November 2020

# The VOTER Vol. 85 No. 11

# THE LEAGUE OF WOMEN VOTERS® OF CENTRAL NEW MEXICO 2501 San Pedro Dr. NE, Suite 216 Albuquerque, NM 87110

# PLEASE JOIN US ON ZOOM ON FRIDAY, NOVEMBER 13, 2020 FOR A VERY SPECIAL POST-ELECTION PRESENTATION by PETER S. KIERST "Elections and the Constitution"

Peter S. Kierst is a Principal Lecturer in Political Science at UNM. He has been on the faculty since 2005, teaching Constitutional Law and American political theory. He has an M.A. in Political Science and a J.D., both from UNM. He practiced law, primarily as a litigator, from 1984-2014. Among his cases were the first plaintiff's sexual abuse



lawsuits brought in New Mexico, and New Mexico's lawsuit against the tobacco industry. He represented three Governors of New Mexico in various matters. From 1991-2005 he was a partner in the firm of Eaves, Bardacke, Baugh, Kierst and Kiernan, and then he joined Sutin, Thayer and Browne, PA. He is AV (highest) rated by Martindale-Hubbell, the oldest and most valued lawyer rating service, and in 2008, was awarded the New Mexico State Bar's Zenith Award for excellence in teaching ethics and professionalism to lawyers. Kierst has also received numerous recognitions from UNM student organizations for his teaching. His last piece of litigation was as one of the lead counsel in Griego v. Oliver, which in 2013 secured the right of same-sex couples to marry in New Mexico. For this work the New Mexico ACLU gave him its prized Guardian of Liberty Award.

When asked to provide some points he expects to discuss, Peter replied, "It's difficult to outline the points for my talk since it will depend in such large part on what has happened between election day and the day of the talk." He listed his goals for the talk as:

- Accurately explain the state of the election that day, and what might be expected in the days to come.
- Explain the contending legal factions: the role of the states, the federal government (in particular, Congress, and the political parties in presidential elections
- The legal and historical context—to the extent time and interest permit
- Bush v. Gore (2000) and the constitutional fact that there is no individual right to vote for president guaran teed by the Constitution.
- The primary roles of states in determining eligibility to vote, and in certifying the results of elections.
- The reasons for the Electoral College and the anomalous result that the candidate with the most votes is not necessarily the "winner." Created by the Federal Convention of 1787 as a compromise between those who wanted a direct, popular election of the president and those who thought that was an impractical and unrealistic goal.
- This latter attitude prompted by the sheer size and complexity of the country which was going to be electing the president, and the novelty of electing a national executive---a thing for which there was no precedent.
- Why this unusual system persists long after the rationale for it has lost much of its force.

THE VOTER
Published monthly by
The League of Women Voters
of Central New Mexico
2501 San Pedro Dr. NE, Suite 216
Albuquerque, NM 87110
(505) 884-8441
www.lwvcnm.org

Co-Presidents:
Karen Douglas
Karen Wentworth

1st Vice President: Mary G. Wilson

2nd Vice President: Kathy Economy

3rd Vice President:
Jennifer Black

4th Vice President: Eugenia Polevitzky

Treasurer:
Denise Blood

Secretary:
Ashley Benning

*Membership:* Donna Rigano

Voter Services: MaryEllen Smith

Directors:
Judith Binder
Lani Desaulniers

Director and Office Manager: Linda Adcox-Kimmel

> Technology: Cheryl Haaker

The VOTER Editor: Mary G. Wilson T3Wilson@aol.com

### LEAGUE CALENDAR

All of the following are Zoom meetings. Members will receive invitations on the LWVCNMTopics listserv. Anyone who does not receive an invitation can email president@lwvcnm.org.

November 5— 5:30 pm LWVCNM Board meeting

November 13—Luncheon unit meeting. Speaker Peter Kierst by Zoom

Join Zoom Meeting

https://us02web.zoom.us/j/85482780366? pwd=RIFzZjFHS0JIVTRrTzM4UEZ4dTRXZz09

> Meeting ID: 854 8278 0366 Passcode: 714137

> > Or by phone:

+12532158782,,85482780366#,,,,,0#,,714137# US (Tacoma) +13462487799,,85482780366#,,,,,0#,,714137# US (Houston)

November 26 and 27—Thanksgiving. Office closed.

