# The Voter

The Suffragist

League of Women Voters of Berkeley • Albany • Emeryville

#### FEBRUARY 2008

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## What's at Issue on the February Ballot?

Our February ballot is even more perplexing than usual. County Measures A & B and Prop 91 embody a paradox: the sponsors themselves are urging voters to vote NO on their own propositions. The sponsors took up initiatives in the first place because legislators were stalled. Once the citizen initiative drives looked to be successful, decisionmakers finally took action and initiated their own proposition. But there was no going back: once a measure qualifies, there is no way to take it off the ballot.

#### **About Initiatives and Referenda:**

These mechanisms started out as safeguards for citizens' input into the legislative process. Initiatives, whether put before the voters by the Legislature, the Governor or by petition of citizens, add or amend existing laws. Referenda can repeal them. Legislative initiatives need a two-thirds vote in each house to qualify. Citizen statute initiatives qualify only if they garner signatures equal to 5% of the total vote in the preceding gubernatorial election. If the initiative proposes to amend the state constitution, however, the tally rises to 8%.

Referenda, while they also need 5% of all the voters in the previous gubernatorial election, must complete all the steps to qualify in a shorter time frame, within 90 days from the enactment of the legislation they propose to repeal. But referenda may qualify closer to the election – 31 days compared to the initiatives' 131 days. On this February's ballot we will have 2 initiative constitutional amendments (Props 91 and 93), a combined initiative constitutional amendment-statute (Prop 92) and 4 referenda (Props 94-97).

#### Got That? Now the Fun Begins!

Alameda County Measures A and B both propose a special tax to pay for retrofitting and expanding Children's Hospital, and both require a two-thirds vote to pass. Whichever Measure gets the most votes will be declared the winner.

Children's Hospital is a private, non-profit facility, but it acts as a public institution because it turns away no children in need of care for inability

(continued on p. 4)

1414 University Avenue • Suite D • Berkeley • California • 94702-1509 tel: 510-843-8824 • fax: 510-843-8828 • email: office@lwvbae.org • website: lwvbae.org

## PRESIDENT'S COLUMN

Happy New Year everyone! 2008 is going to be a year full of exclamation points for the League of Women Voters. For starters, there will be three elections! The presidential primary on Feb 5, another "everything else" primary June 3, and finally, the much-awaited presidential election in November.

Many voters will go to the polls in February and even more in November, but getting out voters in June will be a challenge! With lots of important measures expected on the June ballot, Leaguers will need to do all we can to raise voter turnout and get our citizens informed on the issues.

We will also continue to work on passage of SB 840, the single-payer health bill in our state legislature. We'll continue to work for improvement of civics education in our school and, of course, much more. For everyone who cares about the League of Women Voter's goals, this is a year to jump in!!

*Jinky Gardner*, President

#### **Brown Bag Luncheons**

As the January Brown Bag Luncheon was replaced by the Immigration units and the February Luncheon is being displaced by the February 5 Presidential Primary, the next Brown Bag Luncheon will take place on Tuesday, March 4, 2008, at 12 noon in the Albany Public Library, Marin and Masonic Avenues, Albany. The proposed topic is "Presidential Signings: Shortand Long-Term Implications".

The December Brown Bag presentation was one of the most informative we have had to date. Evan Mills, Ph.D. of the Lawrence Berkeley National Laboratory spoke on "Energy Efficiency: Getting Out of the Greenhouse". PowerPoint slides of Dr. Mills' talk may been seen on the LWVBAE website lwvbae.org.

Luanne Rogers Program

#### PROGRAM PLANNING DINNER MEETING

A program planning dinner meeting is scheduled for Tuesday, February 26, 2008, from 6 pm to 9 pm. On the agenda are the various Bay Area issues which the League needs to address in the coming year, as well as other local, California and national concerns. The location is to be determined. Please RSVP to the LWVBAE office (510-843-8824) so that we will know how many dinners to order.

Luanne Rogers Program

#### THE VOTER

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LEAGUE OF WOMEN VOTERS
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Telephone: (510) 843-8824 Facsimile: (510) 843-8828 Email: office@lwvbae.org

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The VOTER is free to members, \$10/year for non-members. Current and past issues of the VOTER are posted on our website at lwvbae.org.

