



The Utah Voter

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

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Important Dates:

- **Election Day - Tuesday November 8th**
- **Times and locations of the upcoming Tax Reform Task Force Public Hearings:**

We encourage all interested parties to make time to attend and give the task force the benefit of your insight. Microphones will be set up for attendees to offer comments and ask questions of task force members. Every group and individual with an interest in Utah's tax structure should be actively engaged in this discussion.

SALT LAKE CITY
October 19, 2005 at 5:30 p.m. Rm W135
Utah State Capitol, West Building

PROVO
Oct 26, 2005 at 6:00 p.m.
Dixon Middle School, 750 West 200 North

VERNAL
October 25, 2005 at 12:00 p.m.
Western Park, 300 East 200 South

CEDAR CITY
Oct 27, 2005 at 12:00 p.m.
Cedar City Chambers (Old Post Office), 10 North Main

PRICE
October 25, 2005 at 6:00 p.m.
County Commission Chambers, 120 East Main

ST GEORGE
October 27, 2005 at 6:00 p.m.
Washington County Commission Chambers
197 East Tabernacle Street

An Overview of the Tax Debate

By Sandy Peck, LWVU-Executive Director

Be sure to read the Tribune guest column on tax reform in this VOTER. It was written by Representative Roz McGee with the help of former Tax Review Commission member Dorothy Owen, both members of the League of Women Voters. If you are new to the League, you may not be aware that we have studied the Utah tax system four times, leading to consensus positions that are relevant to the work of the Tax Reform Task Force (TRTF) now meeting at the legislature.

The Utah Tax System: League's Basic Position:

The League supports a state tax system that is fair and equitable; that provides adequate resources for government while allowing flexibility for financing future program changes; is understandable to the taxpayer and encourages compliance; and accomplishes its objectives without creating undue administrative problems.

Taxpayers should receive adequate benefits, either direct or indirect, from taxes they pay. There should be a mix of stable taxes [such as the property tax], which produces a predictable amount of revenue regardless of economic fluctuations, and responsive taxes, which increase or decrease according to the ups and downs of the economy [such as sales and income taxes]. A tax that is easy to understand and comply with is more acceptable than one that is not.

League observers Bonnie Fernandez, Kathy Dorn, Marelynn Zipser, Marilyn Odell, Joycelynn Straight, and I are following TRTF meetings. We have learned that Utah's mix of sales, income and property taxes, often called the "three legged stool," are becoming less balanced as property taxes provide a smaller slice of the pie.

The Property Tax: League's position:

The most significant advantages of the local property tax are that it is a stable and predictable tax and that it has a direct relationship to local benefits and maintains local control. The main disadvantage is that it is a regressive tax which is difficult for taxpayers with limited or fixed incomes to pay. . . We support an expansion of the circuit breaker to give property tax relief to all low income households regardless of age of the owner.

Testimony from local government and public education, who depend on property tax revenue, favors **adding an inflation factor to property tax rates** to cover the rising cost of services, but TRTF has been reluctant to approve this reform. The main opposition has come from the Utah Taxpayers Association (UTA) which is especially concerned that property taxes paid by businesses it represents would then rise. UTA has a strong voice in Senator Howard Stephenson, UTA President, who is also a TRTF member.

Senator Greg Bell has proposed an inflation factor of one-half the consumer price index increase, not to exceed 2% a year.

The League basic position (above) favors providing adequate resources for government while allowing flexibility for financing future program changes, which could be done by adding a property tax inflation factor.

The burden of property tax increases on residential property owners could be mitigated by strengthening the **circuit breaker**, which helps those whose ability to pay is limited, **a measure favored by the League**. A circuit breaker change sponsored by Rep. Ralph Becker is on the TRTF October 12 agenda. Rep. John Dougall has proposed to increase property tax revenue from residential taxpayers with expensive homes by limiting the 45% of fair market value exemption that primary residential taxpayers now receive to only part of the market value, for example just the first \$100,000 of assessed value. However, that proposal was tabled by TRTF.

A proposal to change the **wording of advertisements for truth in taxation public hearings** describing proposed tax increases has been approved by TRTF. Proponents such as Utah League of Cities and Towns and school districts argued that the current wording overstates proposed increases, needlessly alarming taxpayers and discouraging increases needed to cover growth. **League supports providing the public with accurate information.**

The Income Tax: League's Position:

Utah income taxes should be more progressive. Tax brackets should be spread so that the top rate is reached at a higher income level and the tax rate on higher incomes should be increased.

As noted in Rep. McGee's article, **a more progressive income tax can offset the regressiveness of the tax system as a whole.** (Under a progressive system, the percentage of total income paid in taxes goes up as income goes up. In a regressive system, the percentage of income paid in taxes goes up as income goes down. When all taxpayers pay the same percentage of their income in taxes, the system is said to be flat or proportional.) Ways to increase progressivity include (a) spreading tax brackets, or (b) no longer allowing taxpayers to reduce the amount of state income taxes they pay to partially offset their federal tax liability, (c) changing other allowed deductions and exemptions, and (d) exempting subsistence income, the first \$20,000 for example, from taxation,.

Three income tax proposals have come to the TRTF.

(#1) A flat tax rate of 4% on federal Adjusted Gross Income with no deductions has been proposed. (Current deductions include personal exemptions, charitable contributions, mortgage and investment interest, and a retirement income deduction of \$7500 that phases out at \$32,000 adjusted gross income, individual health and long term care insurance, medical savings accounts, higher education savings program, adoption expenses, disability dependents, capital gains invested in a Utah company, and one-half of federal tax.) No bill has been drafted, but testimony was heard in September. Utah Issues said based on Tax Commission figures that a flat rate of 4.0 percent with no deductions would result in a tax increase for the 80% of Utah taxpayers who pay less than 4 percent now. They reminded us that if the burden from all state and local taxes is considered our system is regressive. For example in 2003 the lowest-paid fifth of Utah taxpayers (earning less than \$16,000) paid 11.4% of their income in state and local taxes, while taxpayers making over \$280,000 paid 5.5% of their income.

