider supporting a Constitutional amendment that will advance a League position even if:

a) There are significant problems with the actual amendment as proposed?

PRO: *Our positions have been studied and agreed to. If other organizations are supporting an amendment in a policy area we also support, we might participate even though it is inconsistent with the evaluation guidelines we support under Part I.*

CON: *If the League has a consensus on the evaluation guidelines outlined in Part I, then the League should not campaign on an amendment when it is inconsistent with those standards, even though the League supports the policy outcome.*

Should consider **Should not consider** **No consensus**

b. It is being put forward by a procedural process the League would otherwise oppose?

PRO: *Our positions have been studied and agreed to. If other organizations are supporting an amendment in a policy area we also support, we might participate even though it is inconsistent with the process criteria we support under Part II.*

CON: *If the League has a consensus on the process criteria outlined in Part II, then the League should not campaign for an amendment when the process being proposed is inconsistent with those standards, even though the League supports the policy outcome.*

Should consider **Should not consider** **No consensus**

Comment Section (max. 500 words)



Calendar 2015-2016

2015

September

September 9, 11-1: LWVSFC Board meeting
September 19, 11-2:30 LWVNM Board meeting, Santa Fe

September 22, 9-12: Unit Meeting – LWVUS Study - Constitutional Amendment Consensus

September 30, 6-7:30 PM: Forum: Next Steps for Distributed Generation (Downtown Library-SF)

October

October 8, 5:30-7 p.m.: Regional Solid Waste & Recycling Forum (SF Downtown Library)
 October 14, 11-1: LWVSFC Board meeting
 October 20, 9-11: Unit Meeting – LWVSFC Economic Development Study Update
 October 22, 10:30-11:30: Nonfiction Book Club, Collected Works Bookstore, 202 Galisteo Street
 October 28, 11:30-1: City of Santa Fe Public Bank Luncheon (Hilton)

November

November 11, 11-1: LWVSFC Board meeting
 November 13, 12-2: Past Presidents meeting
 November 17, 9-11: Unit Meeting - LWVUS Study "Money in Politics" - Consensus
November 14, 11 - 3: LWVNM Board meeting, Socorro

December

December 8, 9-11: Unit Meeting - Program Planning
 December 9, 11-1: LWVSFC Board meeting
December 12, LWVNM Lobbying Workshop, Albuquerque
 December 16, 11:30-1:30: Holiday Lunch – SFPS Superintendent Joel Boyd (Hilton)

2016

January

January 13, 11:30-1:30: Lunch - Legislative Preview (Hilton)

January 13 1:30 -3:30: LWVSFC Board meeting
January 16, 11-3: LWVNM Board meeting Albuquerque

February

February 3, 5:30-7:30: Legislative Reception
February 4, League Day at the Legislature
 February 10, 11-1: LWVSFC Board meeting
 February 9, 11, 16 or 18, 6-8 PM: Municipal Election Candidate Forums
 February 17, 3-5: Meeting with Mayor Gonzales
 February 25 or 26: 10-12: County Mural History Tour

March – Municipal Election Day – March 1

March 4, 9-11: Unit Meeting – LWVNM Charter Schools Study Update
 March 9, 11-1: LWVSFC Board meeting
 March 18, 6-8 PM: One Person/One Vote – Supreme Court Forum – Sunshine Week Event
March 12, 11-3: LWVNM Board meeting, Santa Fe
 March 26, 9-11: Women's History Month Breakfast

April

April 1, 9-11: Unit Meeting – LWVSFC Economic Development Study Consensus meeting
 April 12, 9-11: Breakfast with a Leader – Food Security (Food Depot)
 April 13, 11-1: LWVSFC Board meeting
 April 24, 10:30-11:30: Nonfiction Book Club, Collected Works Bookstore, 202 Galisteo Street

May

May 4, 11:30-1:30: Annual Meeting (Hilton)
 May 11, 11-1: LWVSFC Board meeting
May 21, LWVNM Council – Los Alamos

Check www.lwvsfc.org for locations and updates.

**LWVNM and other organization functions in italics*

Regular meetings:

Action-Advocacy 1st Thursday of each month at Rio Chama Restaurant
 LWVSFC Board 2nd Wednesday of each month
 Book Club, Collected Works Bookstore – 202 Galisteo Street

Unit Meetings are only for League members

LEAGUE OF WOMEN VOTERS OF SANTA FE COUNTY
NEW/RENEWAL MEMBERSHIP FORM

Date: _____ Name: *(please print)* _____

Address: *(please include zip)* _____

Phone: _____ Email: _____

_____ DO NOT include my contact information in the annual Membership Handbook directory listing.

Membership is paid annually between September 1–August 31 and includes state (LWVNM) and national (LWVUS) dues.

Make membership check payable to LWVSFC for:

_____ Individual and Associate membership: \$54 (Associate members are non-U.S. citizens, who cannot vote on League matters.)

_____ Family membership: \$80 *(Individual plus one family member)*

_____ Student membership: \$30 *(For students 25 years or younger and currently enrolled in accredited institution.)*

_____ Unrestricted general fund contribution *(not tax deductible)*: \$_____

_____ Education Fund *(tax deductible)*: \$_____ *(Make separate check payable to LWVSFC Education Fund.)*

Want THE VOTER newsletter delivery via email? It's faster and saves the League money. _____ Email _____ Snail mail

The Action & Advocacy Committee is open to any member and currently focused on the following issues. Circle those of interest to you, and a League member will contact you for further information and discussion.

Issues *(check as many as apply or fill in blank)*:

- Healthcare
- Local govt.
- Ethics/Transparency
- Natural Resources
- Education
- Other

LWVSFC success is based on the assistance of member volunteers. We welcome and encourage your help.

Volunteer Interests *(circle as many as apply or fill in blank)*:

Work on Issues:

- Monitor public meetings
- Lobby government officials
- Study groups
- Other

Voter Services:

- Candidate forums/meetings
- Voter publications
- Information tables
- Voter registration
- Other

Organizational Support:

- Help at events
- Fundraising
- Membership
- Publication content
- Website
- Staff League office

Other _____

PLEASE COMPLETE AND RETURN TO THE LWVSFC, 1472 ST. FRANCIS DR., SANTA FE NM 8750



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