December 3—5:30 pm Board meeting

December 5 — LWVNM Advocacy workshop. Details to come.

December 10—Luncheon unit meeting. Speaker is Rachel Kleinfeld

The deadline for the monthly Voter remains the 15th of each month. Articles and pictures are welcome.

AND A WORD TO OUR NON-TECHY MEMBERS: Do not be concerned that you do not "do online stuff." We are working on ways to make these available to you too! This may be through pairing you with a "buddy." It may be that several members can view the sessions in the conference room at our new office building. Or if you just need a little help using Zoom or whatever meeting software we use, several of our Board members, our Webmaster, or other volunteers may be sent to help you. And summaries of the presentations will appear in the Voter issued after the date of the speaker. I am sure other ways "to make this happen" and keep us all safe will evolve as we proceed. Contact Karen Wentworth at kwentworth17@comcast.net if you need help.

OFFICE HOURS M-W-F 10 am-1 pm

Closed on November 6 and 7 and 26 and 27.

#### LWVCNM Voter Guide October 2020

Voter Guide 2020 – The Challenges of New Ways and Old Problems.

By Karen Wentworth

This year the League of Women Voters of Central New Mexico for the first time produced a Voter Guide for the November election that included our complete coverage area of Bernalillo, Sandoval, Torrance and Valencia counties. It was a challenging job to track down candidates who had never before dealt with the league or responded to an online Voter Guide at VOTE411.org. We spent a lot of time explaining who we are and what we are doing.

Our guide was a little later than usual because we ran into delays in getting approval from Bernalillo County, then the main printing press at our printers went down, and we had to slightly revise the guide to fit a smaller paper size. We printed 12,500 guides, which inperson voters could pick up at the Voting Convenience Centers while they are waiting in line to vote.

This is the first year we have ever done an online Voter Guide, but it is something we are likely to continue in the future as more people

become comfortable with getting important information online. If you can Below: Proofreading Chair Jeanne Logsdon and judge from the calls that come in to the office, the printed guides are most Terry Quinn hard at work. useful to low-information voters who don't think about the issues until the last moment and voters who don't have internet access.

One of the biggest problems we faced this year was republican candidates who were so suspicious of our guide that they refused to participate. Over the coming year we need to talk to Republican office holders and educate them about the way we work. We will have to build our reputation with candidates one person at a time, and this is something we can all do.

There are so many people we need to thank because they've done extraordinary work on the guide. Mary Wilson led the VOTE411 efforts, and Janet Blair and her committee were tireless in chasing down candidates and getting them

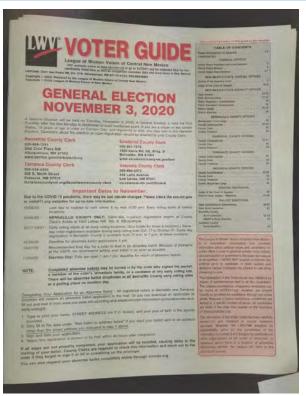
to respond to our questions. Jeanne Logsdon led the proof readers in trying to complete the most accurate guide

Below: Mary H. Smith and Alan Ramos helping proofread the Voter Guide.



possible, Mary Smith worked with Bernalillo County to get information on the bond questions, and Diane Goldfarb brought us the information on the Constitutional Amendments and spearheaded the statewide online Voter Guide effort. Lani Desaulniers organized the distribution effort over four counties with a handful of volunteers.

This effort only works because dozens of people freely give their time, talents, and financial support to educate voters. Our volunteers are doing hands-on work with the process to report problems, observe public officials as they make decisions, and force improvements. Democracy in the U.S. doesn't work well without them. I would like to thank everyone who worked on the guide this year. You are wonderful.





# **Curbing Public Expectations for Immediate Election Results**

With the increase in absentee ballots expected in 2020, tallying votes will take more time, and it is highly likely ballots will be counted late into the night all over the country. Use these talking points when helping the public and voters feel comfortable in the likely delayed election results.

Voters should not expect all election results to be called or announced on Election Day as in previous elections, and that's okay.

A delayed result with an increased number of mailed ballots means the system is working as it should to ensure the integrity of our election process.

A surge in mailed ballots requires our election officials to adapt their ballot counting practices, and it is important for voters to be patient. A complete and accurate ballot count is more important than a fast ballot count.

With the increase of absentee voting in 2020, it is essential that every vote is counted and every voter's voice is heard.



