



The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government and influences public policy through education and advocacy. Any person of voting age, male or female, may become a member.

League of Women Voters of the Cleveland Area *and*
League of Women Voters of Cleveland Educational Fund

THE CLEVELAND AREA VOTER

SERVING THE CITIES OF CLEVELAND, INDEPENDENCE, BRATENAHL, BEREA, BROOK PARK, MIDDLEBURG HEIGHTS, OL MSTED FALLS, OL MSTED TOWNSHIP AND STRONGSVILLE

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PRESIDENT'S MESSAGE

Happy New Year! We of the LWV of the Cleveland Area and the Educational Fund wish you all the best of health, happiness, and a most productive 2005.

As we look back at last year and the many League activities culminating in the November General Election, we have much to be proud of. We registered many hundreds of voters, produced an exemplary Voters Guide with the four other local Leagues in the county and distributed over 100,000 copies in the Greater Cleveland community. Through the efforts of the Board of Election's Michael Vu, the Cuyahoga County Commissioners passed a resolution declaring the last week of October as "Voter Education Week," and educate we did, using the Voters Guides to help inform citizens about the candidates and issues. On three evenings before Election Tuesday, Leaguers from all over the county came together to staff phonebanks at WKYC-TV3, answering voters' last-minute questions. Many thanks to all of you who so generously volunteered.

While many things went right on November 2, the voting process remains flawed: some voters had to wait in line for hours to cast a ballot (how many left without doing so?); some polling places did not have enough voting machines; not all citizens requesting absentee ballots received them; and a good number of people casting provisional ballots were disqualified, nullifying their vote.

League representatives met in late November to discuss the election process and to determine areas that we believe require immediate attention: our consensus—early voting, improved electronic voting, uniform voter registration standards, and improved absentee ballot processing. We forwarded these ideas to the State League, which is committing its energies to the need for an overhaul of the voting process in Ohio. (See elsewhere in this issue for more details.) And in Cuyahoga County, with the Board of Elections likely to select a replacement for the punch-card ballot this year, we will be advocating for "implementation of voting systems and procedures that are secure, accurate, recountable, and accessible" (the recently revised LWVUS position).

On the Plain Dealer cartoon page Election Day morning, "B.C." had this wonderful definition of "**ballot: a love song to your country.**" Please join the League in our efforts to ensure that the voting process works for all Americans, that all voices are truly represented in the grand chorus to our democracy. Our work has just begun!

In League,
Barbara

LWVC CALENDAR OF EVENTS

(League office 216-781-8375 for RSVP or more info)

General Membership Meetings:

Saturday, January 22, 2005: "Local and State League Program Planning" at the League office, 1148 Euclid Avenue, Suite 500, 10 a.m. continental breakfast, 10:30-noon program. Please join us for a lively discussion, and bring a friend if you can. RSVP to the office.

Saturday, February 26: "Civil Liberties" at Porter Public Library, 24350 Center Ridge Rd., Westlake, 10:30-noon program. Carrying out a mandate by Convention delegates, the LWVUS Board has voted to raise civil liberties to a top-tier priority for 2004-2006. A Civil Liberties Task Force was to submit recommendations to the National Board in January 2005. The Board also approved the Liberty List for members to explore League work on civil liberties and related issues at the state and local levels.

MARCH IS WOMEN'S HISTORY MONTH:

March meeting in conjunction with the Women's Comprehensive Program at Cleveland State University, date between March 1-11. Stay tuned.

Other Events of Interest:

Thursday, January 13: "How Private Are Public Records," a public forum sponsored by the LWVC Educational Fund, noon at Cleveland State University.

Thursday, January 20, February 17 and March 24: LWVC Board meetings at the League office, noon. All members are welcome to attend. Kindly RSVP.

Sunday, January 23: Roe v. Wade anniversary event in Columbus, sponsored by Freedom of Choice Ohio, a coalition of which the State League is a member.

Wednesday, March 23: Statehouse Day in Columbus with the theme "How Democracy in Decline Looks," focusing on the critical issues of the state budget, redistricting, voting reform and education. LWVO lobbyists will share their legislative forecasts, and attendees will be able to meet with their state legislators. Call 216-781-8375 if you're interested.

Sunday, April 3: LWVO Phonathon - please be as generous as you can; part of your contribution is returned to the LWVC.

May 13-15: LWVO Convention in Columbus.

