



# LWV of Albany County

Summer 2007

Educate

Participate

Advocate

## Immigration: Is There a Good Solution?

Ann Brandon

Can we do better than Congress in finding a solution - or solutions - for the immigration issue? I'm sure we can. There is a podcast from the national League Council featuring three knowledgeable speakers on the subject. Here is an abbreviated summary of one of the speakers - Doris Meissner, who is a Senior Fellow with the Migration Policy Institute.

She noted that, with all of the rhetoric now about immigration, we need to get back to basics. These are what she considers key facts about immigration:

1) We are a nation of immigrants, but we came in waves of four main periods: First was the beginning of people coming here; next, settling the west; next, the rise of large cities; and then the latest period from the 1980's which coincides with a fundamental economic transformation, becoming part of a global economy..

2) Demography: We are now an aging society, which has many implications. We're no longer getting enough  
(continued on page 3)

## REPORT FROM STATE CONVENTION:

An Albany President, and a New Study on the *Coalition for a National Popular Vote!*

We just about popped with pride as our very own Martha Kennedy took the historic LWVNYS gavel in hand as the new President of the State League! Our best to Martha, and to all from the Albany League on the State Board. Without the State League, we could not function effectively locally! More particulars about 2007 Convention will be in your State "Voter", but here is some information about the new study!

We have a new study! The question it poses is "Should New York State join the coalition for the National Popular Vote?". The LWV of Saratoga County proposed and is taking the lead on this study, and you can find out more

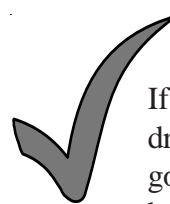
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### Save the Date

#### Fall Potluck Dinner Immigration Study Reports

Tuesday, September 25  
First Congregational Church  
(On Quail right off of New Scotland)



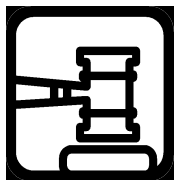
### Dues are due !

If you see a red dot on your bulletin address label, that means that you have forgotten to pay your dues, and that this will be your last bulletin!

Your payment of \$45 for a single membership and \$60 for a household should be sent to LWVAC, P.O. Box 611, Slingerlands, NY 12159.

Please support the League in our important work!  
**Send your dues in now!!**

League of Women Voters of Albany County  
Website: [www.lwvalbany.org](http://www.lwvalbany.org) Email: [lwvac@crisny.org](mailto:lwvac@crisny.org)  
Lori Keegan-Brady and Maggie Moehring, Co-Presidents  
Laura Ladd Bierman, Newsletter Editor



## From the Co-Presidents

Hi, everyone! We are your new co-presidents, and are charged and ready to launch an exciting news year of League activities. We look forward to your joining us!

As you know, immigration policy is on lots of front burners these days, including the League's. What complexity! What confusion! What a public policy conundrum! It's just the kind of topic Leaguers love. A panel discussion of the issues will start off our year at the September Pot Luck Supper on the 25<sup>th</sup> (SAVE THE DATE!). Learning about and trying to arrive at consensus on the issues will occupy our autumn days. Our November consensus meeting on immigration will bring back the popular "soupers" (our informative, and filling, soup-supper meetings). Speaking of soup, can you make soup? We have three "soupers" scheduled this year!

Because we're "keenly interested in public policy and environmental issues" (her words), we were invited by Susan Arbetter (now at WMHT) to participate with other local Leagues as the audience at the June 21<sup>st</sup> taping of the show "Shrinking our Carbon Footprint." Silda Spitzer participated on the panel, as did Judith Enck (NYS Deputy Secretary for the Environment) and others. This was a great opportunity to approach Mrs. Spitzer about reviving the "League Reception at the Governor's Mansion"; we hope to make that our March program, and a fitting celebration of "Women's History Month."

This is a "local election" year, and we'll fill you in on who's running and what we have scheduled for candidate forums, so watch your email (often forums come together too late for the bulletin). A reminder: Primary Day is Sept. 18<sup>th</sup> this year, not the 11<sup>th</sup>, and we have a Presidential Primary in February! In October, we plan to engage our Albany County candidates for office in a forum, and they have important issues to address for us – redistricting, shrinking the County legislature among them. On November 28<sup>th</sup>, we'll take our annual excursion to the UN – a great day in NYC. We'd like to address the topic of "Paid Family Leave" at our December Luncheon, and will host our new County legislators at a reception in February. Also in February, we'll host another "souper" on eating locally – the "100 Mile Diet"! And in April, we'll have yet another "souper" addressing our new study topic on the Electoral College, "Should New York State [seek to get around the Electoral College process and] join the National Coalition for the Popular Vote" – fascinating!