The LWVCNM Nominating Committee has started its work for the 2021-2023 Board. We need volunteers to fill the following positions: Co-President 1st VP 4th VP

Membership Director
Public relations Director
Advocacy Director

If you are interested, call or email: Andrea Targhetta <a href="mailto:atarghetta@comcast.net">atarghetta@comcast.net</a> 505-280-8892

#### LET'S WORK TOGETHER TO MAKE A DIFFERENCE...

Do you know any League members who may live in your area? Your Zip Code? Look toward the back of your member handbook for a list of members by zip code.

I encourage everyone to be mindful and to team up with nearby League members. Together, perhaps with a curious neighbor, you can discuss League positions on the issues that impact our communities. And together you can contact your legislator(s). Getting to know them – at every level of government – will actually make you all stronger. It's easy to arrange an appointment with your local leader. Your small group can meet with him/her for a Dutch-treat coffee or light lunch. Together, you can acquaint them with the League's positions on the issues. Having a half-hour chat about a few important subjects can be quite congenial, and our lawmakers really get to know us and our concerns. Please also encourage your friends to connect with their League neighbors and set up visits with state legislators, especially before the January legislative session begins.

A NOTE: Only League lobbyists may speak as representatives of the LWV. However, we can all use League positions and priorities to act on the pressing issues facing our communities, and you are not required to ask for permission to use existing national positions when you contact your legislators to bring about change at the state or local level or in turn, to use state positions to take local action.

By Judith Binder

# **NEW MEMBERS.....**

Donna Sandoval 6729 Promenade Ave NE Albuquerque, NM 87109-2823 donnamsandoval@aol.com (605) 463-0014

Carol Spitz 2427 Green Lake Rd NE Rio Rancho, NM 87124-2529 cmspitz@live.com (505) 350-4626

Rachael Cooper 8 Darby Dr Sandia Park, NM 87047-9342 rsc.210@hotmail.com (505) 977-1841 Lisa Cowley 839 Silver Ave SW Albuquerque, NM 87102-3020 lcowley35@yahoo.com (727) 200-1484

Lawrence Johnson 839 Silver Ave SW Albuquerque, NM 87102-3020 larjoh35@yahoo.com (727) 253-7535

Vicky Estrada-Bustillo 5912 Royal Oak St NE Albuquerque, NM 87111-6245 vicjuabus@centurylink.net (505) 292-4843



Elsa Glassman 10416 Theresa Pl NE Albuquerque, NM 87111-3834 ejglass\_24@msn.com (505) 417-4664

Andjelka Kelic 4509 Canyon Ct NE Albuquerque, NM 87111-3011 sly@mit.edu (505) 844-5266

Andrea Carvey 336 White Oaks Dr NE Albuquerque, NM 87122-1411 andreacarvey@hotmail.com (505) 856-4033



LWVCNM Member Jeanne Logsdon submitted these fun pictures sent to her by her sister, Carolynn Winston, pictured upper middle. This bus is touring several southern states in support of the ERA and voting.



THE LWVCNM OBSERVER CORPS MEMBERS HAVE JUST COMMENCED THEIR WORK. EACH MONTH YOU WILL FIND REPORTS FROM THE CORPS ABOUT GOVERMENT MEETINGS THEY HAVE OBSERVED....

Observer programs (or Observer Corps) are a structured way for individuals to exercise their right to know. Organized under the auspices of a grassroots organization (such as the League of Women Voters, which is referenced throughout this publication), they provide a valuable service to the community. They help ensure that citizens are aware of the decisions that impact their lives, and they promote government transparency and accountability. An observer is an individual who attends a governmental meeting, notes what happens at the meeting, and reports back to the League and the community. By attending public meetings of local governmental bodies/agencies, observers learn more about what their government is doing. They learn about the issues facing their community and are empowered to take action, if warranted. They also learn how issues are being addressed. Observers keep elected and appointed officials on notice; they let them know that someone is watching what decisions are being made and how they are being made. They help ensure that the issues facing their community are being handled "in the sunshine," in the open. Ideally, observers are monitoring both the issues being discussed as well as the process by which they are being discussed. While not every item up for discussion will relate to a League's priorities, ensuring that the meeting is being conducted in an open and acceptable way is critical to all of the League's efforts and the health of democracy.