BOOK REVIEW:

"Founding Sisters and the Nineteenth Amendment" by Eleanor Clift

[Thanks to our sisters in the LWV Cincinnati Area]

In 1919, the fate of the suffrage movement and the Nineteenth Amendment rested not only on one state, Tennessee, but on the shoulders of a single man, a 24-year-old legislator, Harry Burn, who had previously voted with the anti-suffrage forces. If he did so again, the vote would be tied and the amendment would fall one vote short of the 36 states necessary for ratification. At the last minute, Burn's mother convinced him to vote in favor of the suffragists, and American history was forever changed.

Eleanor Clift, political analyst and contributing editor for "Newsweek," chronicles the many thrilling twists and turns of the suffrage struggle. Beginning with the 1848 Seneca Falls Woman's Rights Convention, Clift introduces the movement's leaders, recounts the marches and demonstrations, and profiles the opposition, both men and women, who would do anything to stop women from getting the vote. "Founding Sisters and the Nineteenth Amendment" mines the many rich stories buried deep within this tumultuous period of our history and profiles the brave figures who spent their lives supporting the women's movement over the course of 72 years.

PLEASE RENEW YOUR MEMBERSHIP NOW!

The new League year began July 1, 2004, so if you have not yet renewed your membership, please do so today. Our final membership count must be sent to the National League by the end of January, and it is this number that not only indicates the "health" of the LWVC but also determines delegate representation to state and national conventions. Use the form on the last page to renew, and invite your family and friends to join too. Thank you!



Unpacking the Election

by Sharon McGraw, Executive Director

Beginning last June the League of Women Voters of Cleveland Educational Fund (LWVCEF) ramped up its voter registration and get-out-the-vote campaign in the City of Cleveland and Cuyahoga County. We registered a total of 2500 new voters and updated addresses for an additional 500 voters. Starting in August and lasting through the November 2 election, our Voter Information Center Hotline number (216-781-8376) experienced a marked increase in voter questions. We recorded between 80 –100 calls per day on a range of issues.

In addition, volunteers from all Leagues in the county were invited to participate in a WKYC- TV 3/LWV Voter Hotline which ran for three evenings prior to the election. Over this period we estimate nearly 2000 callers (most of whom were from Cuyahoga County) sought advice from League experts. The following is a profile of some of those callers:

- Voters who thought they had registered but were not on the Board of Elections records, or who had other voter registration issues.
- Voters who did not get absentee ballots when requested. *(Calls began around the first week in October and continued all month, increasing in numbers to about 15 per day from voters who did not get absentee ballot. We estimate about 200 folks called about this issue.)*
- Voters who encountered long waits at the polls. *(Reports came in of voters waiting up to 7 hours in order to cast ballots. These waits were especially a problem for people with disabilities, job commitments, and young children. Waits were especially prevalent in minority districts and districts with many student voters.)*

In collaboration with the ACLU of Ohio, the LWVCEF also developed recommendations to make the system work better. These recommendations hinge on three ideals: accuracy, integrity, and participation. These recommendations include:

1. Training poll workers better, especially with regard to provisional ballots.
2. Banning all challengers from the polling place.

The LWVC President's front page letter details the election reform recommendations developed by the Leagues in Cuyahoga County. These will require changes in state laws. The League is committed to working towards making the necessary changes to improve our elections system.

Tracey Kirksey,
LWVCEF Board Chair,
moderates candidates'
forum at Trinity
Cathedral.



Taking Orders

The 2005 **Public Officials Directory**, formerly published by the Citizens League, will be available next month. Price is \$10. Quantities are limited so order yours today. Contact the League office at (216) 781-8375.

LWVC Death Penalty Consensus

by Dorothy Cibula, Vice President/ Program Director

The November 2004 membership meeting was held Saturday, November 13. The State League had requested a consensus meeting on the question, "Should the State of Ohio retain the death penalty for defendants who have been convicted of capital murder?" We discussed what is meant by "capital murder" and learned much background information. A very interesting exchange of ideas took place, with all agreeing that a comprehensive study on the death penalty should be done by the state government. On the central issue of retention or abolition, the group consensus was that the death penalty should NOT be retained in Ohio.

LWVO NEWS AND LOBBYISTS' REPORTS

"Know Your Ohio Government"--the League's premier publication on civics education and citizen involvement--is now available. The extensively updated reference manual is available to League members at a discounted rate. Contact the office at its new 877 number (replacing 800), 877-598- 6446 (LWV-OHIO), or visit www.lwvohio.org.

