



KING COUNTY SOUTH

VOTER

October 2007

LWV Mission: The League of Women Voters, a non-partisan political organization, encourages the informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

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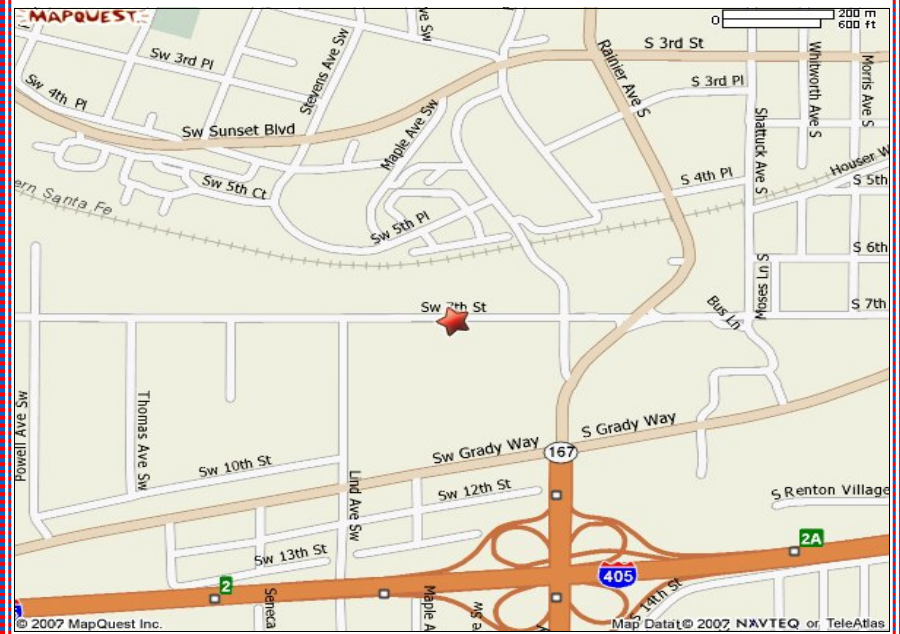
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Ballot Issues



Links are active on Voter at our online site > <http://www.lwvwa.org/king-co-south/index.htm>

Ballot Issues General Meeting—October 11th 7-9PM

Do you know your ballot issues? Come and hear supporters and opponents tell you all you want to know about the issues on your ballot. Be informed!

Renton School Administration Bldg, 300 SW 7th Street, Renton

Co-sponsor: Renton AAUW

If you can help, please contact Pat McCann.

Ballot Issues online at <http://www.metrokc.gov/elections/200711/measurelist.aspx>

President's Musings

Since I last mused, I have seen climate warming in real time, north of the Arctic Circle. I was on a ship, Endeavour, around and north of Svalbard, Norway. I saw huge rivers of fresh water pouring off glaciers—not good! I found out that seeing a polar bear on land is not good. They must hunt and feed from the ice flows. We traveled to within 502 miles of the North Pole. The pack ice allowed us to do it—not good! Twenty-four hours of sunshine—now that was good!



We are diving into the activities of the election season. I just finished up the Voter's Pamphlet "con" statement and rebuttal for I-25. This is the initiative to add an Elections Director to county government. At a Seattle LWV issues meeting there was no one speaking against that issue and I foolishly suggested that the LWV should provide the opposing view. On Friday, Sept 7th, I received a phone call from the County Executive's office that told me our League, Seattle LWV and a Charter Review Commission member, Virginia Gunby, were now a committee to write the "con" statement and please have it in by end of business, Monday! The rebuttal statement was due on Tuesday. We did it! If you don't read anything else, read about I-25 in your Voter's Pamphlet.

All of the issues will be discussed at our Ballot Issues meeting on Oct. 11th. We should have the "Simplified Ballot Issues" available for you then.

Our local Transportation Study Committee is off to a good start. They would love to have a few more hardy souls to test out our south King County transportation system. Call Betty Colasurdo, 206-246-4097, to join in the adventure.