The League of Women Voters is a nonpartisan political organization that encourages the active and informed participation of citizens in government and influences public policy through education and advocacy.

#### DESK VOLUNTEERS STILL NEEDED!

In our attempt to have the LWVBAE office open and available to Leaguers and the general public as much as possible, we are asking our membership to volunteer for Desk Duty! Desk Duty can be once or twice a month, in shifts of 2-4 hours, and is a wonderful way to become acquainted with the daily workings of our League and of our office.

Desk duty includes answering the office phone, fetching and processing the mail, and doing whatever else needs doing. Now that we have three new, upto-date computers in the office, there will certainly be other tasks that Desk Volunteers can do. Please respond to this call and sign up for a shift or two by contacting me, *Jane Barrett*, at (510) 845-8055 or janebarrett@onebox.com. Desk Volunteer training is available!

Jane Barrett Co-VP Administration

### LOCAL BLACK HISTORY EVENT

There will be an outstanding speaker at an event hosted by Oakland Eastbay NOW and co-sponsored by the Oakland League. Betty Reid Soskin, Black social activist of the 1950s and California Woman of the Year award winner in 1995 will be the featured speaker at Oakland Eastbay NOW's offering for Black History Month.

The afternoon presentation will take place on Saturday, February 2, from 2-4 pm at the Rockridge Public Library, 5366 College Avenue, five blocks south of the Rockridge BART Station. It should be a stimulating session.

#### November-December Donations

#### To the LWVBAE General Fund

Barbara Adair Robert Arnold Ellen W. Barth Gilbert G. Bendix Nancy Bickel,

in memory of Marj Rubinow

and Sybil Dinaburg

Aida Brenneis Gretchen Carlson

Cody's Books/Melissa Mytinger

Ranya Cohen

Thomas and Jane Coulter

Laura Enriquez,

in honor of *Elsa Tranter* 

Louetta Erlin.

in honor of Allie Norton

Samuela Evans and Peter Gerabedian. in honor of *Phyllis Gaines'* 75th birthday

Lessly Ann Field **Doris Fine** Anne Good Jeanne Klems Yvonne Koshland Erika Kunkel Leo Levinson

Charlotte Lichterman

Dorothy Lindheim Catherine Lynch Wendy Markel Sylvia McLaughlin Lila Mitchell Julie Nachtwey Haruko Nagaishi Allie Norton Alice Philipson Therese Pipe Luanne Rogers Ursula Rolfe

Roselyn Rosenfeld Mary Rose Black Ryan Jeanne Smith

Sherry Smith Todd Smith Rosemary Stoller Ruthann Taylor Lassie Ulman Lassie Ulman.

in memory of *Marj Rubinow* 

Elizabeth Warrick

Stan and Andrea Washburn

Phoebe Watts

#### To the LWVB Foundation

Robert Arnold Gilbert G. Bendix Nancy Bickel Shireen Burns Gretchen Carlson Phyllis V. Clement Ranya Cohen Judith Brandes Collier

Linda Gerson Edith Gladstone Anne Good Leo Goodman Elizabeth Cannon Hall

Penelope Hanan-Dahmen

June Kadish Adeline Kahn Louise Lidicker Evelyn M. Light Wendy Markel Alice Mead Barbara Nelson Sally Outis Linda Polsby Vivian Scharlach

Milton and Sondra Schlesinger

Marion Shapiro

Carl Louis Smith, MD and Grace Geyer Smith, MD

Jeanne H. Smith Sherry J. Smith

Ellen Matthews Turiel

Phoebe Watts

Teresa and Otis Wong Masako Yamada

Many thanks for remembering your League.

Louetta Erlin **Donation Secretary** 

## WHAT'S AT ISSUE ON THE FEBRUARY BALLOT? (continued from p. 1)

to pay. About 60% of Children Hospital's patients come from Alameda County. The hospital is a major regional research and intensive care center. The deadline for earthquake safety retrofitting is approaching, and the expansion plans are based on rooms needed to serve the forecast population increase in its service area.

Under both measures, the County would impose, collect and administer an annual parcel tax for 35 years, with residential property owners paying \$24 a year (low-income and seniors over 65 would be exempt), small businesses paying \$100, and large businesses paying \$250 a year.