CONTACT KAREN DOUGLAS IF YOU WOULD LIKE TO JOIN THE OBSERVER CORPS. THERE ARE MANY AGENCIES AND COMMITTEES TO OBSERVE!

City of Albuquerque Mental Health Response Advisory Committee (MHRAC) Meeting October 20, 2020 5-7 pm (submitted by Lani Desaulniers)

This committee was created in 2015 as a result of a settlement agreement between the US Department of Justice and the City of Albuquerque. MHRAC's mission is to "work collaboratively to provide guidance to the City of Albuquerque Police Department (APD) to improve outcomes for individuals perceived to be or actually suffering from mental illness or experiencing a mental health crisis." Committee membership includes individuals from APD command and crisis intervention teams, mental health professionals from the community and public sectors, mental health advocates and homeless service providers and advocates.

Four issues were addressed during this session:

#### **□Public Comment**

□Concerns were raised about homeless encampments. The Westside Emergency Shelter is not currently admitting clients due to COVID-19. Several other shelters are not accepting clients. An estimated 500 people are unhoused, and many are in encampments, which are illegal in Albuquerque. Officers are frequently called, and some criminal trespassing citations have been issued. The City Homeless Services outreach staff has been working to find alternatives for clients. They are also working to test and trace for COVID-19 infection.

Continued on next page......

#### Observer report continued....

□ <u>Albuquerque Community Safety Department</u> update was presented by Mariela Ruiz-Angel, director. This new
department is being created in the mayor's office to dispatch first responders with expertise in community
and behavioral health (social workers, clinicians, counselors, etc.) to 911 calls with or without police or fire
department staff. They are still seeking input from community members and stakeholders. https://www.cabq.gov/acs
□New Shelter Update presented by Quinn Donnay. She reported that the Coordinated Community-wide Frame-
work on Homelessness Draft Plan has been posted by the Homeless Coordinating Council. It represents the
efforts of 5 subcommittees- Coordinated Street Outreach, Affordable Housing, Youth Housing Continuum,
Homeless Services System, Gateway Centers Facilities. The Council is taking public comments. They meet
on alternate Tuesdays. http://www.cabq.gov/family/partner-resources/meeting-minutes-agendas/
homeless-coordinating-council
□COVID-19 Update
☐Westside Emergency Shelter had a recent outbreak and is now closed to new clients. Testing is ongo-
ing. Some clients with COVID and those with suspected COVID infection are in provisional hotel
housing. The Shelter may reopen soon.
□COVID-19 restrictions have adversely impacted the process of the Metropolitan Detention Center
(MDC) intake, UNMHC evaluation and intake as well as the Resource Re-entry Center for individuals released from the MDC.
□Brief updates from APD Crisis Intervention Team, Crisis Outreach and Support Team, National Alliance of
Mental Illness were given.
☐Monthly meetings every 3 <sup>rd</sup> Tuesday (open to the public). https://www.cabq.gov/mental-health-response-
advisory-committee

#### CIVILIAN POLICE OVERSIGHT AGENCY OBSERVER REPORT by Carol Steeves

THE CPOA SPECIAL MEETING ON October 26 went into closed session per NMSA 1978 10-15-1H2. Discussions were with their attorney and the city's attorney to discuss personnel matters regarding executive directives. The meeting started in the usual way with a quorum of members and then went into closed session. They only came back out of the closed session to close the meeting. The regular meeting will be November 12.

#### NM PUBLIC REGULATION OBSERVER RPORT by George Richmond

**■Next meeting: Nov 17<sup>th</sup> 5-7pm.** 

Last week Avangrid, a very large utility company operating in New York and New England offered to acquire PNM Resources, the holding company for our electric company, PNM. The deal is expected to close late next year. Avangrid is also a major producer of renewable energy and operates in many states, including New Mexico. There is a question about whether there is a potential conflict between Avangrid as a utility and as a renewable energy generator were it to sell its renewable energy to its own utility. In New Mexico, utilities are allowed a certain rate of return which is set by the NM Public Regulation Commission. In my conversations with Cynthia Hall, who is the PRC Commissioner for District 1, the Albuquerque area, there has been no reviews of the rate of return of which she is aware. (There are five elected members of the NM PRC, with each representing a geographic area in New Mexico but also representing about the same number of voters about 400,000 each.)