Charitable organizations and realtors testified that donations and home-buying would be discouraged if deductions went away. However, there seems to be no evidence from other states to support that. AARP spoke up for the retirement income deduction, citing the rising cost of health care, heavy dependence on Social Security, pensions being scaled back and the difficulty older taxpayers have finding work. The question still unanswered is whether the income tax as a whole could be structured make up for lost deductions.

Waxing philosophical, Senator Curt Bramble asked if AARP was advocating taking from the rich and giving to the poor, an idea put forth by Karl Marx, and Rep. John Dougall expressed disapproval of such a Robin Hood philosophy. This was an interesting contrast to earlier testimony from attorney John Butler representing the LDS church. He was speaking for the charitable deduction, although not for or against a flat tax, but mentioned that scripture calls for every man to give of his substance according to that which he has. Rep. Wayne Harper's view was that people should do the right thing regardless of tax breaks.

(#2) Senator Greg Bell came to the TRTF with a progressive income tax plan based on four rates, 3%, 5%, 6% and 7%, federal taxable income, and no deductions allowed. In general, taxes would go down for incomes less than \$75,000 and go up for incomes above \$75,000. He called progressive taxation basic to American democracy and said the same tax rate for incomes of \$30,000 and \$130,000 did not appeal to him morally. Rep. Dougall disagreed, saying that taxes destroy the spirit of America and the public wants across the board cuts. Senate President John Valentine was most concerned with the effect on attracting corporate relocations to Utah if the highest rate is 7%, which is higher than in Arizona, Colorado, Montana and Colorado. (It's also lower than California, Idaho or Oregon.) Senator Bell said he had seen no Utah brain drain or corporations leaving and quoted former Senate President Lane Beattie as saying Utah had given \$1 billion in tax breaks during his tenure but had seen no evidence of corporate relocation. Lifestyle and a good workforce were more important. The TRTF voted not to draft Senator Bell's proposal as a bill but to put in on the October 12 agenda for public comment.

(#3) Gov. Jon Huntsman Jr 's tax "brain trust," BYU professors Gary Cornia and Ray Nelson and CPA Keith Prescott, who also headed up Gov. Olene Walker's tax study group, presented a plan to lower the top income tax rate to 5%, eliminate the deduction for home mortgage interest, limit dependent exemptions to five, and change the charitable deduction to a smaller tax credit. Their rationale for lowering the top rate to 5% is that lower rates increase compliance, and both in Europe and the U. S. top rates are going down because high rates deter economic development, although no figures were given. They said the 4% flat tax proposal (#1) would massively increase the burden on low income taxpayers.

The three tax proposals will be discussed again by TRTF. More details are needed. How will the tax burden shift among low, middle, and upper income taxpayers? Do the plans meet a major criterion of the Walker Plan—to make income more stable in the face of economic upturns and downturns and to increase revenue needed to educate 140,000 new students over the next ten years?

Constitutional Earmarking of Income Tax Revenue for Education: A proposal to remove the earmark was tabled by the TRTF.

Education and Economic Development: League's Position

The League advocates economic development in Utah through a strong public education system which (1) attracts and keeps Utah workers who demand a good education for their children and (2) prepares students to be trained for the work force of the future.

The Sales Tax: League's Position on the Food Tax and Tax Exemptions:

The main strength of the Utah tax structure is that it is broadly based and well balanced. The main weakness is the regressiveness of the sales tax on food, which places an undue burden on low income and elderly people.

The sales tax on food should be either eliminated or reduced gradually until it is eliminated. Replacement for the loss in revenue could come from increases in the individual and corporate income taxes, an increased sales tax on

non-food items, an increase in the cigarette tax, a tax on luxury items and soft drinks, or a severance tax on non-metalliferous mining.

All current sales tax exemptions should undergo periodic review, and there should be a formal procedure for review of proposed sales tax exemptions.

The cost and benefit criteria used to evaluate proposed sales tax exemptions should include:

- The number of new jobs created if the exemption is granted;
- The median wage level for newly created jobs;
- Other additional tax revenue if exemption is granted;
- Lost sales tax revenue;
- Perceived fairness to other taxpayers; and
- Environmental impact

Sales Tax on Food: TRTF has heard excellent testimony in support of removing the sales tax on food altogether. Two obstacles to doing so are (1) the large amount of revenue, around \$200 million, that would need to be replaced and (2) a disproportionate hit on gateway communities, for example Moab, that depend heavily on tourist income. For these reasons, TRTF will consider an alternative proposal from Utah Issues to provide a \$75 per person refundable income tax credit to low income taxpayers.

Sales Tax Exemptions and Broadening the Base:

TRTF will consider a review of all existing sales tax exemptions and taxing cable and satellite similarly.

New business exemptions are also under consideration. One would exempt telecommunications capital equipment. A second would exempt all business inputs used in the production process, at a cost of \$200 million to the state and \$65 million to local government, as costly as removing the sales tax from food. Compared to other states, the tax burden of Utah business compared with that of individuals is light. Considering the lack of evidence that tax exemptions are a major factor in economic development, the League believes tax relief for families should come first.

League supports sales tax positions adopted by the 1990 legislature:

1. The sales tax should be broadly based.
 - A. The sales tax based should reflect the overall economy.
 - B. Sales tax exemptions and exclusions should be carefully scrutinized.

