



The VoteR

League of Women Voters of Sedona-Verde Valley

www.lwvsedona-verdevalley.org

P. O. Box 966 Sedona, AZ 86339

November 2011

Pre-Holiday Election Year Kickoff Wine-O'Clock Party - 4-6 pm, Wed., November 9, at the MIC e-go Gallery, 921 Main Street, Clarkdale. The public is welcome. The party is for members, friends, colleagues and anyone interested in learning more about the League to meet informally, reconnect after a summer break and talk about activities planned for the 2012 election year. "This is an ideal time to learn more about what we have in mind, and enjoy wine and appetizers, too," said Ellie Bauer, League Chairperson. Cost of the fundraiser party is \$10 at the door, and a gift raffle will be held. Proceeds will benefit the League of Women Voters Education Fund.



INVITATION
League of Women Voters
of Sedona-Verde Valley
**Fall Pre-Election Year
WINE O'CLOCK
Fundraiser Party**

to meet informally, "reconnect" after a summer break, and
talk about election year ahead

4-6 pm, Wednesday, November 9, 2011
Alcora & MIC e-go Gallery
921 Main Street, Clarkdale, Arizona

Bring a friend and your favorite appetizer plate!

Wine & Appetizers
(other beverages, too)
\$10.00 Donation

For info call Mary Gassaway 634-9888
or mballgassaway@yahoo.com

**GIFT RAFFLE
Win a Prize!**

LWVSVV Board Meeting – Thursday, November 17th, 1-3:00 pm. All members welcome. Oak Creek Valley Clubhouse (call Judy Miller for directions).



Voter Service, Informed Voter Project, and Civic Engagement

We have a big election year coming up in 2012 and are setting some goals to make a difference in voter education, engagement, and election turnout. As described in our last Voter, we will be partnering with the O'Connor House Civic Engagement Project to accomplish "Voter Service Plus" in our area as part of a statewide push. In addition to voter registration, candidate forums, and ballot issue forums, we are hoping to work with other organizations to reach out to our communities with educational presentations, activities, and events. The goals are to promote civic engagement in Arizona and to increase both voter registration and voter turnout.

Briefly, the following is the election schedule currently available:

February 28, 2012 – Presidential preference election

March 13, 2012 – Municipal primary elections (Clarkdale, Jerome, Sedona)

May 15, 2012 – Municipal general elections and ballot issues (Clarkdale, Jerome, Sedona)

August 28, 2012 – Primary election for partisan offices (Federal and State)

November 6, 2012 – General election (Federal and State) and State ballot issues

Membership Information

For our ambitious 2012 election year agenda, the League will be needing lots of member participation to help with the activities described above. Come to the member social on November 9th to learn more and please volunteer to help when the call(s) go out. If you haven't renewed your membership, now is a good time to do it with your check for \$50.00 (single) or \$70.00 (family) made out to LWV of Sedona-Verde Valley and mailed to P.O. Box 966, Sedona, AZ 86339. Call Membership Chair Donna Pratt if you have questions about league membership. (Contact information for board members can be found at the end of this newsletter.)

We'll also be needing to recruit new members, so be sure to mention the League to friends and neighbors who are ready to be more informed and involved in civic affairs. Forward this Voter to them, and they can find more info at our website, www.lwvsedona-verdevalley.org.

If you have problems with the e-mail version of this newsletter, call or e-mail Kathy Heidepriem for a printed copy – or access it at www.lwvsedona-verdevalley.org.

League Partners with Sedona Chamber for Special Election Forum

At the request of the Sedona Chamber of Commerce, the League assisted with a voter information forum concerning the November 8th special election on the proposed takeover by the City of a portion of State Route 89A in West Sedona. Speakers on each side of the issue made presentations and then answered and debated written questions

from the audience. The meeting went smoothly, thanks to skillful moderation by Robyn Prud'homme-Bauer and time management by Ruth Kiessel. Thanks to Robyn and Ruth for stepping up on short notice.

Consensus Meeting on State Study of Arizona's Executive Branch

On October 12th, seven members of our league participated in a meeting to discuss and reach consensus on 14 questions having to do with the organization of Arizona's executive branch of government. The main concerns were whether the current scheme of having a separately elected Secretary of State next in the line of succession for the Office of the Governor works well or should be changed; the follow-on questions revolved around what changes might be made to improve the structure. These questions allowed for a lengthy and interesting discussion of how state officials are elected, whether some officials might better be appointed or elected on a nonpartisan basis, how to ensure that elections are managed in a nonpartisan manner....and more.