The LWVNM may wish to study issues involved in the merger and file comments with the PRC. Another issue is that Avangrid is proposing to abandon a coal fired plant before its useful life. So, a possible issue is how the utility and the ratepayers, consumers of power, share the loss on early closing.

As observer for the LWV CNM to the NM PRC, I will be sending out reports from time to time for your information.

## APD Forward – Fall 2020 Progress

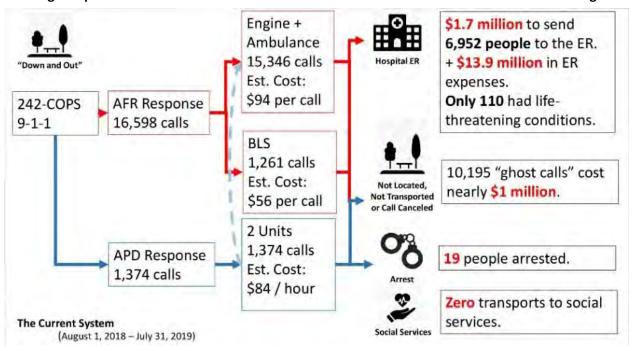
#### By Karen M. Douglas Fall 2020 CPC Meetings

APD uniformed officer staffing levels currently include 985 officers, 58 cadets in the police academy and 10 officer applications from lateral police/sheriff departments. Federal officers assigned to Albuquerque serve as investigators, not uniformed officers interacting with the public or detaining suspects. APD status was presented on the 2015 Court Approved Settlement Agreement (CASA) between City of Albuquerque and the US DOJ. The CASA includes 276 measures with compliance status reported quarterly by Independent Monitor Dr. Ginger. The 11<sup>th</sup> Quarterly report issued 2020 indicates APD status with respect to the 276 measures: 100% Primary Compliance (approved policy in place), 20/276 paragraphs of CASA still require secondary compliance (officers effectively trained to apply policy), and 70/276 paragraphs still require operational compliance (officers applying policies routinely in field).

The greatest criticism of APD was failure to apply discipline to officers in a timely manner – discipline applied after prescribed deadlines frequently results in challenge by the Albuquerque Police Officers Association (APOA, police union). Betty Whitton, President, National Association for the Mentally III (NAMI), indicated 90% - 100% of the mentally iII have had contact with the police, and more mentally iII individuals have been shot by the police than any other group. Family members frequently call 911 with concerns. NAMI will assist APD with Crisis Intervention Team (CIT) training and offer free training classes. Officers assigned to CIT receive 40 hours additional training in the academy and 40 additional hours in the field, with 40 %- 60% of training provided by civilians. During 2019 APD responded to 5837 mental health calls with more from the NE command than other 5 commands. Calls usually result in transport to mental health facility – during 2019, 2796 transports were voluntary but 1832 were involuntary. 1/8 cent gross receipts tax is allotted to the Behavioral Health Initiative which offers housing, education, medical support, and placement.

#### **Albuquerque Community Safety Department (ACS)**

The new ACS is a cabinet level department reporting to Mayor Keller. The intent of the ACS is to respond to 911 calls, do outreach and follow up for inebriation, homelessness, addiction, and mental health. ACS assignment is a social dispatch when no enforcement is required. (Domestic violence cases are still referred to APD due to level of violence). APD Dispatch personnel assign calls to ACS vs. APD, and frequently both units are assigned when level of safety is in question. These social issues have also greatly impacted Albuquerque Fire and Rescue with 87% of AFR calls emergency calls and only 13% of calls are fire-related. This October 2020 ACS illustration provided by Mariela Ruiz-Angel depicts the resources and demand for APD and AFR assistance for social issue calls Aug. 2018 – July 2019:



APD Forward Report, continued from previous page.....

#### **APD Police Chief Nationwide Search**

APD Chief Geier is retiring ,and Mayor Keller has initiated a nationwide search, requesting input from community organizations regarding attributes desired in the APD Chief. The final APD Forward Coalition recommendations included:

A new Chief must commit to:

□DOJ Reforms (5 criteria);
☐Transparency and Accountability (4 criteria);
□21 <sup>st</sup> Century Policing tactics and policy (4 criteria); and
□Addressing biased policing (2 criteria).