Becky

Climate Leaders: US and Canadian West make unified climate commitment

In a new regional pact to address climate change, six western states and two Canadian provinces have agreed to cut global warming emissions 15 percent below 2005 levels by 2020. The Western Climate Initiative (<http://westernclimateinitiative.org/>) includes Washington, Oregon, California, Arizona, New Mexico, Utah, British Columbia and Manitoba. The WCI's goal is a starting point for the significant pollution reductions the scientific community says are needed to avoid the worst impacts of global warming. In 2003, states in the Northeast U.S. formed a similar effort called the Regional Greenhouse Gas Initiative pact. Climate Solutions was among the clean energy organizations that urged state leaders to set regionwide goals toward reducing global warming pollution. Read more at www.climatesolutions.org. News article from Reuters at <http://www.reuters.com/article/environmentNews/idUSN2244930020070822?pageNumber=3&sp=true>

Books

Field Notes from a Catastrophe: Man, Nature, and Climate Change by Elizabeth Kolbert This short, very readable, and informative book was assigned summer reading for UW and for Vashon Island (by Vashon College and the LEEDS program). The first part is on Nature, and "watching the world change", with the author traveling the globe to visit researchers working on projects from the analysis of ice cores in Greenland to golden toad extinction in the cloud forests of Costa Rica. Part II deals with Man and "the complicated relationship between what we know and what we refuse to know". Here Kolbert looks at drought, planet temperatures, and atmospheric conditions from prehistoric times to the present, ending with the challenge of China's coal burning plants, and the notion that the U.S. must lead before other nations will follow. Library call no. 363.73874 KOL, ISBN: 1596911301 (Submitted by Ellen Kritzman, who is willing to loan the book.)

Have you read a book on a topic other Leaguers might be interested in? Send your review to the office to have it included in the Voter. And if you own the book, and are willing to loan it to a member, include that comment.

Calendar—see Planning Calendar 2007-8 page 9

October optional unit topic: Presidential Signing Statements (see pages 6-8)

- 3 **Board Meeting:** 1st *Wednesday*, 9:30-12 Conference room, 616 SW 152nd, Burien. All members welcome.
- 4 **Seattle Forum:** Topic: Ballot Issues. Usually 1st Thursday 7:30PM Seattle First Baptist Church 1111 Harvard Avenue (corner of Harvard & Seneca on First Hill) Always check <http://seattlelwv.org>
- 8 **Columbus Day**
- **HIGHLINE:** *Second Monday*, 1:30-3:30PM at our office. Contact: Jean Hueston, 206-878-8706
- 11 **Ballot Issues General Meeting** 7-9PM Renton School Admin 300 SW 7th Street, Renton Co-sponsor: Renton AAUW
- **ENUMCLAW:** *Second Thursday*, 7-9PM High Point - 1777 Highpoint. Contact Sandra Nelson, 360-825-6771
- 16 **King County Coordinating Committee:** Third Tues, 12:30PM, Seattle League Office Contact: Miriam Helgeland, 253-852-4167 Tracks what is happening in county government
- Burien City Council and Highline School Board Candidates** forum 7-9 pm Highline School District Admin Bldg, 15675 Ambaum Blvd, Burien
- 17 **FEDERAL WAY:** *Third Wed*, 7-9PM Foundation House, 32290 1st Ave. So. Kathy Jorgensen - 253-859-8349
- 18 **VASHON:** *Third Thursday*, 2:30PM at Vashon Library. Contact Ellen Kritzman, 206-567-4837.
- 22 **Social Justice Committee** (Ending Homelessness): Fourth Monday, 5:30PM, Seattle League Office Contact: Pat Cleary at 206-725-9002
- 29 **Stock Market Crash** in 1929

Upcoming Meetings

- November Unit topic: Immigration (National Voters February, June 2007 <http://www.lwv.org/AM/Template.cfm?Section=LWVUSImmigrationStudy>) **Consensus**
- 6th-General Election
- 8th-WA Women's Suffrage (1910)
- 10th-Action Workshop See page 9
- 28th- possible date for Winter Forum: The Impact of Climate Change on our Water Supply