TRTF proposes to both broaden the sales tax base and reflect the overall economy by taxing more personal consumption services (but not health care). The reasons are (1) that services have become a larger portion of the economy compared to manufacturing so should be included in the tax base; and (2) since services are used more by those at higher income levels, taxing them could make the system less regressive. Tax experts are always looking for ways to broaden the tax base, because taxing more things allows taxing at a lower rate and distorting the market less without losing revenue.

Single Statewide Sales Tax Rate

League has no position on a major proposal before TRTF: to have just one sales tax rate, perhaps 6.25 percent, statewide. In the new age of internet commerce, SST is meant to make it easier for buyers to pay the correct sales tax on remote purchases. However, a single rate would make it more difficult for local government to find new revenue because existing taxes would be abolished on tourist services, for transit needs, and for cultural projects funded by the ZAP tax. Rep. Wayne Harper has proposed that the new revenue come from property taxes. But as we have seen, opposition to allowing the property tax to grow with inflation would also limit the revenue needed for growth.

What to Do

It's difficult to understand these complex issues. But if you are interested, do check the legislature's website at <http://le.utah.gov>. You'll find agendas, minutes and even audio recordings of recent meetings that you can listen to on your computer. For talking points, check the League website at www.lwvutah.org after October 13.

The TRTF will develop recommendations at their scheduled meetings on October 5 and October 12 and will present them to the interim Revenue and Taxation committee on October 19.

Then public hearings are planned from October 19 to 27 in Salt Lake, Ogden, Vernal, Price, Cedar City and St. George (see the front page of this voter for exact info). We urge you to attend them to voice your concerns.

Editorial Comments on Recommended Changes to the Utah Tax System.

By Roz McGee

Salt Lake Tribune 8/25/2005

Utah's tax system is showing its age. It hasn't changed with the times, the economy or the latest technologies. Income tax brackets are essentially unchanged for over thirty years. Inflation has now pushed 80%-plus of Utah taxpayers into the top tax bracket. The sales tax system ignores our growing use of services, instead reflecting consumerism of a past industrial age rather than today's service economy, and it places Utah's merchants at a competitive disadvantage by taxing their sales while allowing Internet purchases tax free. Finally, today's system allows tax policy decisions worth millions of dollars to be made with little review and analysis.

As a member of the Legislature's Tax Reform Task Force I have the opportunity to recommend changes. We have studied recent tax reform proposals and listened to interest groups and some members of the public. Thanks to a number of previous efforts, including the 1990 Utah Legislature tax policy guidelines, the 1999 Tax Review's Commission's study on Tax Burden, as well as the 2004 Walker Report, the task force and the concerned public have excellent reference points to judge any proposed changes. In October the task force will hold hearings across the state to receive public comment. You need not be a tax expert to participate. Rather you need only ask lawmakers how proposed changes measure up in terms of real reform. These are the benchmarks I will be looking for in evaluating tax reform proposals.

- Utah's income tax system needs to be moderately progressive to offset the regressive tax nature of sales taxes and, to a lesser degree, property taxes. Such an income tax system should shield subsistence income and be indexed to avoid the hidden inflationary increases.
- Utah needs to eliminate the policy of allowing taxpayers to partially offset their federal tax liability by reducing the amount of state income taxes owed. Few states still allow this deductibility of federal income taxes. Such a policy makes no sense when the federal government is moving more costs to the States and reducing federal income taxes on the wealthiest taxpayers.
- Utah should participate in the streamlined sales tax project in order to develop a taxing system that insures that Utah businesses will be competitive and to capturing Internet sales tax revenue.
- Utah's cities, town and counties must support a more equitable distribution of sales tax revenue. Otherwise local governments will continue to cannibalize each other, basing planning decisions on increasing sales tax revenue rather than sound land use and transportation patterns.
- Utah's sales tax system should include services in the taxing base in order to better reflect the growth in the economy, prevent further erosion, and to enable the State to reduce the tax rate without reducing revenues.
- Utah's sales tax on groceries should be eliminated, or at the very least the impact of this tax should be mitigated by a refundable tax credit for low income households.
- Property taxes, our most stable source of revenue, should be allowed to expand with the growth in the community.
- Utah's low business taxes should not be further reduced until the current inequities in the personal tax burden are addressed. The equity, breadth, and stability of the tax base will be undermined by additional business tax breaks at this time.
- Utah needs to develop a system that periodically and systematically examines tax policy decisions. Such a system needs to include the development of a "tax expenditure budget" so that tax policy decisions reflect the same degree of review and analysis as spending decisions.

As our population lives longer, many are learning to change their diet, to exercise more, and to go to the doctor for regular check-ups. If Utahns demand the same of its tax system, we'll have a healthier state economy. As a task force member I am committed to giving the state's tax system more than a just a facelift. We need instead a balanced tax diet, regular exercise in reviewing tax policy, and tax portions that support the education of Utah's children. As a citizen, your comments and participation to this end are critical.

Rep. Roz McGee, House District 28, and formerly Executive Director of Voices for Utah Children, an organization speaking out for Utah's children and families.

LWV-Utah Program Gigi Brandt VP-Program

BIAS CRIMES by Bonnie Fernandez and Kathy Dorn

The hate crimes study is moving forward. Once our study team began to research the subject of penalty enhancement for hate crimes, we found the subject to have far reaching tentacles. The subject itself is interpreted and described differently from a variety of perspectives.

The objective of the study is to present an impartial, broad analysis on the issue of applying an enhanced penalty, upon conviction of a hate crime, to the penalty for the underlying crime.