The full listing of APD Forward recommendations for the APD Chief search is located at: https://www.apdforward.org/

#### **HOW DO PEOPLE VOTE?**

The great majority of citizens pay little attention to politics because they don't recognize how many issues really affect their daily lives. Many typically make choices based on their social environment and their mood of the moment. They choose leaders who reflect their own preconceptions and prejudices. Sometimes voters just follow the opinions of individuals they admire or even family members. There are citizens who don't pay attention nor do they teach their children the connections between what goes on in the Round House or in City Council and their own wellbeing. One of the penalties (according to Plato more than 2300 years ago) for refusing to participate in politics or in our nation's elections is that you end up being governed by your inferiors.

First, we have to overcome apathy. Then, we must make sure that all eligible voters are registered. [Hats off to our VRAs!] Following that, we ask, "Is it easy to cast a vote?" And, will all the votes be counted fairly? Yes, FAIRLY.

Aaha!

There is another process that ensures that elections are fair and that procedure is based on how voting districts are determined: (a) Redistricting by a non-partisan, carefully vetted group of citizens, or (b) redistricting controlled by the same legislators whose goals are to remain in office.

Getting to know your legislators – at all levels of government – will only make you stronger, and it's easy to arrange an appointment with your local leader. Meet with him/her and encourage another League member, a neighbor, or a relative to join you.

We are faced with bitter political divisions, inadequate news reports, and elections-rules disputes. We must work harder and encourage Republicans, Democrats and those who call themselves Independent to become more informed before elections.

Members of the League are deeply concerned and – all over the country – we are encouraging our communities to rally for FAIR elections. Which activity would help you be more informed? Will you be ready to encourage your legislators to make the necessary changes?

**By Judith Binder** 

#### **EQUAL RIGHTS IN NEW MEXICO**

William E. Warren\* January 28, 2009

At the general election of November, 1972, the citizens of New Mexico ratified an equal rights amendment to the New Mexico State Constitution. With a vote of 155,633 for and 64,823 against, 70.6 % of the voters statewide supported this amendment. This amended Section 18 of Article II to include the language, "Equality of rights under law shall not be denied on account of the sex of any person." The official adoption date as recorded in the Constitution was November 7, 1972. Representative Max Coll and I were the primary sponsors of Joint Resolution 2, the Equal Rights Amendment, of the 1972 legislative session. This joint resolution passed the House on a vote of 59-2 and passed the Senate 40-2 after being amended to put off the effective date to July 1,1973. This was to allow the 1973 session of the Legislature to adopt legislation necessary if the amendment was ratified. The House concurred with the change of effective date. An enrolled and engrossed copy of the amendment was delivered to the Secretary of State who signed it, making it Constitutional Amendment Number 1 to be voted on at the general election of 1972. Following ratification, over 50 bills were introduced in the 1973 legislative session to comply with the mandate of the Equal Rights Amendment.

#### **Descent and Distribution**

I got involved with the equal rights issue in New Mexico almost immediately after I was first elected to the State House of Representatives in the general election of 1970. A female colleague of mine in the Math Department at Sandia National Laboratories came into my office and wanted to know why she had to have her husband's signature in order to participate in the Bell System's Employee Saving Plan while a Sandia employee at Livermore in California did not need her husband's signature. New Mexico and California were both community property states. I told her I really didn't know but I would check on it. I contacted the Legislative Council Service, which is the research arm of the New Mexico Legislature, and was told that the probable reason was that under the descent and distribution laws of New Mexico a married woman could not will her half of the community property while her husband was free to will his half. This struck me as somewhat unfair and I asked the Council Service to draft me a bill to correct the problem and to provide me with arguments for and against the bill. This they did. But the arguments they provided both for and against were mainly platitudes and missed the major issue which involved an alleged tax advantage for the estate under the current law. Representative Dan Lyon and I introduced this bill in the 1971 legislative session where it became House Bill 183 and was referred to the House Judiciary Committee for a hearing. I was a member of this committee and the chairman was Rep. George Fettinger (Alamogordo.) At the first hearing on the bill, New Mexico Commissioner of Revenue Franklin Jones testified against the bill and pointed out certain tax advantages to the estate under the current law. I was completely unaware of this argument and had no information to counter it. Chairman Fettinger asked me what I wanted to do with the bill and I said I really had no idea since I was unaware of the tax issue. The Chairman suggested tabling the bill in committee and if I obtained additional information, the Committee could take the bill off the table and reconsider it at that time. I agreed with the motion to table and it was at this point that I realized I was in way over my head with this legislation. This was a lawyers and estate planners bill, neither of which I knew anything about. A couple of weeks later, I was sitting at my desk in the Capitol when I received a phone call from a Professor Leo Kanowitz at the University of New Mexico Law School. I learned later that Professor Kanowitz was a nationally recognized authority on women and the law, had published numerous papers and books on this subject, and also testified before the U. S. Congress in support of the federal Equal Rights Amendment. He said he had seen in the newspaper that I had introduced a bill neutering the descent and distribution laws and indicated that he thought this was an excellent idea. Then he asked: "Do you need any help with this bill?" I almost burst out laughing. "Do I need help with this bill? You bet I do." I explained to him what Commissioner Jones had testified about the tax advantage for the estate under current law and how this would be affected by my bill. He said that this was because of the way the estates were set up and that just as significant or better tax advantages were available under House Bill 183. He asked me to set up another hearing on the bill in the House Judiciary Committee and he would testify in support of the bill. I discussed this with Chairman Fettinger who agreed to another hearing and suggested that I contact Commissioner Jones so that Jones and Kanowitz could argue their cases before the Committee. Continued on next page.....