Measure B is the original measure placed on the ballot through the initiative process. By the time the Alameda County Board of Supervisors learned about the Measure, it had already qualified. The Supervisors subsequently met with Children's staff and voiced their concerns on several parts; a better measure was arrived at by both parties. Consequently, both the Board of Supervisors and Children's Hospital support the improved Measure A, and ask for a "No" vote on Measure B.

All seven Leagues in Alameda County concur with the "No" on B, and though we have many positions in support of the work and presence of Children's Hospital, we decided to remain neutral on A because of our concerns with the procedures that were followed.

**Prop 91: Transportation Funds.** In the summer of 2006, tired of the fruitless negotiations between the governor and the legislature over how and how much the General Fund could borrow revenues from the 18% excise tax on gas and gas sales tax revenues that fund transportation, supporters of better roads and public transportation began gathering signatures for petitions to limit funds transferred to the General Fund and require that these funds be repaid within a definite time frame. Spurred on by this move, the governor and the legislature put Prop 1A on the ballot, using language similar to the petition that was circulating, and it won easily in November 2006. Supporters of the citizen initiative were delighted – there was no longer any need for their proposition. Much to their surprise, however, they discovered that they had gathered so many signatures that their measure qualified for the ballot anyway. The filing deadline for the 2006 election had passed, so Prop 91 was postponed to the next election – this one. And here it sits, with its original sponsors, including the League, urging citizens to vote NO on Prop 91.

**Prop 92: Community Colleges, Funding, Governance and Fees** is an initiative creating both constitutional amendments and statutory changes, and it addresses three areas of the Community College system:

- The place of the system among the state's public educational institutions and how members of its policymaking bodies are chosen;
- How much money the colleges receive from the state, and how that amount is set; and
  - How much money students must pay in fees.

The place of the system among the state's public educational institutions: Currently there is no constitutional definition of the colleges or of their role in public education, since they were, until the 1960 Master Plan, considered to be only an extension of the local K-12 districts. Prop 92 would embed the community colleges as part of the state's public educational structure

How members of the Community Colleges' policy-making bodies are chosen: District trustees are elected locally under present law. Prop 92 affirms their role in setting local curricula, hiring the local district chancellor and/or president and overseeing district property. The state-level Board of Governors (BOG), who appoint the state Chancellor currently, would be expanded from 17 to 19 members. The governor would still name 12 of them directly, and would appoint the rest from lists drawn by the state associations of presidents, faculty and other major constituent groups in the system. Under Prop 92, BOG would also have the power to name 6 members of the state Chancellor's staff, removing those positions from the control of the state Civil Service Commission.

#### How the CCs get their operating funds:

Under Prop 98, the community colleges and the K-12 districts are treated as part of the same system (K-14). That law provides that roughly 40% of the state's revenue goes to fund K-14 education based mainly on Average Daily Attendance in the K-12 system and by a one-day count of students enrolled each term in the CCs.

Under Prop 98, total General Fund and local property tax revenues are combined and then divided according to the ratio of K-12 to CC students (87.3% - 10.7%) that were in school in 1988, the year Prop 98 passed. In fact, this ratio has been maintained in only two of the last 19 years.

Because attendance in K-12 is mandatory, but college attendance is voluntary, the legislature has never paid back lost Prop 98 allocations to the colleges (as they do for K-12) when they cut Prop 98 during budget crises. There is no legally required backfill. Additionally, funds for categorical programs such as disabled students, Equal Opportunity Programs and Services for low-income students, and growth in the student population are separate from the general operating funds colleges receive, and are subject to annual debate and reductions in the legislature. In 2006-07, under Prop 98, K-12 districts received \$7,400 per student and the CCs received \$5,400 per student. By way of comparison, CSU received over \$12,000 per student, and the UC students get almost \$19,000 in state funds.

Prop 92 would not change K-12's funding, but would separate calculations for the two systems. Money for the colleges would be based on the current college student population and would also factor in the size and growth of the general population age 17-21 and 22-25.

How much money students pay in fees: The current cost of taking a class in a community college is \$20 a unit, with waivers for low-income students. Prop 92 would embed in the constitution a fee of \$15 a credit, with a two-thirds majority vote in each house required to raise it.