Alternatives to penalty enhancement for all applicable crimes are under consideration by the Law Enforcement and Criminal Justice Interim Committee of the Utah Legislature and by the Utah Sentencing Commission. One alternative would be to simply list every conceivable type of crime, and apply an appropriate penalty to that crime.

Currently, many penalties are deemed by the public as too lenient. Although not a hate crime, the Mark Hacking case is an example. For his first-degree murder conviction, Hacking received a sentence of five years to life. The judge can only impose the broad range of sentence, leaving it up to Utah's Board of Pardons and Parole to decide when or if Hacking will ever be set free. Many feel that the lower end of five years needs to be increased for this type of crime.

As is LWV policy, the study should be clear, concise, and easily understood. It's that "easily understood" part that has caused our team to be concerned. The subject is complex because there are so many varied viewpoints, positions, and suggested solutions regarding hate crimes. Our study team wants to ensure the final result offers salient, factual information in an easy to read format. The study should provide League members, and those who make and influence policy, a clearer understanding of the issues so that we each may formulate our own opinion based on substantial, relevant information rather than misinformation or emotion.

With continuing strong debate over exactly what is a hate crime, and with penalty enhancement under scrutiny, our study group decided we needed more time for preparation of the study. We were granted permission by LWVUT to extend our study time frame. We anticipate the study will be ready for unit meeting discussions in fall 2006.

We are currently in the interviewing process, which will extend through October. Research and compilation will continue through next spring. If any League member wishes to help (in any way) with this study, we would be delighted to have you on board. Please contact Bonnie Fernandez, chair, 801-566-0358 or fernan@xmission.com.

REDEVELOPMENT AGENCY STUDY By Marilyn Odell Study Chair

The study of Redevelopment Agencies, approved at the 2005 State Convention, is growing into a good sized document. Our committee goal is to have a final draft ready before the legislature meets in January. League members working on the study include Alice Steiner, Marilyn Smith, Pat Nielsen, Bonnie Fernandez and Joycelynn Straight.

Because the League of Cities and Towns has proposed changes to the law that are being seriously considered by the Legislature's RDA/Other Taxes Subcommittee, we are going to include these proposed changes as well as changes proposed by the Utah State Office of Education (USOE) in the study.

I was excited when the USOE representative suggested that the State Auditor develop monitoring forms for all RDA projects as part of his suggested changes. It seems to me that this would provide the transparency that is needed for these projects. This might be something that League members could talk to Legislators about.

We're also including information on the Local Option Sales Tax in the study because it is the factor that leads cities to compete for retail business. Currently, 50% of this 1% of the sales tax goes to the "point of sale", that is to the city (or county) where the sale is made. (The balance of the 1% is divided between all cities and counties in the state by population.) The Subcommittee has discussed reducing the percentage going to the "point of sale" and to population and allocating 25 or 33% by wages, that is by the wages paid to all people working in a city or county area.

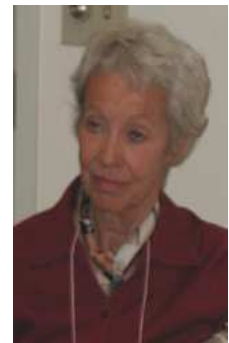
The important part remaining to be done on the study is to provide specific examples of projects from both Ogden and Salt Lake City and to get the latest version of the proposal from the Utah League of Cities and Towns.

We won't all have time to reach consensus on this study before the Legislature meets but the draft will give League members background information so they can be informed when they talk to their individual legislators. Since there will undoubtedly be more changes made to the RDA Act in the 2006 Legislature, we will wait until after we know these results before deciding the remaining timeline for the study.

Our next RDA Study Committee meeting will be held on Tuesday, October 11 at 1:30 p.m. at the South Davis library in Bountiful. Everyone is invited.

LWVUS -How is Homeland Security Working at Home?

(The LWVUS is offering a new initiative to help engage communities in a conversation about how homeland security is working at home. This project is part of the League's commitment to the notion that democratic government depends upon the informed and active participation of its citizens, and the citizens' right to know about governmental actions)



Whether man-made or natural, disasters require the same attention: prevention, response, and recovery. The goal of this effort is to help local Leagues engage their communities in a conversation about how homeland security is working at home. It envisions a local League committee undertaking an initial survey of key officials who have responsibility for local security, and presenting their response to their communities through forums with security leaders that engage community members and/or reports, articles in the Voter, op-eds, letters to the editor, local talk shows, etc.

This activity should also help local Leagues gain a better understanding of how government works, establish personal relationships with officials charged with security, and engage the diversity of the community in a subject that matters very much to all of us. Ideally, it would highlight areas of need, open communications between community leaders and residents on what is and can be done and engage citizens in the planning and execution of security measures against both man-made and natural threats.

This activity is part of the League's engagement in civil liberty and security based on our commitment to the notion that democratic government depends upon the informed and active participation of its citizens at all levels of government, and the citizen's right to know about governmental actions.

http://www.lwv.org/AM/Template.cfm?Section=Homeland_Security&Template=/TaggedPage/TaggedPageDisplay.cfm&TPLID=53&ContentID=2873

Preview Forum Spring 2005 – THE NEWS WE NEED: Finding Balance in an Age of Spin

(Preview Forum is a nationwide dialogue project that uses national media from broadcasters, as well as theatrically released documentaries to catalyze community dialogue between active citizens, formal and informal leaders, educators and journalist on social issues. The LWVUS is one of the participating national organizations and Nancy Tate, Executive Director- LWVUS, is on the advisory board. The Salt Lake League presented this issue to their membership this fall and would be glad to share their experience with any local league who might interested in this type of local project)

Today's society is inundated by information, from traditional sources (radio, television and newspapers) to the next generation (web sites, talk radio and bloggers). Often the lines between fair and accurate news and opinion/commentary are blurring, leaving media consumers left to guess where the truth lies. Journalism is undergoing a transformation with far-reaching ramifications.