We'll wind the year up with our Annual Dinner in May. We've planned a few fun activities – "Lunch with the League", a tour of the refurbished NYS Capital, etc. so please JOIN US!

In League,  
Lori Keegan-Brady (lkeegan-brady@nycap.rr.com)  
Maggie Moehring (mmoehrin@nycap.rr.com)  
LWVAC Co-Presidents

**Welcome!**  
**New Member**  
**Dori Brown**  
**Albany**

The League of Women Voters is a nonpartisan citizen organization that promotes 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 League member.

This newsletter is published by the League of Women Voters of Albany County, 12 Coventry Road, Glenmont, New York 12077 and mailed to League members. The frequency of publication is as follows: one mid-summer issue followed by nine monthly issues from September to May.

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## STATE CONVENTION:

about the issues at <http://www.lwvny.org/npv.html>. To quote a little from that information, here's a brief explanation:

*“Were you one of the people who were disheartened in 2000 when the Electoral College gave the presidency to Bush even though Gore won the national popular vote?”*

*Even forgetting the controversy surrounding the counting of the votes cast for president in Florida, were you surprised that there wasn't more of a clamor for a change from our current Electoral College method of electing the president to a direct nationwide popular vote?*

*The desire to get to a nationwide popular vote for President (the main tenant of the LWVUS position on selecting the President), coupled with the difficulty of eliminating the Electoral College by the constitutional amendment route, led some innovative thinkers to propose that the US move to a nationwide popular vote by having individual states join a ‘Compact for a National Popular Vote’.*”

Circumvent the constitution? This will be a fascinating study!

### League Fun Stuff!

Do you work all day and have trouble getting up enough energy to come out to League activities at night? Do you miss your League friends? Do you work downtown? Hey, let's have lunch – just lunch! Watch your bulletin and your email this coming year for announcements of “Lunch with the League” dates. These will be great opportunities to bring along a friend or two who might really get a bang out of being a League member!

We have a beautiful State Capitol building, made newly beautiful with its recent restoration. The staircase and the skylights are spectacular, we understand, so watch your bulletin and email for an announcement of a “Tour of the State Capitol Building” just for Leaguers.

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## Immigration

younger workers. Our growth in coming years will be workers over 55 and the foreign born.

3) Hourglass phenomenon: We have a skills gap. Immigrants are filling the gap at the bottom and at the top. Eleven of the fastest growing 15 skills are at the low end; at the high end, math based professions (engineering, science, technology) need more people.

4) Overall economic impact: Americans feel more anxious - they're concerned that the foreign born are depressing wages. Overall the evidence is positive - their jobs lower our costs and prices on goods. And they do pay taxes.

5) There is a disproportionate focus on the southwest border. At least 40% of the illegals are illegal from overstaying their visa. The billions being spent on border security is a travesty. We need a more nuanced and sophisticated policy.

6) New Growth States: Traditionally 60-70% of immigrants have settled in six major states. From the middle 1990's they have been going everywhere. Most are Mexican and are going where the jobs are. The majority are here illegally. This has made the issue a national political issue.

To hear the whole podcast, and get more information, go to [www.lwv.org](http://www.lwv.org). Also, check out [www.migrationpolicy.org](http://www.migrationpolicy.org).

**Next Immigration Committee Meeting is August 9<sup>th</sup>, 7:00 pm. Ann Brandon's home.**

## LWVAC Board Meetings

Our League Board meets the first Tuesday of every month at the Albany Public Library at 5:45. Members are always welcome to attend, and past and potential board members are important contributors to, mentors and instigators of Board activities and ideas. Coming to Board meetings is a great way to learn about League, to find out about what goes on behind the scenes, and to explore being on the Board yourself. We can always use our members' ideas, so please feel very welcome to attend!