<sup>\*</sup> William E. Warren was elected to the NM House District 11 seat in November 1970, beating incumbent Jack Stahl.

William E. Warren article on Equal Rights in New Mexico, continued from previous page......

I found Commissioner Jones in a Senate Finance Committee meeting, sat down beside him, and asked him to attend the next hearing in House Judiciary on House Bill 183. He snarled, "Is that an order Representative?" I said that the request came from the chairman of the House Judiciary Committee and since he had attended the first Committee meeting and argued against House Bill 183 when I had nobody there to defend it that he might like to hear some arguments in support of the bill. This would also give him a chance to counter these arguments as he saw fit before the House Judiciary Committee. Chairman Festinger scheduled a second hearing on House Bill 183 and Professor Kanowitz testified for it. Commissioner Jones did not attend this second hearing. With some frustration over the different opinions of Commissioner Jones and Professor Kanowitz, the committee agreed to table the bill again and Chairman Fettinger suggested that I try to get Jones and Kanowitz together



and see if they could reach some kind of a compromise on the bill. Commissioner Jones refused to cooperate. At a third committee hearing on the bill, Professor Kanowitz pointed out certain deficiencies in House Bill 183 as originally drafted and proposed a Committee Substitute for House Bill 183. I agreed that the substitute bill was much better than my original bill and the committee concurred. Commissioner Jones did not attend this third hearing on House Bill 183. The Committee voted a DO PASS on House Judiciary Committee Substitute for House Bill 183 and sent the bill to the floor. The bill passed the House 40-25 and moved on to the Senate. As it turned out, there was little enthusiasm for this legislation in the Senate. As a freshman legislator, I did not know most of the Senators and had little influence on that body. In spite of the fact that a number of women's groups in the state supported this bill, not one Senator offered any help in promoting or carrying the bill in the Senate. Commissioner Jones had done his homework well. The Committee Substitute for House Bill 183 was referred to the Senate Judiciary Committee chaired by Senator Al Montoya of Sandoval County. Following a rather perfunctory hearing, the Committee gave the bill a DO NOT PASS recommendation which was later adopted on the Senate Floor. The attempt to revise the New Mexico Descent and Distribution laws failed in the 1971 Legislative Session.

Editor's note: Co-president Karen Wentworth discovered this informative article and, knowing how much League members love history, we are printing it in installments over the next several months. Next month: The NM Equal Rights Amendment and the State's ratification of the Federal ERA.



Some details about the actions taken at the October annual meeting will appear in the December Voter.



2501 San Pedro Dr. NE, Suite 216 Albuquerque, NM 87110

The League of Women Voters of Central New Mexico, a tax-exempt 501 (c) (3) organization is a nonpartisan political organization, that encourages informed and active participation in government, works to increase understanding of major public policy issues and influences public policy by education and advocacy.

\*\*\*\*\*\*\*\*\*

### APPLICATION FOR LEAGUE MEMBERSHIP

NAME:	
ADDRESS:	
EMAIL: F	PHONE:
Mail above information to LWVCNM, 250 querque, NM 87110 along with annual du	•
First member of household	\$65
Each additional member of household	\$33
Student member (proof required)	\$12