## WHAT'S AT ISSUE ON THE FEBRUARY BALLOT? (continued from p. 4)

Many of the provisions of Prop 92 are in general agreement with existing League positions about access, affordability, stable funding over time, equity between districts, a more powerful position for the state chancellor and his administration, and an increased role for local boards in decisionmaking and priority setting. We did not study, nor do we have a position on, student fees per se, but the provisions found in Prop 92 are consistent with our emphases on access and affordability.

#### LEAGUE POSITIONS ON STATE PROPOSITIONS:

Prop 91,

Transportation Funds NO

Prop 92,

Community Colleges. Funding. NO

Governance. Fees

Prop 93,

Limits on Legislators Terms in NEUTRAL Office

Props 94, 95, 96, 97,

Referenda on Amendments to NEUTRAL Indian Gaming Compacts

LEAGUE POSITIONS ON ALAMEDA COUNTY
PROPOSITIONS

Measure A,

Children's Hospital Special Tax NEUTRAL

Measure B,

Children's Hospital Special Tax NO

On the other hand, our finance positions are very clear about the importance of identifying reliable revenue streams for new programs, avoiding earmarking and "ballot-box budgeting." In addition, the proposition includes, in its final article, a paragraph requiring any change in its provisions to draw a 4/5 majority in both Senate and Assembly. Considering that the state has just endured a 55-day delay in passing a budget for want of 2 votes to make the mandatory two-thirds majority, the 4/5ths provision makes Prop 92 virtually impossible to amend. The state LWV board, therefore, voted to oppose Proposition 92.

**Prop 93: Term Limits.** On more familiar ground, Proposition 93 is an Initiative Constitutional Amendment which changes the current limits on the length of time legislators may serve in the California Assembly and Senate. Under present law, Assembly members may serve three 2-year terms plus two 4-year terms in the Senate (if they can get themselves elected) for a grand total of 14 years before they must retire permanently from the legislature. Prop 93 changes the terms of service to a limit of 12 years, which may be served in either house alone or any combination. The 42 current incumbents would be permitted to start counting their 12 years only from the time they entered the house in

which they currently sit.

The wild cards, Referenda Propositions 94, 95, 96, and 97: Amendments to Indian Gaming Compacts for four Indian tribes in Riverside and San Diego counties. Officially recognized Indian tribes are regarded in many ways as sovereign nations, answerable only to the Federal government. For the most part, they do not pay state taxes and are not subject to most of the state laws and regulations pertaining to environmental quality. When the Federal government permitted gaming on tribal lands, it required each state to make compacts with its tribes, subject to U.S. approval, about the terms under which gaming for profit could take place.

California made such compacts in 1999 with 58 of its 71 officially recognized tribes, giving them exclusive rights to operate casinos with slot machines (which are the most profitable casino games of chance). California's constitution forbids casino-type gambling elsewhere in the state, and the compacts were very specific about limiting slot machines to 2,000 per casino. The tribes also agreed to pay into two state government funds – one, the Special Distribution Fund, pays the state for the cost of overseeing the management and finances of the casinos. The other, the Revenue Sharing Trust Fund, also administered by the state, benefits those tribes that have no casinos or very few slot machines. In August, 2006, four tribes – the Pechanga, Morongo, Sycuan and Agua Caliente – asked to amend their 1999 compacts. These tribes wanted to expand the number of slot machines they could install, and in exchange were willing to contribute a portion of those revenues to the General Fund and additionally compensate their local governments to cover the costs of fire, police and other services. The number of machines would increase by 17,000 overall.

The legislature approved the proposed compact amendments in June of 2007, to take effect on January 1, 2008 pending ratification by the voters in this election. But because referenda can qualify right up until 31 days before the election, no one could be sure exactly what the final ballot would look like until December, and information has been very late in coming out. A YES vote means that the four tribes can expand their slot machine holdings; a NO vote means that the tribes would be limited to the 2,000 machines currently permitted

The League has no positions on the issue of tribal gaming, and so remains NEUTRAL.

Helene Lecar Election Services

#### WHY VOTE? CONTEST WINNERS

You can see the names and essays of the Why Vote? contest winners at http://lwvbae.org/contest07-winners.htm. The grand prize winner is scheduled to be announced in late January or mid-February. Reading these essays will restore your confidence in our young people and in our future!