# Gun Violence Task Force

## Statement before the City of Albany Common Council

Public Hearing on *An Ordinance Amending Part 3 (Department of Public Safety) of Chapter 42 (Departments and Commissions) of the Code of the City of Albany to Add a New Article XI-A Entitled "Gun Violence Task Force."*

July 10, 2007

Members of the Common Council and residents of Albany County, I am Lori Keegan-Brady, co-president of the League of Women Voters of Albany County. With me are Jacqui Williams, first vice-president of the League, and a resident of the City, and Aimee Allaud, League of Women Voters of New York State Gun Control specialist and a resident of the City.

The League of Women Voters is a nonpartisan organization working to promote political responsibility through the informed and active participation of citizens in government. The League does not support or oppose any political party or any candidate. It does support or oppose legislation after study and substantial agreement among its members using a consensus model. Membership is open to everyone.

We are here today to SUPPORT the proposed ordinance amending Chapter 42, Part 3 of the Code of the City of Albany, which would establish a Gun Violence Task Force.

Following is a brief history of the League's involvement in this issue. In 1990, the national convention of the League recognized the extent of the impact of the proliferation of guns on the health and safety of the citizenry by adopting the following position:

*The League of Women Voters of the United States believes that the proliferation of handguns and semi-automatic assault weapons in the United States is a major health and safety threat to its citizens. The League supports strong federal measures to limit the accessibility and regulate the ownership of these weapons by private citizens. The League supports regulating firearms for consumer safety.* (This is the part of the position relevant to the proposed ordinance)

In 1993, in the Congress, we supported the congressional passage of the Brady Bill which instituted a five day waiting period and background check for the purchase of handguns and subsequently worked successfully for the inclusion of an assault weapons ban in omnibus crime legislation. As opponents attempted to repeal both of these laws, League members and other supporters convinced Congress to defeat repeal efforts. Working in coalition with New Yorkers Against Gun Violence, the League mounted an intensive advocacy campaign which coincided with the Mothers Day 2000 Million Moms March in Washington, DC. Citizens across the country demonstrated that the increasing level of gun violence demanded a national response.

In New York State, during the 1990's, we lobbied for legislation in the New York State Assembly and Senate which increased the penalties for firearms infractions. Other state legislation which we lobbied for included requiring child safety locks on all guns sold in New York State and better restriction

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## Gun Violence

of gun shows and background checks on weapons sold at gun shows and flea markets.

Following on the heels of the Columbine High School violence and other shootings around the county, in 2000, Governor George Pataki introduced a comprehensive package of seven sensible gun laws. The Governor's bill passed the Legislature and went into effect January 1, 2001.

However, in spite of federal and state statutes, we face a crisis in the City of Albany and throughout the other cities of the Capital District. In fact, we do not even know the extent of the crisis. Until comprehensive data is shared by law enforcement with the elected officials we will not know the true nature of this epidemic and how to begin to address it.

Gun violence is not just a law enforcement issue but also a public health issue with costs to society when victims must be treated in trauma units of hospitals, possibly incurring permanent damage or loss of life, or undergoing rehabilitation so that they can return as productive members of our society. These violent acts also have repercussions on family members, setting the stage for continuing acts of violence.

The mandate of the proposed task force to prepare a report on the number and types of gun related offenses and to research and report on successful strategies used in other municipalities to reduce gun related violence is a first and necessary step to solving this problem.

**WE URGE THE COMMON COUNCIL TO APPROVE THE PROPOSED ORDINANCE.**

Lori Keegan-Brady  
Maggie Moehringer  
Co-presidents, League of Women Voters of  
Albany County

## LWVAC PROGRAM FOR 2007-2008

*SAVE THE DATES (but watch your bulletin and email for changes!)*

### September 25<sup>th</sup>:

First Congregational Church, Albany  
"Annual Pot Luck Dinner ~ Immigration Reform:  
A Panel of Experts"

### October 25<sup>th</sup>:

Bethlehem Public Library  
"Candidates' Forum for County Offices"

### November 13<sup>th</sup>:

Bethlehem Public Library  
"Souper Supper ~ Immigration Consensus Meeting"

### November 28<sup>th</sup>:

"LWV Day at the United Nations, NYC"

### December:

"Annual Luncheon ~ Paid Family Leave"

### February

"New Albany County Legislators Reception"

### February 27<sup>th</sup>:

Bethlehem Public Library  
"Souper Supper ~ The 100 Mile Diet"

### March:

"LWV Reception at the Governor's Mansion"

### April 30<sup>th</sup>:

Bethlehem Public Library  
"Souper Supper ~ Electoral College Study:  
"Should NY State Join the Coalition for a National  
Popular Vote?"