Government regulations allow one media company to own up to 39 percent of the news sources in any one market. This poses the question of how "free" is the free press. Competition for an audience is fierce. Two-thirds of news professionals say the drive for more readers or viewers has pushed them toward infotainment instead of news. Do you know that public trust in the news media sank to its lowest-44 percent- since the 1970's?

Americans think journalists are sloppier, less professional, less moral, less caring, more biased less honest about their mistakes and generally more harmful to democracy than they did in the 1980's. What happens to a democracy when the public no longer trusts the media?

Other facts to consider:

- Twenty-one percent of people under 30 get their news from satirical sources like "Saturday Night Live" or "The Daily Show with Jon Stewart."
- Ethnic media—and ethnic news consumers—are on the rise. While English-language newspapers lost 11 percent of their readers since 1990, the number of Spanish language dailies tripled during the same time period.
- Fifty-nine percent of Americans believe that news organizations are politically biased.

Many viewers choose a news source because they agree with its politics. Seventy percent of voters who watched Fox for election news planned to support Bush. Sixty-seven percent of CNN viewers declared support for Kerry according to a 2004 Pew Research Center survey.

The challenge we face, in an effort to be well-informed citizens, is finding balance in the age of spin. Consider how changes in technology affect how we get our news. How do changes in media ownership affect the content of news? How is the rise of partisan news affecting the content of news? Where do you get your news?

The September LWV-Salt Lake meeting addressed this topic using video and other information provided by Preview Forum. Preview Forum is a nationwide dialogue project that uses national media from broadcasters such as PBS, HBO, Discovery Channel, Comedy Central and CNN, as well as theatrically released documentaries to catalyze community dialogue between active citizens, formal and informal leaders, educators and journalists on social issues. LWVSL will be working in conjunction with the Bennion Center at the University of Utah and other colleges to promote more forums.

For more information about Preview Forum, go to www.previewforum@roundtablemedia.com.

LWV LEGISLATIVE ACTION Kathy Dorn - Legislative Director

Come One Come All! The League is setting priorities for the new session. The 2006 Legislative session begins mid January. Several Lobby Corps members have been following many interim sessions and will good information to share about the bills we can expect to be presented.

We will do our first Saturday Caucus on January 14 at the League office, 9 AM. Bagels and coffee will again be provided. I urge all of the Leagues to send a representative to that meeting. It is exciting as the session has started but usually not much "actionable" business has been presented. We know that Tax Reform, RDA, election law changes and maybe the IHC are on the radar now but there is other buzz too.

Please make watching the Legislature a priority this year.

THE LEAGUE OF WOMEN VOTERS OF UTAH Testimony



NUCLEAR HAZARDOUS WASTE

Testimony presented by Marelynn Zipser August 9, 2005

The League of Women Voters appreciates having this opportunity to express its concerns regarding Envirocare's request for a preliminary license to double its hazardous and Class A Low-level waste landfill.

It is not clear to us why building rail lines, a compactor and shredder and an Administration building requires additional land or further licensing at this time. Why could these activities not take place on already licensed land?

We question the need to license additional land at this time because Envirocare has said in the very recent past that its current capacity to accept waste is sufficient for 20 years. Envirocare already owns the Judd land, so we are puzzled by the rush to license it before there is an imminent need for the creation of more waste cells.

We are especially concerned that the preliminary license implies state approval for disposal in the new area without a detailed plan and without prior approval of the legislature and the governor. Voters want to be sure that approval by their elected representatives is based on complete information about whether the added land will be suitable and safe for the public's health and for the environment.

Thank you for your consideration of our concerns.



THE LEAGUE OF WOMEN VOTERS OF THE UNITED STATES Action

DC FAIRNESS IN REPRESENTATION ACT

At the request of the LWVUS lobby corps, a delegation from the Utah League (Nanette Benowitz, Kathy Dorn and Sandy Peck) met with Senator Orrin Hatch. We asked Senator Hatch his opinion of proposed legislation which would give both Utah and Washington DC a 4th congressional seat. The Senator was in favor of both. As a result of that meeting, we received the following email from national

The national lobby corps recently submitted the following to congress:

Helen, Kathy and Nanette,

Thank you very much for your excellent outreach with Senator Hatch. When Lloyd told Representative Tom Davis that Hatch had told you all that he could support it, Davis picked up the phone and called Hatch. Hatch agreed to cosponsor the bill in the Senate! He said he would put his name on it if there were another lead sponsor, and he suggested Mike DeWine. LWVOH will meet with DeWine over the August recess. I'll let you know how it goes.

In the meantime, the League is the darling of the DC Vote coalition and Rep. Davis, and you are the darlings of the League!

Many thanks,

Angela, et. al.

LWWUS Letter to the U.S. House of Representatives on September 15, 2005

The League of Women Voters urges you to cosponsor the DC Fairness in Representation Act of 2005 ("DC FAIR Act," H.R. 2043).

Under the legislation, Utah would receive an additional fourth seat in Congress while congressional voting rights in the House of Representatives would be provided for American citizens living in Washington, DC. This balanced approach, developed by Representative Tom Davis (R VA) and supported by the DC City Council and Mayor, provides voting rights for District citizens without upsetting the partisan balance of the House.

The citizens of the District have always fulfilled the obligations of American citizenship by paying federal taxes, serving in the military, and contributing leaders in nearly every field of human endeavor. Yet American citizens who live in the District of Columbia are denied voting representation in the U.S. Congress, the very body that has ultimate authority over every aspect of the city's judicial, executive, and legislative functions.