Election Reform

In the aftermath of Election 2004, the LWVO Board has decided to focus its energies on the current need for an overhaul of the voting process in Ohio. The Board is honing a message for the public, considering for inclusion such issues as voter education, voting equipment, provisional voting, absentee voting, overseas and military voting, early voting, voter registration, poll worker training and recruitment, disability access, holiday time for Election Day, and creation of a State Board of Elections. On this last issue, a State Board of Elections would take over some of the responsibilities of the Secretary of State. This change would assure the neutral administration of elections by a nonpartisan, professional staff. It would also require a constitutional amendment.

Elections and Voting by Peg Rosenfield, Election Law Specialist

Sub. SB 214 - Campaign Finance. Although this bill, sponsored by Sen. Randy Gardner (R-Bowling Green) is consistently referred to as a simple "disclosure" bill, it in fact includes some deadly loopholes designed to allow the use of corporate revenues in candidate campaigns. This is done cleverly; contributions are not allowed directly to candidate committees but they are allowed for "electioneering communications" identifying the candidate. This is accomplished by declaring that electioneering communications are NOT intended to influence the outcome of the election! We pointed out in testimony before the House committee that this is nonsense "double-speak," but they blandly stood by this incredible wording. We will continue to fight the good fight, but they are unlikely to listen.

Health Care by Eleanor Pearlman, Health Care Specialist

Drug Access. There have been some delays in implementing Ohio's Best Rx, which was signed into law in 2003. The state recently met with the major pharmacy representatives and expects all of the major chain drugstores plus many of the independents to sign contracts. Gov. Taft is to publicly launch the program the week of January 5, 2005.

Coalition for Affordable Healthcare in Ohio (CAHO). The League has recently endorsed the principles of CAHO, a network of organizations and individuals uniting stakeholders to secure affordable, quality, accessible health care for all Ohioans.

Education by Joan Platz, Education Specialist

School Funding. Governor Taft's 35-member Blue Ribbon Task Force on Financing Student Success met in November to discuss a draft of recommendations proposed to find better ways to fund schools in Ohio. The draft report included a recommendation to address phantom revenue through a constitutional amendment and made some changes in the school-funding formula to provide funds to districts for disadvantaged students, intervention, class size reduction, using data to inform instruction and professional development. However, the Task Force could not reach consensus on any of the 12 recommendations.

Charter School Moratorium. In November, Senator Teresa Fedor (D-Toledo) provided sponsor testimony on SB 212, which calls for a moratorium on the establishment of new community schools. The bill is not expected to have further hearings, but the testimony was important because some lawmakers were surprised to learn that community schools did not have to comply with the same requirements for "qualified teacher" in the federal No Child Left Behind Act as traditional public schools. There is some hope that this issue might be one of the needed corrections to community school law addressed by the new 126th General Assembly.

The Coalition for Public Education, to which the LWVO belongs, is also developing strategies to improve community school law: 1) increase citizen awareness about the performance and lack of accountability of community schools; 2) work with lawmakers to introduce legislation similar to SB 212 to address accountability and funding problems regarding community schools; 3) develop a comprehensive biennial budget campaign highlighting the successes of traditional public schools and including recommendations to address community school issues also.

OSBA Task Force on Funding Schools and Ohio Fair Schools Campaign. The Ohio School Board Association (OSBA) Task Force on Funding Schools continues to discuss ways to improve school funding in Ohio, including amending the Ohio Constitution, and is trying to determine when the best time would be to place a school-funding amendment on the ballot and what the proposal will say. Cost of funding such a campaign is over \$6 million, and so it is important that a large coalition of citizen groups, business groups and all education organizations support the initiative if it is to be successful.

Community/Charter Schools Project, LWVO Recommendations to the Ohio Department of Education (ODE):

The State of Ohio must play a much stronger regulatory and oversight role to ensure that community schools are held to and measured by the same standards as the rest of the public schools system. Specifically:

1. Enforce compliance by every community school with open record and meeting notification laws
2. Create communication plan that includes a periodic reminder to community schools that they are public schools and are accountable to the public and what that accountability includes
3. Enforce compliance by every community school with reporting data and reporting it accurately
4. Provide one, up-to-date, user-friendly information source (report) that includes, but is not limited to, the following and is posted on the ODE website:
 - the school, address, contact information including, but not limited to website and email
 - sponsor, address, contact information
 - whether or not it has a management system and if so, who, address, contact information
 - website address containing contracts with sponsors and management companies
 - school designation (i.e., Excellent, Continuous Improvement, etc)
 - whether or not it met the Annual Yearly Progress (AYP) goal
 - attendance rate, drop-out rate, graduation rate
 - Board of Trustees, contact information for each Trustee, Trustees' places of employment
 - administration, administrators' certification and degree, contact information
 - teachers, teachers' certification and degrees
 - board meeting time and place
 - website address for each school's audit reports and other financial reports, Board meeting minutes
5. Require teachers and administrators to have the same qualifications as traditional public school teachers and administrators
6. Conduct study to determine the reason(s) so many of the community schools are struggling
7. Designation and AYP compliance - clarify how schools that have 'no rating' were able to have met the AYP requirement on report card
8. Resolve conflict-of-interest issues with each school regarding employees' and Board members' relationships
9. Place the entire annual report of community schools on the ODE website

The Advocacy/Citizen Education Committee of the League of Women Voters of Ohio Board of Directors has issued recommendations for improving community (charter) schools in Ohio based on the statewide research efforts of 13 local Leagues. Fifty-two schools were approached. League members reported that the degree of cooperation from schools ranged from very helpful to no response. Although the LWVO Board decided not to publish the findings because not enough data was collected to support definitive public statements, LWVO Education lobbyist Joan Platz will use the page of recommendations in her contacts with legislators and the ODE.

MERCURY

Excerpts from “Mercury,” a report compiled by Clara Maurus and edited by Edith Chase, which was published in the Lake Erie Letter, a newsletter of the LWV Lake Erie Basin Committee, in the fall of 2004.

Mercury is a hazardous pollutant that can cause serious adverse health effects. The health effects of mercury (a neurotoxin) range from subtle losses of sensory or cognitive ability, delays in infant developmental milestones (e.g. walking, talking) to birth defects, tremors and even death. Once released into the environment, mercury is easily transported through the air, sometimes for thousands of miles, where even a relatively small amount can contaminate an entire ecosystem.

More than 80% of the mercury that reaches the Great Lakes may be the result of direct deposition from the atmosphere. Mercury deposited into our ecosystem is consumed by living things and gets more highly concentrated as it moves up the food chain. As a result, top predator fish such as salmon, lake trout and walleye may have mercury concentrations more than a million times higher than their surrounding water.

For most people in the Great Lakes Basin, the most common means of exposure to mercury is by eating contaminated fish. Fish consumption advisories have been issued for certain fish from the Great Lakes, their tributaries, and many inland lakes. The statewide/nationwide mercury advisory, issued in 1997, is primarily for women of childbearing age and young children (age 6 and under). Although the one-meal-per-week advice applies mainly to these sensitive populations, the general advisory, issued in 2003, recommends that everyone follow that advice. Also, in 2001, the Food and Drug Administration issued a mercury-related advisory for certain ocean fish, including shark, swordfish and king mackerel.

SOURCES

Reducing power plant pollution is critical to reducing local mercury deposition and avoiding the dangerous contamination of fish, wildlife and people. According to a report issued in October 2003 by the Northeast States for Coordinated Air Use Management, a 37-year-old consortium of state air regulators from the Northeast, power plants account for a third of all U.S. generated mercury pollution. Aging coal-fired plants in the Ohio River Valley are among the leading contributors. The report also acknowledged that a third of the nation’s mercury problem drifts into the U.S. from outside its borders.

OHIO ENVIRONMENTAL PROTECTION AGENCY (EPA) APPROACH

Federal records show Ohio was the nation’s No. 2 mercury emitter in 2002. (Texas was No. 1.) Scientists nationally, including those in the Great Lakes region, agree that coal-fired power plants are the heaviest emitters of mercury, which for years has been linked to childhood brain disorders. Yet, despite pressure that state officials from Maine to California are now exerting on the Bush administration, the Ohio EPA has taken a more industry-sympathetic position by asking if the impact from power plants has been overstated.

CONGRESSIONAL APPROACH

The electric power industry has done nothing to help solve the mercury pollution problem. Instead, their lobbyists have aggressively sought special loopholes from Congress. The coal and utility industries got Congress to exclude mercury emissions from regulation under the 1990 Clean Air Act – an exemption that applied to no other industry. This lethal loophole creates a powerful economic incentive for the electric industry to operate its old dirty coal plants at the expense of our health and the environment.