October 2007

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3 Board	4 Seattle Forum	5	6
7	8 No Highline Mtg	9	10	11 Ballot Issues No Enumclaw Mtg	12	13
14	15	16 KCCC Candidates Burien	17 Federal Way	18 Vashon	19	20
21	22 Social Justice	23	24	25	26	27
28	29	30	31			

LWV-KCS September Board Meeting

DISCUSSION of possible uses of grant moneys from King County and the Muckleshoot Tribe included climate change speakers forum (in lieu of holiday party), publications for classrooms, ballot issues documents, and publicity for forums. The KC grant must be used before the end of this year.

Hamblin and McCann will work on program about climate change effect on water in lieu of holiday party (possibly November 28th).

Our League needs a Membership chair. Unit chairs will receive an updated membership roster this month. We need a volunteer to contribute to Seattle's Port Study (to be done before March).

We will publish a planning calendar for the year, which will be in future September Voters (but October for this year).

Our League Local Study on Availability of Public Transportation

Betty Colasurdo is heading our local study on Public Transportation Availability in South King County, and would appreciate your input.

National, State, and Local Positions

Text of positions can be found at the following web sites. Barbara Bush, who will head our Lobby Team this year, plans to draft a how-to paper with specific instructions for how we can lobby at each level. Look for it at the Action Workshop in November.

LWV-US Impact on Issues 2006-2008 > http://www.lwv.org/Content/ContentGroups/ImpactIssues/2006_Impact_web.pdf
LWV-WA Positions > http://lwvwa.org/advocacy/advocacy_index.html
LWV-KCS Positions (and Summary of Positions at all three levels) > <http://www.lwvwa.org/king-co-south/index.htm>
Feedback on KCS documents appreciated. Please email or phone our office.

PASSAGES

Formerly active member in the Highline LWV*, **Margaret Lane**, passed away on August 21st. As a League member, she was instrumental in getting Carol Selander to join by having a neighborhood get together. She worked for the City of Normandy Park and retired as city manager. All this plus much more she fit in around her family of 7 children. More at <http://www.legacy.com/nwclassifieds/deathnotices.asp?Page=Notice&PersonID=93296467>
We have received one gift in memory of Margaret.



Fran Perrine passed away on August 7th. She was a Normandy Park resident and was very active in the Highline League*. She returned to school to get her teaching certificate and was librarian at Des Moines Elementary until retirement. Fran's family suggested that remembrances could be sent to the LWV. More at <http://www.legacy.com/nwclassifieds/deathnotices.asp?Page=LifeStory&PersonID=93195616>

*In the beginning.....there was Federal Way LWV, Renton LWV and Highline LWV.

Simple Majority on November Ballot

Work for the November success of this constitutional amendment that Washington LWV has fought for so long.

Catherine Ahl, our State Education Chair, has an excellent article on the front page of the State Voter, Summer 2007.

http://lwvwa.org/voter_newsletter/voter_index.htm

Followup on Saving Puget Sound Discussions

Earlier this year, three LWV/KCS units discussed four questions posed in the foreword to John Lombard's book, **Saving Puget Sound: A Conservation Strategy for the 21st Century**. The fifth question was added by League members.

Becky forwarded our responses to Mr. Lombard with a note that

Our discussion did not lead to clear definitive answers except for the sacrificing of urban streams. That really hit a sore spot with some of our members who have bitterly fought over the life of various urban streams.

Mr. Lombard's response

As someone who has put probably 2,000 hours into protecting and restoring Thornton creek in north Seattle over the past 10 years, I completely sympathize with those who argue in defense of urban streams. The point is not that urban streams should be written off, but that it is simply not possible for urban streams to provide the same biological benefits as rural streams and natural areas. I think we need to increase, not decrease, our efforts to protect urban streams, but that is in comparison to what we are doing now. We have to dramatically increase our efforts to protect and restore natural systems EVERYWHERE throughout the region if we are to conserve our natural heritage. If people in urban areas do not accept that they have a responsibility to help pay for conservation in rural areas, where the natural resources are much greater but the financial resources are much smaller, our natural heritage is doomed.