Over the last 200 years, the principle that all citizens are entitled to a voice and a vote in their national government has emerged as a cornerstone of American democracy and a fundamental tenet of our Constitution. Although relatively few Americans were entitled to vote when the Constitution was adopted in 1788, virtually all restrictions on the franchise have since been eliminated, including those based on race, sex, wealth, property ownership, marital status and place of residence. Disenfranchisement of American citizens living in the District of Columbia is the last great exception to the constitutional principle of "one person, one vote."

A basic principle of democracy is at stake. The United States is the only nation on earth that completely disenfranchises residents of its capital city in national legislative elections.

Americans living in the nation's capital deserve to have voting representation in the body that makes their laws, taxes them and can call them to war. Only Congress can ensure that the democracy Americans have espoused and fought for across the globe becomes a reality in the nation's capital.

We ask that you help fulfill the promise of American democracy by cosponsoring the DC FAIR Act.

ACTION ALERT: USA PATRIOT ACT REAUTHORIZATION

The League of Women Voters believes that basic civil liberties must be preserved and protected as the nation seeks to guard against terrorism and other threats to national security. We therefore ask that you support and cosponsor H.R. 1526, the SAFE Act (Security and Freedom Ensured Act of 2005).

Earlier this summer, the House and Senate each passed bills to reauthorize the USA PATRIOT Act. Now that Congress has returned from recess, the differences between the two bills will need to be worked out. It is important that the improvements to the USA PATRIOT Act found in the bipartisan Senate bill, S. 1389, are kept and that attempts to further expand the Act in the House bill, H.R. 3199, are stopped.

While the Senate bill does not make all the changes that are needed, it does more to protect civil liberties and restore checks and balances than the House bill. The Senate bill provides for more legislative and judicial oversight, retaining shorter sunsets for two of the more controversial provisions (Sec. 206 and Sec. 215). It also places some limits on "sneak and peek" warrants (Sec. 213) and requires more relevance to counterterrorism when requesting personal records in investigations. On the other hand, the House version adds extraneous measures and expands the powers of the USA PATRIOT Act unnecessarily – making most of the law permanent without regard to needed oversight.

[Please contact your Members of Congress now!](#) Urge them to support the language of the Senate reauthorization that was passed in the Senate by unanimous consent in a voice vote on July 29.

In addition, your Representative and Senators can do more to protect civil liberties and improve upon the Senate bill by supporting the SAFE Act, S. 737 and H.R. 1526. The SAFE Act provides reasonable checks on some of the most extreme sections of the USA PATRIOT Act. That law must be more balanced -- passing the Senate reauthorization and the SAFE Act would provide essential safeguards to our democratic rights while allowing for the powers necessary to combat terrorist threats.

[Take action now!](#)

ACTION NEEDED

1. Contact your Senators and Representative now, by phone and by email, and urge them to guard our civil liberties when reconciling the different bills to reauthorize the USA PATRIOT Act. Tell them that the provisions of the Senate reauthorization should be retained and that the provisions of the House reauthorization go too far, expanding the reach of law enforcement at the expense of civil liberties. Ask them to support the Senate bill to reauthorize the USA PATRIOT Act as well as the SAFE Act.

Phone calls can be made through the Capitol Hill switchboard at 202-224-3121 or 202-225-3121. **Or, simply [click here to enter your zip code to send an instant message](#) to your Senators and Representative now!**

2. Send this email alert to other concerned citizens—your grassroots network, your friends and coworkers. Encourage them to contact their members of Congress today!

BACKGROUND

[Click here for more background information.](#)

For the past 85 years, members of the League have been steadfast in their conviction that the need to protect against security threats to America must be balanced with the need to preserve the very liberties that are the foundation of this country. There are fundamental principles that guard our liberty -- from independent judicial review of law enforcement actions to prohibitions on indiscriminate searches -- that must be preserved.

Today, League members are concerned about the impact of the USA Patriot Act passed by Congress in October 2001. We believe that the SAFE Act would address some of the most problematic provisions of the USA Patriot A

VOTER SERVICE Nancy Wingelaar Voter Service Director

Early Voting

(How does it work? Do we need it?)

The State of Utah has chosen Diebold voting equipment as part of its compliance with HAVA (the Help America Vote Act). Touch screen computers that print a record that the voter can look at and verify will be ready for a pilot test this fall and for full use in 2006. As many of you know the LWVUtah has monitored this decision making process. League Director Sandy Peck was on a state committee that devised a plan for complying with HAVA provisions, including a process for evaluating new equipment. Salt Lake County Council just voted to go along with the state decision, but unless the state passes an early voting law, the populous county expects to need \$5 to \$20 million over the next 4 years to buy more machines and cover maintenance not covered by HAVA money in order to avoid long lines at the polls. Other counties many have this problem too.

The Government Operations Interim Committee has heard two presentations on early voting and will consider it again on October 21. So far there seem to be no serious objections to it as a way to lessen the number of machines needed. However, there was some reluctance in the Salt Lake County Council. Objections seem to center around crucial developments in the days just prior to the election that might make voters wish they had voted differently. Therefore, we looked to National League for some information about early voting.

LWVUS supports early voting provided it's done in such a fashion that all voters have equal access.

Early voting is an option more and more states are entertaining. The number of states allowing early voting has increased from 2 in 1963 to 25 in 2005. Many people took advantage of early voting in the 2004 general elections:

- approximately 1/3 of voters in Larimer County, CO voted using an early voting option
- in some counties in Georgia, more than 1/3 of the voters used early voting
- in Texas, where they've had early voting for some time, more people voted early than voted on Election Day
- approximately 40% of Nevada voters voted early
- almost 1/5 of those voting in Florida used early voting

Early voting can be instituted in a number of different ways. For example, some jurisdictions allow for early voting every day for 2 weeks leading up to an election in malls and alternative locations, while others have early voting only in person at the board of registrars. There are other methods too.