HEALTH EFFECTS

The U.S. Centers for Disease Control report that 16 percent of American women of childbearing age have levels of mercury in their blood high enough to put their offspring at increased risk. Nearly all the mercury that accumulates in fish tissue is the organic form called methyl mercury. Dietary methyl mercury is almost completely absorbed into the blood and distributed to all tissues including the brain. When fetuses and children are exposed, mercury can harm the nervous system and brain development. Mercury readily passes through the placenta to the fetus and fetal brain, and can cause serious neurological and developmental damage including birth defects.

ECONOMIC EFFECTS

Mercury contamination has tarnished the second most popular sport in the U.S., recreational fishing. It is estimated that nearly 49 million Americans participate in recreational fishing, adding \$69 billion annually to the economy. Mercury contamination is responsible for 60% of state fish consumption advisories. From 1993 to 1998 alone, advisories due to mercury pollution rose by 115% (from 899 to 1,931). Throughout significant regions of the country, fishermen can no longer consume their “catch” because of mercury contamination in the air today. Anglers who fish to put food on the table may be at greater risk.

THE ADMINISTRATION PLAN

The Bush administration plan effectively repeals a provision in the current Clean Air Act that requires new power plants to install state-of-the-art [pollution] controls. It effectively repeals current air quality safeguards for plants in any and all industry sectors. Further, the plan prohibits downwind states from pursuing any pollution reductions from power plants in upwind states before 2012, and increases the burden of proof after 2012.

The current administration plan eliminates health protections for mercury and other toxic air pollutants. Mercury reductions are delayed and diluted. The plan lets power plants emit more than five times as much mercury for a decade longer 2010-2018, and three times as much after 2018. EPA data show that more than one hundred power plants may actually increase mercury emissions, and that parts of New England, the Great Lakes and Gulf Coast regions, and other areas will receive only very small reductions in mercury deposition – and may even suffer increases. Under this plan there is not only more power plant pollution, but power plants will be able to pollute unchecked far into the future.

GOVERNMENT ACTION

Confronted with a flood of public responses to proposed new regulations to limit the amount of mercury emitted by power plants, the EPA extended the comment period by two months and said it would push back final action to March 2005.

Environmentalists charged that under the proposed rule, it would take too long to reduce mercury emissions generated by coal-fired plants. The delay, which will postpone the final rule from December 2004 to March 2005, pleased the Natural Resources Defense Council (NRDC) and others who had sought an extension. “We asked EPA to take the time to do the proper analysis that the White House would not let them do,” said NRDC’s Clean Air Director.

Industry representatives said that more stringent deadlines for reducing mercury would force adoption of unproven technologies and drive up costs. On the other hand, a bi-partisan group of 178 members of Congress signed a letter dated June 23, 2004, criticizing the EPA for its proposed mercury emission reduction policy.

In Ohio, on February 5, 2004, State Sen. Robert Hagan introduced legislation (SB 231), which is currently in the Senate Public Utility Committee (July, 2004). The legislation is aimed at drastic reductions in mercury levels throughout Ohio. Realizing that Ohio cannot address the mercury problem alone, Sen. Hagan is coordinating efforts with other Midwestern states’ legislators to send a message to Washington that we need a nationwide effort to curb the damaging effects of mercury contamination on our environment.

WHAT CITIZENS CAN DO

- Conserve electricity
- Check your state fish consumption advisory about sport-caught fish
- Call your county health department about a fever thermometer exchange
- Ask your car dealer about any mercury switches in your car
- Contact your representatives in Congress about reducing mercury from power plants.



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LWV's Diversity Policy

The League of Women Voters of the Cleveland Area is committed to achieve a membership representative of the multicultural composition of our city. Membership is open to all persons, age 18 or older, regardless of color, creed, national origin, race or sex. League welcomes the diversity of thought, opinion and ideas reflective of all citizens in our democracy.



**We need you with us...
 Join today!**

All League members receive *The National Voter* magazine and local and state League newsletters, plus significant discounts on publications, videos and other valuable resources. What are you waiting for? Join the Cleveland Area League today.

I want to add my voice to yours by joining the League of Women Voters of the Cleveland Area

Please check one or more:

- one year individual membership \$50
- one year household membership \$75
 (membership for two who share an address)
- Sustaining Member \$100
- I'm unable to join the League now
 but enclose a donation of \$ _____

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 City State Zip

 Telephone

 Email Address

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