#### LWVBAE Environmental Concerns Committee Report

#### Monday, November 12, 2007

#### Transportation 2035: A Vision For The Future

"The region can't build its way out of the global warming dilemma, since even the most "green" infrastructure scenarios barely make a dent in CO<sub>2</sub> emissions. MTC and ABAG (Association of Bay Area Governments) therefore decided to test a set of very aggressive road pricing and denser land-use policies." – from "Climate Change Hits Home" at Regional "On the Move" Conference, MTC Transactions newsletter, Dec. 2007/Jan. 2008

Metropolitan Transportation Commission (MTC) Planning Director Doug Kimsey discussed Transportation 2035, the update to its original regional transportation plan (RTP) to manage and improve surface transportation and help improve air quality based on changing projections of growth, travel demand and a forecast of future revenues in the Bay region.

#### Targets to be achieved by 2035 include:

Reduction of carbon dioxide emissions to 52,000 tons per day region-wide, 40% below 1990 levels (California Global Warming Solutions Act, 2006); reduction of fine particulate matter to 10% below and coarse particulate matter to 45% below 2006 levels (State air quality standards); reduction of Vehicle Miles Traveled per capita to 10% below 2006 levels (SB 375); reduction of traffic congestion to 21.3 hours of delay per person a year, 20% below 2006 levels (Governor's Strategic Growth Plan); reduction to 10% below 2006 levels the share of income spent by low- and lower-middle-income households on housing and transportation (adapted from the *Center for Housing Policy, A Heavy Load*, October 2006).

As summarized in MTC's Transactions (Dec. 2007/Jan. 2008), analysts have been looking at a high occupancy/toll lane option (in which express buses would share an expanded diamond lane network with carpools and solo drivers willing to pay a premium for a faster ride); a rail/ferry investment option; and operational fixes to speed the flow of traffic. The latter option, deemed to be the most effective for reducing traffic delays, encompasses more freeway ramp metering, carpool lane gap closures, widespread synchronization of traffic signals, and incident management to quickly remove stalls and accidents.

But analysis shows that infrastructure alone won't enable achievement of these targets because even the most "green" scenarios won't reduce CO<sub>2</sub> emissions without a set of aggressive road pricing and denser landuse policies. According to Kimsey and as summarized in Transactions newsletter, one scenario hypothesizes that the cost of driving would rise by as much as \$1 per mile as a result of a new carbon tax based on miles driven, a congestion fee for driving during peak periods, and

parking surcharges. Such fees would be packaged with discounts for low-income travelers.

The "what-if" land-use scenario would reduce dependence on cars by concentrating the regions' growth along existing and new bus and rail lines in the core areas of San Francisco, Oakland and San Jose. And of course, there is always the hope that new technology will reduce and ideally end CO<sub>2</sub> vehicle emissions altogether.

The 25 percent projected Bay Area population increase by 2035 translates to 2 million new residents adding more stress on the environment and already clogged freeways. Transportation 2035 aggressively addresses these concerns and actively seeks public input. For information about how to take part in the dialogue visit the MTC website at www.mtc.ca.gov, email info@ mtc.ca.gov or call (510) 817-5700.

#### Monday, December 10, 2007

#### City of Berkeley Efforts to Reduce Global Warming

Environmental Concerns annual holiday gathering welcomed the City of Berkeley's Climate Action Coordinator Timothy Burroughs, who discussed Measure G and the many projects afoot to reduce Berkeley's greenhouse gas (GHG) emissions. Approved by 81% of Berkeley voters in November 2006, Measure G calls for the aggressive reduction of the community's GHG emissions by 80 percent by 2050, including emissions from residential, commercial and city buildings. The measure also mandated that the city develop a Climate Action Plan to reach that target, and interim targets, by year-end 2007. A full draft version of this plan was released January 22, 2008 for public review and comment and can be accessed at www.BerkeleyClimateAction.org

"Global warming is an economic, environmental and social justice issue," said Burroughs, who also reminded us, "We are all part of the problem." The good news is that we all may be part of the solution. The city is now working with businesses and residents on how they can reduce their emissions and save money. "All of this is hinged on personal behavior change," Burroughs noted.