### May:

LWVAC Annual Dinner  
Topic to be Determined

### Please note:

**the proposed resolution passed the  
Common Council on July 16, 2007.**



## HAVA: Still on the League's Front Burner

Aimee Allaud, LWFNYS Elections Specialist

You might think that nothing is going on with implementation of HAVA in our fair state! Not true, but events are moving at a snail's pace and that's makes us all happy! Why? Because the League has always been in favor of "getting it right," before getting it done by adhering to an arbitrary deadline and potentially disenfranchising voters. This report will summarize some of the recent developments.

### **Certification Process – in Limbo**

You will recall that in January the NYS Board of Elections suspended certification testing with the independent testing authority they had contracted with, Ciber, after learning from an article in the NYT that Ciber had not received approval from the US Election Assistance Commission to conduct all phases of security testing of voting machines. New York's subcontractor to Ciber, NYSTEC, was able to determine what elements of the testing process were questionable. Since then, the BOE, while not formally severing the contract with Ciber pending a determination of the quality and validity of their work during the Phase 1 testing, has issued an RFP (Request for Proposal) for other potential independent testing agents.

### **The Elephant in the Room**

When HAVA was passed in 2002, a lot of voting machines were certified to 2002 standards; however, none actually meet those standards (not DREs, not scanners) because Ciber and the other certifying laboratories didn't test for those standards! So, in 2005 new voting machine guidelines were issued. NO voting machines are certified to the 2005 guidelines and newer ones were issued in 2006 and no machines meet those standards either. In New York State, the Election Modernization Reform Act of 2005 said NYS must have machines which meet the federal 2005 standards. Where does that leave us? In a bind! No voting machines now available meet the standards set by the federal government for voting machines. This is a situation where the technology hasn't caught up with the law. So New York's slow progress toward implementation may in the long run allow us to have the most "secure, accurate, recountable and accessible" equipment after all.

### **Department of Justice Order**

The US DOJ is required to enforce the federal HAVA law. In 2006, the state and the DOJ agreed on a partial implementation (so called "Plan B") which required counties to provide voting equipment for persons with disabilities without specifying numbers. Under that agreement, full implementation was to occur in 2007. The BOE attorneys meet regularly with the US DOJ attorney to update them on the progress of the certification process so that a new timeline can be prepared which DOJ will have to approve. Nassau and Suffolk counties entered a MTI (Motion to Intervene) in the suit in February. The contention of the plaintiffs is that a 2007 full implementation will not be possible for these two counties because of their size. The Judge will decide in May if the MTI will be accepted. If so, that would be an acknowledgement that 2007 implementation is not possible. (No one believes that it is, given the delays in the certification process) The next question to be answered is, what date will the DOJ require for NYS? 2008? 2009? Stay Tuned!

### **Behind the Scenes....**

The BOE is still trying to determine a standard for number of voters per machine. The tentative proposal discussed at a March board meeting would allow as many as 550 registered voters per DRE which will mean NYS voters will endure long lines and waiting times at the polls. Other states using DREs typically assign 225 voters at most to each machine. New Yorkers for Verified Voting submitted a proposal to the NYS BOE showing why New York must allow no more than 200 registered voters per DRE. The report was based on queuing theory simulations of elections with DREs and scanners and evidence from other states. The standard for scanners proposed is 3,000 voters per scanner. NYVV is continuing to provide the BOE with additional information which validates their numbers. Do we want the lines Ohio and Florida experienced? Because this standard is part of the Regulations for Voting Machine Standards which will go out for public comment in early May for an official 45 day comment period, there will be an additional opportunity for the public to weigh in. The BOE Commissioners will eventually have to vote on adoption of

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## HAVA

the Regulations. To read the BOE proposal, go to the NYSBOE website (link from the [www.lwvny.org](http://www.lwvny.org) website to NYS Board of Elections).