The Utah proposal would offer early voting on weekdays during the 14 days leading up to Election Day (but not on the Monday before Election Day). Each county would start off with one or more polling places and could add more during the early voting period if needed. In a September draft, one of several forms of voter identification would be required (for early voting and in person absentee voting only) and the very latest day a new voter could register at a satellite location would be 15 days before the election instead of the current 8 days.

Pros:

- convenient for voters
- it helps take the pressure off the polls on Election Day
- people who have problems voting during early voting have an opportunity to resolve the problem
- problems during early voting can be handled by permanent election workers

Cons:

- changes in election administration procedures are sometimes bumpy the first time around
- depending on the system that is adopted, more poll workers may need to be recruited

With money tight and the need to conform to HAVA we in Utah will need to be creative and open to new ways of doing things when it comes to voting. We as League members may need to become more informed about alternative voting procedures and let our elected officials know about them. This is a subject that is "right down League's alley".

LOCAL LEAGUE UPDATES Sherilyn Bennion – Communication Director

League of Women Voters of Cache County

After a summer hiatus, the LWVCC continued a 20+ year tradition of a presence at the Cache Co Fair. Wouldn't you know that we were located right between the Republican and Democratic Party booths?

We registered close to 150 voters, answered questions and handed out copies of Navigating Election Day. This year, we partnered with the Cache Co Clerk's office to demonstrate the new touch screen voting machine.

During that weekend, the thing crashed twice. The time consuming one-on-one tutorials gave us great pause. It appears that a major league educational effort will be required prior to the 2006 elections to bring the electorate up to speed. Privacy and confidentiality may become an issue if a voter needs assistance during the voting process.

During the run up to municipal elections, our league has been involved in co-sponsoring meet-the-candidates meetings in Logan, Providence and Hyde Park. These outings not only allow us to participate in the LWV mission of voter education, but gives us public "face time" for recruiting.

The Cache league is slugging it out and doing what we can with whom and what we have.



Tom Proffitt, president

League of Women Voters of Cedar City

The Cedar City League has not been very active this year. We did have a small gathering of the "regulars" at a summer year end meeting and dinner. I recall we had about 5 people attend. We discussed some ideas for discussion groups and were going to get back together this fall but that has not happened yet.

Lynne Brown, president

League of Women Voters of Grand County:

- On August 19th and 20th the Grand County League of Women Voters had a very successful silent auction at the Grand County Fair. For many years this had been our primary fund raiser, but in 2003 and 2004 there was no County Fair. We were very happy to have the Fair revived for we made over \$1,500.00 for our two days work and had lots of fun, especially during the last fifteen minutes when everyone was trying to get the highest bid on their favorite item.
- On October 19 we will hold our annual candidate forum. This year there are only three candidates running for two open city council seats and the current mayor is running unopposed. We have invited him to give a state of the city message at the beginning of the forum. We also have a new water board that is elected for the first time, so we will have the 14 candidates running for five seats answer questions

Cynthia Smith, co-president

League of Women Voters of Salt Lake

Program for 2005-06

- September: - 'The news We need – Finding Balance in an Age of Spin
- October: - 'Human rights in Post 9/11 Foreign Policy (LWV Seattle Study)
- November: - Utility Rates
- December: - Holiday Social
- January: - Legislative Issues
- February: - Access to Health Care
- March: - Current Issues in Education in Utah
- April: - Air Quality Update
- State of the Community Luncheon



Last month on 9/11, we had our Fall Fete at the home of Norma Matheson. It was very successful. Honorees were Carolyn Dunn and Gina Reike.

During September and October, our Voter Service co-chairs, Shari Sowards and Jennifer Napier-Pierce have been helping various cities within the county with debates preceding the October 4 primary.

Our unit meetings for October will focus on the promulgation and acceptance of the use of torture as official government policy as a way to treat certain "enemy combatants."

In November we anticipate a general meeting about utility rates. A panel will discuss how the rates are set and how the Consumer Service Committee fits into the mix.

More? The Democracy Store will open soon and we're excited to know we will get a new voting machine to practice on.

Sharon Walkington and Joyce Barnes co- President

League of Women Voters of Utah County-

- The Utah County League is sponsoring in conjunction with high school students from Provo a candidates forum on October 6 at the Provo Council Chambers.
- Member Keri Jensen moderated a candidate forum in Pleasant Grove sponsored by the Kiwanis Club and the Pleasant Grove Library Board.
- Member Stella Welsh will moderate a candidate forum for Eagle Mountain on October 19.
- We are also planning a luncheon for new members and our county legislators on December 6.

Mary Lou Huffman, state liaison



League of Women Voters of Weber County: www.weberleague.org

- The Annual Fall Picnic Saturday was held on September 10. Karen Wikstrom of Wikstrom and Associates, Economic Planning and Consulting Firm, S.L.C. spoke on the role of RDAs and the recent legislation concerning them.
- Tuesday, Oct. 11, 1:30 p.m. - RDA Study Committee meeting, South Davis Library, Bountiful.
- Wednesday, October 12, 7:00 p.m. - Attorney General Mark Shurtliff will discuss the proposed Hate Crimes legislation in the auditorium of the Weber County Main Library. Mr. Shurtliff is an engaging speaker who will help clarify many issues and controversies regarding this topic. Guests are most welcome, as are your questions and concerns.
- Wednesday, October 26, 7:00 p.m. - The League will host a debate for the winners of the Primary Election for Ogden City Council seats. The debate will be held in the auditorium of the Weber County Main Library. The public is invited and encouraged to attend in order to make an informative choice on Election Day.
- The Weber league's web-site www.weberleague.org contains a Voter Guide on the Ogden City Council Candidates.