"Reducing GHG from transportation is the most difficult thing we have to do," Burroughs said, but noted optimistically, "There will be cars in 2050 but they won't be running on fossil fuels," as we head toward zero net carbon and zero waste in landfills. "Few people make the connection between waste and climate change and that connection needs to be made," he said. Burroughs holds a Masters degree in Global Environmental Policy from American University in Washington, D.C.

To learn more about how you may contribute to the Climate Action program check the webpage www. cityofberkeley.info/sustainable or call (510) 981-5434.

> Gail Schickele, CoChair Environmental Concerns

## **BOARD BRIEFS**

The Board unanimously approved the LWVBAE's annual fundraising letter.

Over email during the month of December, the Board was unable to take a position on Measure A, and the vote went to the Alameda County League Board, who voted that the League take a neutral position.

There was no Board meeting in December.

Kristina Lim Secretary

#### BAY AREA LEAGUE DAY FRIDAY, FEBRUARY 22, 2008

## Transportation Solutions to Climate Change

In the Bay Area, transportation sources cause 50% of the greenhouse gas emissions which are a primary cause of global climate change. Resolving this serious problem, therefore, must involve transportation solutions.

**Location:** Niles Hall in Preservation Park

1233 Preservation Park Way

Oakland

**<u>Time</u>**: Registration at 8:30 am, program

from 9:30 am until 2:30 pm,

including lunch

**Cost:** \$25 prepaid, \$30 at the door,

\$15 without lunch

#### **Tentative topics include:**

Keynote Presentation from the Metropolitan Transportation Commission:

How the Regional Transportation Plan 2035 Can Address Climate Change

#### **Panel discussions:**

- Perspectives on the Regional Plan and Funding Options
- Safe Routes to Schools and Other Local Solutions
- Sub-Regional Bus Services and Pedestrian/Bicycle Options

Registration information on the LWV Bay Area website: www.lwvba.ca.lwvnet. org

#### LEAGUE OF WOMEN VOTERS OF BERKELEY, ALBANY AND EMERYVILLE BOARD 2007-2008

President: JINKY GARDNER Secretary: Kristina Lim Treasurer: **ELOISE BODINE** VP Action: **PENDING** DIANE AKERS **VPs Administration:** JANE BARRETT VP Program: LUANNE ROGERS **VP Election Services:** HELENE LECAR VP Outreach: **PENDING VOTER Editor:** ALICE KISCH Membership: KAREN NELSON Director of Health Care: URSULA ROLFE PHOEBE WATTS Director of Observer Corps:

#### REGRETS ON THE BIRTHDAY PARTY

Due to unforeseen circumstances, we will be unable to have a League 88th birthday party this year. Please free up your calendars for February 14, 2009. Sincere apologies for any inconvenience! (You don't mind if we don't get older this year, do you?)

#### **New Members**

Our Warmest Welcome To Our Newest Members:

Tia McDonald Dodson Mark Wetzel Jennifer Winch

#### **ALAMEDA COUNTY TRANSIT COMMITTEE**

AC Transit needs people to serve on the Accessibility Advisory Committee. Information at (510) 891-7284. Applications MUST BE SUBMITTED BY FEBRUARY 1, 2008.

#### LWVBAE EMAIL LISTINGS

Have you been receiving periodic email messages from our League? If not, and you'd like to be on our email list, please send an email message to *Bill Chapman* (bill@classroomtools.com) requesting that your address be added to our distribution list. On the other hand, if you've been receiving messages and want them to stop, *Bill* can arrange that too; just send a message to him requesting removal of your address.



#### League of Women Voters

Berkeley, Albany and Emeryville 1414 University Avenue, Suite D Berkeley, CA 94702-1509 Non-Profit Organization U.S.Postage Paid Berkeley, CA permit No. 29

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## how to join

fill in below and mail this coupon with your check in the amount of \$65 to the order of LWVBAE, 1414 University Avenue, Suite D Berkeley, CA 94702-1509

Name:
Address:
Tel. Day:
Tel. Eve
Email:
Fax:

Joining at the local level makes you a member at all levels: LWVBAE, Bay Area, State and National. Dues and contributions to the League are not tax deductible. Contributions to the LWVB Foundation are deductible to the extent allowed by law.

## calendar

BERKELEY ADDRESSES UNLESS OTHERWISE INDICATED