To refresh, our Questions and Answers were:

1. Where are we going to allow significant new harm to occur? Responses ranged from "nowhere" except to areas where salmon streams exist no longer.
2. Where are we going to do our best to avoid it? Responses were to keep pristine areas such as the San Juan Islands and "wild" areas in their natural states; to manage development to minimize/ eliminate surface water runoff; to protect wetlands; to "balance needs and wants" in cleaning up Puget Sound, urban and other streams and all salmon streams, yet allow urban growth.
3. Where are we going to make up for past harm? Protect, repair urban streams and creeks and habitat by creating land trusts, land banks and drainage watershed LIDs. Clean up Hood Canal. Subsidize farmers who engage in good ecological practices. Help make salmon-friendly habitat (an example cited on Vashon?) by removing bulkheads on the beach. Create land trusts, land banks and drainage watershed LIDs.
4. How are we going to pay for all this? LIDs and private investments in land trusts such as the Nature Conservancy and NW Conservancy; a combination of public and private monies; fines for known polluters, including cruise ships; a tax on items that come in plastic bottles; gas tax. Stop funding Iraq war.
5. What is LWV's role in saving Puget Sound? Advocacy and lobbying based on environmental positions, work with other environmental organizations on education and mitigation. Volunteer to work with such groups, especially those in our localities. Find the headwaters of the Duwamish (River) in order to control damage there.

Presidential Signing Statements: Above The Law?

By Mickey Edwards

The National Voter • February 2007 http://www.lwv.org/AM/Template.cfm?Section=Archived_Issues&CONTENTID=7465&TEMPLATE=/CM/ContentDisplay.cfm

That final flourish of the presidential pen has a certain magic to it. Seated in the Rose Garden, television cameras recording every movement and every spoken word, the President of the United States performs an act of transformation. What was once just an idea now has emerged (often after a long and bitter struggle) as an official act of the United States Congress. Surrounded by smiling legislators and supporters (each of whom will receive a souvenir pen and a copy of the legislation, suitable for framing), the President takes the final step and turns that idea into the law of the land. It is a moment that symbolizes the way American government works, the real world of “how a bill becomes a law.” At this point, Presidents often issue quite public statements describing their reaction to the occasion. Sometimes they will grumble that they have signed the bill reluctantly, fearing it was the best they could do. However, far more often they will celebrate the signing as a moment of tremendous importance. Through March 2006, this is probably what most Americans pictured in their minds when they thought of presidential “signing statements.” After 16 years as a member of Congress and 14 more years teaching about government at Harvard, Princeton and Georgetown universities, that is what this writer would have thought, too. In past years, I had received such pens and been present in the Rose Garden to hear such statements. Signing statements? No big deal, really; just a President getting his share of the credit.

The Problem

Then, in April 2006, Charlie Savage, a reporter for the *Boston Globe*, provided a look at a new twist to the idea of presidential signing statements. Savage revealed

that the current President, George W. Bush, had quietly issued more than 750 written statements in which he challenged parts of the very laws he had just signed. Furthermore, he often claimed the right, as President, to disregard those sections of the laws that he had challenged. In other words, he invoked a presidential right to simply disobey the law. The best-known example of a signing statement asserting the President’s right to ignore a law came in response to legislation which contained a provision specifically prohibiting the use of torture in the questioning of captured enemy combatants. That provision had been written by Senator John McCain (R AZ), himself a former torture victim, after disclosure of abuses at the Abu Ghraib detention facility. Passage of the McCain amendment had been front-page news, as had been the President’s act making the provision the law of the land. At the time, the signing statement which attempted to nullify the provision went virtually unnoticed. Many other such presidential assertions have also escaped notice, among them challenges to laws providing for congressional oversight of the Administration’s implementation of the USA Patriot Act, restrictions on the use of American military forces stationed in Colombia, protection for government whistle-blowers, protections against politically-motivated interference with taxpayer-funded research programs, and a variety of directives requiring federal agencies to provide information to Congress. In this regard, research revealed that this President has issued more signing statements than all 42 previous presidents combined—750 plus compared to fewer than 600. And, this President has used them more frequently in order to assert his authority to disregard provisions of the law that he signed. In the uproar that followed Savage’s report, numerous articles and critical editorials

appeared in newspapers across the country. At the same time, the American Bar Association, which represents more than 400,000 lawyers, appointed a nonpartisan task force to take a balanced, scholarly look at the use and implications of signing statements.