The study was initiated by LWVAZ at the 2009 state convention in order to update a very general position on Arizona's executive branch that dates back to 1963. Local leagues have passed their consensus results up to the State level for further action.

Redistricting Update – Yavapai County and Arizona

Yavapai County

Following the Yavapai County Board of Supervisors' decision to select a previously unpublicized redistricting map, the LWVSVV has sent the letter below to the Department of Justice regarding the lack of transparency in the final process.



**THE LEAGUE OF WOMEN VOTERS SEDONA–VERDE
VALLEY**

October 16, 2011

Chief, Voting Section
Civil Rights Division
Room 7254 – NWB
Department of Justice
950 Pennsylvania Ave, N.W.
Washington, DC 20530

RE: #2011-404 – Yavapai County

The League of Women Voters has a long standing position on redistricting at all levels of government. Our position states our support for apportionment at all levels of government based substantially on population and the criteria as outlined in the Voting Rights Act. Our position further states that districts should provide equitable representation, more competitive districts, closer contact with constituents, and reflect the diversity of the populace, especially racial and ethnic diversity.

We also believe the process used for redistricting must be transparent to the public and must provide data, tools and opportunities for the public to have direct input into the specific plans under consideration by the redistricting body. We applauded the Yavapai County Board of Supervisors for creating a process that has been thoughtful and transparent, and had provided the public several avenues for direct input into plans being considered.

On August 22, the Yavapai County Board of Supervisors held a special meeting to discuss the redistricting process and make a decision on a new redistricting map for Yavapai County. The meeting was publicized well in the local media and attendance by the public was proof of the importance of this meeting. After public comments were made at the opening of the meeting and the Board of Supervisors began to discuss the topic, it became very clear that the decision on which map to approve had already been decided on by at least 2 out of 3 supervisors prior to the meeting. The map chosen was an alternative to proposed Map A.

We are writing this letter to raise concerns about the process and the final map:

It appears that 2 supervisors had private discussions about the alternative map prior to the meeting. Both of them indicated as much at the meeting. This goes against the process they outlined for redistricting at the beginning of the process. The alternative map should have been discussed in open session for all in attendance to participate and hear the discussion between all 3 supervisors. This was clearly a behind the closed door deal.

After reviewing the final map, it appears to our organization that the final map does not meet the first criteria of equitable representation and the criteria of competitiveness. On equitable representation, District 3 is substantially larger than any of the 4 districts and especially districts 2 and 4. On competitiveness, in the originally proposed map A, 3 out of 5 districts would have been competitive districts. In Alternative A, which was chosen, District 2 was changed to make it a safe seat for an incumbent supervisor.

The League of Women Voters Sedona-Verde Valley convened a task-force that reviewed the 4 proposed maps and applied our redistricting criteria. After studying the four proposed redistricting maps, we supported proposed Map B. We believe that it substantially met the criteria outlined specifically equitable representation and competitiveness.

Also, though not unique in the maps presented, the proposed Map B stretches west over the mountain (Districts 4&5) to begin the process of 'removing the great divide' that has often plagued regional efforts particularly in the economic growth and development areas, and recognizes the benefits that present themselves from not considering the mountains as a barrier while still preserving communities of interest.

The League of Women Voters Sedona-Verde Valley hopes that the Department of Justice will consider our comments as you complete the pre-clearance review of the proposed redistricting of Yavapai County.

Sincerely,

Ellie Bauer, Chairperson
League of Women Voters Sedona-Verde Valley

Additional details on Yavapai County redistricting can be found at
http://redistricting.co.yavapai.az.us/wpcontent/uploads/2011/08/MapA_Adopted_36x48_EnglishSpanish1.pdf

New League Study Beginning on Privatization of Government

Our league has decided to participate in a national-level study concerning the privatization of government services at the federal, state, and local levels.

The purpose of this study is: to identify those parameters and policy issues to be considered in connection with proposals to transfer federal, state or local government services, assets and/or functions to the private sector. It will review the stated goals and the community impact of such transfers, and identify strategies to ensure transparency,

accountability, and preservation of the common good.

The LWVUS has appointed a committee which will provide a history and background of privatization, a glossary of terms, legal issues to be considered when privatizing at different levels of government, current state regulations on privatizing and case studies on successful and unsuccessful privatizing efforts. Finally, the committee will provide suggested policies and parameters to be considered when privatizing.

The committee's work is already underway and the first background paper has been posted on the National League's website at www.lwv.org, in the Members Section under Projects. You can take a look at that and also sign up for an online discussion of the issue that will take place via e-mail throughout the course of the study.