### **Draft of Voting Machine Testing Regulations**

#### ***Section 6210 of the Voting System Standards***

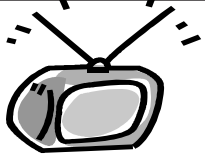
(The standard for number of voters per machine is part of this more comprehensive Regulation) The BOE has released a draft proposal for this Section. The proposal sets requirement for voting machine acceptance testing, maintenance, operations, and security. It also includes **requirement for ballots, ballot accounting and how a valid vote will be determined for both PBOS and DRE systems.** This is a very important issue because it will determine how votes are counted for all systems. This proposal is also available on the BOE website.

### **Using Uncertified Voting Machines in School District Elections**

The Troy City School District Board of Education (Rensselaer County) voted in March to accept the loan of 10 LibertyVote DREs from that company for use in their May 15<sup>th</sup> school board election and budget vote. The reason for this decision was that the Troy district had a single malfunctioning lever voting machine in their 2006 election and consulted with the Rensselaer County Board of Elections to find a solution for this year's election, ostensibly to gain the confidence of voters that an accurate election could be guaranteed. The board of elections arranged for the use of **LibertyVote machines which are not certified for use yet in NYS.** Unfortunately, NYS Election Law and Education Law do not address the issue of the use of unapproved (uncertified) voting machines in a school district election. Therefore, this is legal to do. The New York State League, Rensselaer County League, and New Yorkers for Verified Voting collaborated on a public campaign of awareness and advocacy against the use of uncertified equipment in any election through letters to the district, board of education, NYS Commissioner of Education, and Regents of the state. Legislation will be introduced in the NYS Assembly this session to address the gap in the Education Law. Also, NYSLWV and NYVV jointly sent a letter to the 716 school district superintendents in the state to inform them of the Troy situation and advise them that such a decision to use uncertified voting machines are a threat to voting integrity. (See letter on LWVNY website, [www.lwvny.org](http://www.lwvny.org)) The Troy Record editorialized against use of uncertified machines and the story appeared in the Albany Times Union, but the Troy Board of Education went ahead with their plans. NYVV and LWVNY and LWV Rensselaer decided to monitor the elections from outside the polling places because we were not permitted to go inside. School Superintendent Lonnie Palmer, in an interview on WRGB-Channel 6, accused the League of attempting to disrupt the election! Observation of all elections is in the public interest and apparently this district felt under siege. Because we were not permitted to observe inside the polling places it was not possible to learn how the uncertified voting machines functioned. Anecdotal information from sources who could not take a public position sided with the League and NYVV on this issue. We hope it will serve as a precedent to other school districts in the State.

### **End of 2007 Legislative Session Action**

We had two successes during the last week of the legislative session: 1) passage of a law which creates the Citizens Election Modernization Reform Act Advisory Committee. The Committee, required under the comprehensive HAVA Act of 2005, has been operating at the pleasure of the New York State Board of Elections. The law calls for a representative from the League of Women Voters of New York State and Bo Lipari, League member and Executive Director of New Yorkers for Verified Voting, has been on the committee during 2006-07. With a statutory basis now, the Committee will be in effect until 2010 and will be able to obtain important technical and proprietary information on voting machines being submitted for certification, 2) stopped a potential threat to the provisions of the HAVA Act of 2005 which required voting machine vendors to place in escrow their source code information and documentation. New York's highest standards in the nation have been a thorn in the side of voting machine vendors who claim they cannot/will not comply with this requirement. This implicit threat could mean that some vendors will not submit systems for certification. League members, NYVV members and the public were asked to contact their Senators and Assembly members with the message, "Don't Weaken NYS's Voting Machine Laws." The deluge of calls, faxes and letters got through – legislators told the League's Barb Bartoletti, "we got the message – we'll hold the line, but please stop the calls!" It's all in a week's work, and with the help of League members, another success story. We estimate that around 3,000 calls were made in the space of those 4 days.



# Public Access TV for the City of Albany

Aimee Allaud

On July 3, the Albany Common Council Ad Hoc Committee on Cable Access met to review the Report and Recommendations of the Committee. Co-president Moehringer and Ray Blanchard represented the Albany County League at this meeting. The League has supported and advocated for public access for the past five years and submitted testimony in April 2003 and at various times thereafter. Committee chair, John Rosenzweig, reviewed the report recommendations for the committee and the public to obtain final comments before submission to the Common Council. Following are some excerpts from the report which can be obtained from Aimee at [85aimee@nycap.rr.com](mailto:85aimee@nycap.rr.com).