In July 2006, at the end of the process, the ABA issued a statement challenging the President's claim that he had the authority to disobey the law and urging the passage of legislation that would allow the Congress the necessary "standing" to challenge the President's decisions before the Supreme Court. The nonpartisan Constitution Project issued a similar statement.

This "new" usage of presidential signing statements that the current President has introduced is of vital concern not only because of its immediate effect on the legislation he has signed into law. This usage has grave ramifications beyond the particular laws it affects. Hence, it would be wise to consider both sides of this very important issue, those supporting the current usage of presidential signing statements and those opposing it.

In Defense of Signing Statements

The contention is that presidential signing statements are not new. They have been used for many years by Presidents of both parties. President Reagan issued them. President Bush's father, George H. W. Bush, issued statements challenging 232 laws over his four-year presidency. Former President Bill Clinton issued 140 in eight years. When the courts consider the constitutionality of a piece of legislation, they often take into account congressional statements of legislative intent. Presidents are also part of the legislating process. Sometimes they provide the impetus for a bill to be passed. And, they are almost always involved in discussions, and sometimes negotiations, prior to passage. It is only appropriate, therefore, that the courts also take into account an Administration point of view.

In addition, the President takes an oath of office to "... preserve, protect and defend the Constitution of the United States." His oath requires him to refuse to implement any law he believes to be a violation of the Constitution. Presumably, the Congress, in passing legislation, believes

the bills it sends to the President are constitutional; the President has an equal ability to make that determination.

Furthermore, the President is the head of a "unitary" executive branch of government.

The legislative branch has no authority to impose requirements on the departments and agencies of government which fall under the President's jurisdiction.

The reality of the political process is such that presidents are frequently presented with bills that are broad in scope and mingle many items. Presidents do not have line-item veto authority (meaning they must accept a bill in its entirety or veto it in its entirety). As a result, a President may find that in order to veto a bill that contains a constitutionally objectionable item—one that he believes impinges on his own constitutional prerogatives—he would also have to strike down legislation that is both constitutional and necessary (disaster relief, security enhancement, health care programs). In such circumstances, it is more rational to simply refuse to obey what he deems to be an unconstitutional provision.

The Opponents

Those who are concerned about and opposed to the "new" usage of presidential signing statements have no quarrel with such statements per se and as used by previous presidents (including former Presidents Bush and Clinton).

They do find the "new" usage alarming.

No American is above the law. Thus, the President may oppose passage of legislation, but the moment he signs it, it becomes the law of the land and he has no more right to then disobey it than any other American citizen would have.

The Constitution is quite clear in stating the choices available to a President when he is presented with an act of Congress: "If he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated . . . " (Article 1, Section 7). In other words, the President may sign it (making it law) or he may veto it. Those are the only choices he has.

Consistent with this argument, critics of the President's use of signing statements point out that as of the end of his first six years in office, he had used the veto only once. Thus, his signing statements served as a substitute means of disapproval, one

which denied the Congress its constitutional authority to vote on whether to sustain or override the President's veto. In effect, the President's signing statements act as a line-item veto, a procedure the courts have ruled to be unconstitutional. The "real-world" scenario presented by those who defend the President's use of "signing statements" is not, in fact, how the real world works. In the past, presidents who have had concerns about certain provisions in pending legislation have been very open in communicating those concerns to members of Congress—often making clear that if the offending provisions are not removed, the President will veto the entire bill. At that point, representatives of the Administration and members of Congress will generally begin negotiations in an attempt to accommodate the President or amend the legislation to resolve the controversy.