Interested members should contact Robyn Prud'homme-Bauer if you would like to learn more and participate in study meetings. Leagues nationwide will be doing the same thing through the winter and spring, and will hold local consensus meetings in March and April. The results of these meetings are forwarded to national for analysis to see whether there is sufficient agreement to bring forth a new position for advocacy.

League studies are a fascinating process and a great learning opportunity. Here's your chance to try one! This timely study ties into the current debate about the size and cost of government.

First Background Paper: The Legal Framework of Transparency and Accountability within the Context of Privatization

Executive Summary

The legal frameworks within which public and private sector entities operate differ. One difference is that, unlike private entities, government entities are statutorily required to conduct their business through open, transparent processes to ensure that they are accountable to the citizenry. This modern practice of open government is viewed as both a key feature and a necessary condition of a contemporary democratic state. It is based upon the conviction that the people can only effectively exercise their constitutional role as overseers of government action where their unfettered rights of access to information about government operations are secure. Public transparency laws thus have been enacted throughout the United States at both the federal and state level for the purpose of maintaining free and open access to the government's proceedings, deliberations, decision-making and records. Such laws include sunshine or open meeting laws, which seek to ensure that the public may observe the meetings and deliberations of government bodies, and freedom of information or public record acts, which seek to ensure public access to the documents and records of government.

Privatization raises particular issues with respect to transparency, however, because as a general matter, such transparency laws apply exclusively to public bodies, and not to private entities. Where the provision of government services are transferred into private hands, what then becomes of the public's right of access to information regarding the provision of those services?

Judicial and legislative efforts to address concerns regarding public transparency within the context of privatization have emerged over several years. Some state courts, for instance, have adopted a judicial doctrine that subjects a private contractor to the applicable transparency law when the contractor is performing a government function in such a manner that it may be deemed the "functional equivalent of the public body." In addition, state legislatures have been modifying their public accountability statutes over the years in order to make such laws applicable to certain private entities carrying out government functions. Public accountability advocates nonetheless are concerned that public access to information in the hands of private contractors often is frustrated when statutory language does not adequately cover the private entity or a court ruling is not obtained. Moreover, even when private contractors are subject to such laws, they often dispute it or are not aware of such requirements, and, thus, refuse to provide the information.

A recent example involves one of the nation's largest not-for-profit providers of community-based supervision and treatment services to individuals within the criminal justice systems. The company is 97 percent publicly funded from sources such as state departments of corrections and the federal prison bureau. Following revelations of certain unusual and high profile expenditures by the private contractor in Kentucky (including hundreds of thousands of dollars in stadium suites, sponsorship of a university basketball team and extravagant social events), the Kentucky state auditor sought to examine how its tax dollars were being spent. The private contractor, however, refused to provide the state auditor with the requested financial information, and neither the state public records law nor any decision by a state court required the contractor to provide the information. This case illustrates the importance of yet another approach to ensuring public accessibility of information and records in the hands of a private contractor: that is, using the bidding or contract negotiation process of the privatization deal itself to require agreement on the part of the private contractor to make all pertinent information available to the government agency with which it is contracting before any privatization of services is put in place.

Finally, this paper concludes with a call by accountability advocates for special transparency requirements to apply to any privatization proposal. The notion, here, is that government action to privatize is of such import and consequence that special (super) public accountability procedures should apply with respect to the initial privatization decision itself in order to ensure the proper constitutional role of the people as overseers of government action. (Author: *Diane Dilanni*)

LWVSVV CALENDAR	2011-2012
Date	Event
November 9 th , Wednesday 4:00 – 6:00 p.m.	Pre-holiday Wine O’Clock and Election Kick-off Gathering MIC e-go Gallery, 921 Main St. Clarkdale
November 17 th , Thursday, 1:00 – 6:00 p.m.	LWVSVV Board Meeting Oak Creek Valley Clubhouse Call Judy Miller for directions
January/February (dates/times TBD)	Candidate forums for municipal elections in Sedona, Clarkdale, and Jerome
February 11 th , Saturday Noon	LWV Anniversary Luncheon and Arizona Centennial Observation Agave Event Center, Sedona
March or April, date/place TBD	Consensus meeting on LWVUS Study of Privatization of Government – Contact Robyn Prud’homme-Bauer if you are interested in working on this study
May 5 th , Saturday 10:00 a.m. – 1:00 p.m.	Annual business meeting and elections, speaker and a meal Las Carretas Restaurant, Clarkdale (Tentative)

Board Members 2011-2012

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