Brenda Kidman, president

MEMORIAL FUND

The Memorial Fund, a joint savings account for both State and the Salt Lake Leagues, has \$5000.00 which is used for office supplies and/or equipment. Stuart Gygi, the Salt Lake League Treasurer is the chair and both Salt Lake and State have two representatives. The Memorial Fund Committee meets whenever the office has a need for equipment. For example, the last purchase was two years ago. The fund purchased our current copy/fax/scan/printer.

This fund is available for contributions from members or non-members in memory of League members who have passed away.

MEMORIAL EVENTS:

Birthday Day Party for League a Success!

The 85th anniversary of the Suffrage act, which marks the birth of LWV, was acknowledged by 30 members and friends. There were light snacks, wine, and a cake. The topics of conversation were about how quickly the time had flown. Guests shared their summer experiences and travel. Roz McGee advised us that her editorial about the tax task force was to be printed in the Sunday Tribune, which got us back to current topics. The party was a nice way to end the summer as we turn our focus to the issues sure to come up in the next session of the Legislature.



Gigi Brandt, Kathy Dorn, Pat Klentzman



Sharon Walkington & Janice Gygi

LWVUS President Participates in “Women Win the Vote: 85 Years and Beyond”

Kay J. Maxwell to Take Part in Keynote Session of Women’s Equality Day Celebration

WASHINGTON, D.C. – League of Women Voters of the United States (LWVUS) President Kay J. Maxwell took part in the keynote session of “Women Win the Vote: 85 Years and Beyond,” a national celebration of the 85th anniversary of the 19th Amendment, which guaranteed women’s right to vote, held Aug. 26-27 at the National Constitution Center (NCC) in Philadelphia, PA.

This two-day program, honoring the historic struggle for women’s right to vote and exploring women’s current legal status, is organized by the National Women’s History Project (NWHF) of Santa Rosa, CA, and co-sponsored with the NCC.

President Maxwell participated in the keynote session, “Democracy and Women’s Equal Rights – Mutually Inclusive,” on the evening of Friday, August 26. The panel also featured Martha Burk, Chair, National Council of Women’s Organizations; Roslyn Ridgeway, President, Business and Professional Women/USA; and Eleanor Smeal, President, The Feminist Majority.

"I am proud to take part in the celebration of the 85th anniversary of the 19th Amendment, especially as the League celebrates its 85th year," said Maxwell. "'Women Win the Vote: 85 Years and Beyond' is a great opportunity to honor the achievements of the women who fought for suffrage and salute the successes of today's women making a difference in communities across our nation."

The event began at 11 a.m. on August 26 (Women's Equality Day) with films on woman suffrage and the Equal Rights Amendment. At 3 p.m., Sally Roesch Wagner and Fred Morsell performed in "Elizabeth Cady Stanton and Frederick Douglass: Beyond Race and Gender in the Struggle for Equality." A gala 19th Amendment anniversary reception at 5 p.m., with a special program and silent auction, also celebrated the NWHP's 25 years of "writing women back into history."

The celebration resumed at 10 a.m. on Saturday, August 27, with author Linda Ford discussing "*Iron-Jawed Angels* in Print and on Film," including clips from the 2004 TV movie. Panels explored "Women and the Vote: Linking the Generations," "Equal Rights for Women: A Work in Progress," and "The Power of Place: Interpreting Women's Rights at Women's History Sites." The event concluded with a book-signing by participants at 4:30 p.m. in the NCC's Grand Hall Lobby. Voter registration, exhibit tables, and special gift shop items were available both days.

"The 85th anniversary of the 19th Amendment provides an excellent opportunity to honor the amazing organizing efforts of the many thousands of women and supportive men who worked to secure the vote for women in the United States," says NWHP's President and co-founder Molly Murphy MacGregor. "The story is a remarkable testimony to the unrelenting tenacity and spirit of women who were seen as powerless and yet who achieved the largest single extension of citizenship rights in our nation's history."

"We are honored to be co-sponsoring this important celebration of a critical landmark in the struggle for women's equality," says NCC President/CEO Richard Stengel. "Our museum tells the story of how the United States, through war, struggle, and sacrifice over two centuries, has expanded the definition of "We the People" and slowly widened the circle of liberty. This event recognizes the important achievements of women in that struggle, how far they have come, and what work remains to be done to achieve that perfect union the Framers first talked about."

Additional information about "Women Win the Vote" is available online at www.nwhp.org or from NWHP Program Coordinator Roberta Francis (973-765-0102, rfrancis@fast.net).

The League of Women Voters of Utah would like to thank:
Xmission for their internet services (lwvut@mail.xmission.com)
BandCon for their web-hosting (www.lwvutah.com)

Support the League of Women Voters to strengthen our democracy

Join the League of Women Voters of Utah, a respected, national grassroots organization that acts on important issues — issues affecting you, your community and our nation ... issues on which you can make a difference! Membership forms are available on line at <http://www.lwvutah.org/form.html>

We are –

- *Empowering millions of voters to protect their right to vote*
- *Working to ensure that ALL votes are counted and all voices are heard*
- *Preserving our constitutional rights by safeguarding civil liberties.*
- *Acting as a force for positive change in our communities and in our democracy*

We believe that sensible, responsible, civil discourse and action based on substance, rather than partisan battles is essential if we are to avoid polarization and get something done. We believe that American democracy is at risk and that now is the time to act.

Donate to the league. Your tax-deductible contribution will provide important support for advancing our critical work to safeguard the vote. Contribute today!