Just as a President wishes to preserve the "good" or "necessary" parts of a bill with which he is presented, so, too, do members of Congress want to ensure that those provisions which they have passed will not be struck down unilaterally. Should the Congress insist on including the provisions the President finds objectionable, the President may then veto the bill and return it to Congress. This would fulfill the constitutional requirement that the people's representatives be given an opportunity to override the President's veto. In fact, the odds are very much on the President's side. If even one-third of the members of either the House or the Senate agree with the President, he wins. Thus, even if the House of Representatives voted 435-0 to override the veto, and the Senate voted 66-34 to override the veto, the veto would stand. Under such circumstances, the President has ample opportunity to express—and enforce—his concerns.

Thus, the opposition contends that no President should be free to simply disregard the law.

The Challenge

Serious scholars have come to different conclusions about the validity of this new and more far-reaching use of presidential signing statements. It has been difficult, however, to engage the Supreme Court in undertaking its usual role as a referee of constitutional controversies. The Court has been reluctant to grant individuals, including members of Congress, the requisite standing to bring a challenge on the grounds that they have not suffered personal injury.

That may change. Congressman Barney Frank (D MA) filed a joint resolution in 2006 that would require the President to notify the Congress if, on signing a bill, he makes a determination that he will ignore any of its provisions. Under Frank's resolution, the Congress would then follow an expedited procedure to determine a legislative response.

At the time Frank filed the resolution, he was a member of the minority party, with little chance that his proposal would get much consideration. Now, with the change in party control of Congress, its prospects may be considerably improved. Passage of such a resolution might pave the way for the Congress, as an institution, to more formally challenge a President's declaration of the right to disobey the law. It is an issue on which the final word is yet to be written. ■

Mickey Edwards is a lecturer at Princeton University's Woodrow Wilson School of Public and International Affairs as well as the director of the Aspen Institute's Rodel Fellowships in Public Leadership Program. He is a director of the Constitution Project and served on the American Bar Association 2006 Task Force on Presidential Signing Statements and the Separation of Powers Doctrine. Edwards was a Republican member of Congress from 1977–92.

■ www.abanet.org

■ www.presidency.ucsb.edu/signingstatements

LWV-KCS Planning Calendar for 2007-2008

SEPTEMBER

17th-Constitution Day
Unit Meetings – State Ferry Study – Consensus due to KCS Board before 7th November

OCTOBER

11th-General Meeting – Ballot Issues
16th-Burien City Council/School Board/Candidate Night
Supplemental Unit Topic: Presidential Signing Statements (see page 8-10)

NOVEMBER

Unit Meetings – Immigration – Consensus due 1st February 2008
6th-General Election
8th-WA Women's Suffrage (1910)
10th-Action Workshop
28th-Winter Forum: The Impact of Climate Change on our Water Supply

DECEMBER

4th-Consensus on Ferry Study
Supplemental Unit Topic:

JANUARY 2008

Consensus on Immigration to KCS Board before 2nd January 2008
14th-State Legislature Session Begins
Unit Meetings – Program Planning Local and U.S.
TBD-Lobby Day in Olympia

FEBRUARY

14th-LWV Birthday (1920)
19th-Presidential Primary
Fundraiser theatre party or Comedy Underground
Supplemental Unit Topic: review State Wellhead Protection Act (review water consensus)

MARCH

Unit Meetings – Seattle Port Study
Sunshine Week
Women's History Month

APRIL

Unit Meetings – Local Transportation Study

MAY

Annual Meeting
Supplemental Unit Topic:

JUNE

13th-16th-LWVUS Convention in Portland
Supplemental Unit Topic:

JULY

TBD-State Council
Supplemental Unit Topic:

AUGUST

Board Retreat

EARLY BIRD REGISTRATION FOR League of Women Voters of Washington's

ACTION WORKSHOP

Saturday, November 10, 2007

Registration (\$20) begins at 9:30 a.m. with coffee and rolls
Program 10:00 a.m. – 3:00 p.m.

Always great speakers and timely topics

St. Andrews Lutheran Church, 2650 – 148th Avenue SE, Bellevue

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