“There is an overwhelming support for PEG access in our City by people from different socio-economic, ethnic, educational and geographical backgrounds.” Money would be used to set up all three PEG (public, educational, government) channels. The government channel would be broadcast from the Council Chambers and would air all public meetings. The education component of PEG access would be housed at Albany High School. The public component would be delivered from the Albany Public Library’s main facility. The Ad Hoc Committee recommends that the City negotiate a ten-year franchise agreement with Time Warner Cable and ask for \$500,000 in start up monies for access over the ten year period. Additionally, the committee recommended a \$.35 monthly (\$4.20 annually) pass-through fee to Time Warner subscribers for continuing costs of full time positions. Very importantly, the report recommends that an entity other than city government or elected officials should oversee PEG access. Such entity will be determined by a future action of the Common Council.

The Report and Recommendations were approved by the Committee and will be acted upon at the August 6 Common Council meeting. If approved, the Report will provide the Corporation Counsel with key points for negotiation with Time Warner (or another cable operator) in obtaining a new contract for provision of cable service to the City. League members from the City are advised to attend and speak in support of public access TV.



## Voter Service: An Exciting Fall!

Hello Fellow Leaguers!

Wendy Dury-Samson here, hoping everyone is having a wonderful summer! As the Voter Services Director, I’m working to ensure the message goes out that we are ready, willing and able to host “Meet the Candidates” evenings and debates for the upcoming election season. The primary season is heating up, and with County Legislator petitions in and about to be challenged, it could be fun!

We definitely have some primaries to consider: Lucille Mc Knight, Christopher Burke, Sandy Gordon and Thomas Cotrofeld to name a few, and I’m still finding out the status of many others. I’m beginning to contact legislators, to let them know we are gearing up for hosting and sponsoring opportunities for the public to meet the candidates vying to represent them in the County Legislature. I’ve been in touch with some people in Bethlehem and am working to get something started in the Hilltowns as well. If you are interested in helping us out with candidate events, please give me a call or email me. We can always use timekeepers, question collectors and screeners, as well as those willing to attend events to create a sense of League presence.

I will have a much more complete update for the September bulletin. I look forward to hearing from you all!

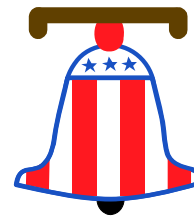
Wendy Dury-Samson  
Director of Voter Services, Albany County League  
439-1113 or [midjill@nycap.rr.com](mailto:midjill@nycap.rr.com)

# League of Women Voters of Albany County Board

<b>Co-Presidents</b>	Lori Keegan-Brady (475-0396) Maggie Moehringer (475-0969)	<b>Development</b>	Lori Keegan-Brady (475-0396)
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<b>Co-VP Admin</b>	Gael Casey Vecchio (459-9958) Judy Jarnefeld (869-3228)	<b>Internat'l Relations</b>	Katie Henrikson (439-4308)
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### Membership 2007-2008 Join & Make a Difference

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

- Individual Membership \$45/year
- Household Membership \$60/year
- Student Membership \$15/year
- Contribution in support of my local League
- Please send me more information

Mail to: League of Women Voters of Albany County  
PO Box 611 Slingerlands, NY 12159

Or Contact: Susan Coleman Tel: 433-9446

# League Calendar

<u>WHEN</u>	<u>WHAT</u>	<u>WHERE</u>	<u>MORE INFO</u>
Sept. 4, 5:30 pm	Board Meeting	Albany Public Library Large Auditorium	
Sept. 18	Primary Day	VOTE VOTE VOTE VOTE	
Sept. 25, 5:30 pm	Pot Luck Dinner Immigration Study	First Congregational Church 405 Quail St. & New Scotland	see page 1
Oct. 2, 5:30 pm	Board Meeting	Albany Public Library Large Auditorium	
Oct. 25	Meeting TBD	Bethlehem Public Library Delaware Ave., Delmar	
Nov. 6, 5:30 pm	Board Meeting	Albany Public Library Large Auditorium	
Nov. 13	Immigration Consensus "Souper" Supper	Bethlehem Public Library Delaware Ave, Delmar	see page 1
Nov. 28	UN Day in NYC		

**LEAGUE OF WOMEN VOTERS OF ALBANY COUNTY**  
**PO Box 611**  
**Slingerlands, NY 12159**

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