



# UPDATE

Newsletter of the League of Women Voters of Los Alamos

**League of Women Voters of Los Alamos**

**P. O. Box 158, Los Alamos, NM 87544**

**Website: [www.lwvlosalamos.org](http://www.lwvlosalamos.org)**

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## **Calendar**

- December 6 Transfer of Federal Public Lands Study consensus meeting, 6 Mariposa Ct.,  
White Rock, 6:30 p.m.
- December 8 LWVNM advocacy workshop, NM Capitol Rm. 322
- December 11 Lunch with a Leader, Ellen Ben-Naim of First Born, Graves Hall, United Church, 11:45 a.m.
- January 9 Legislative Preview, Fuller Lodge, 7 p.m. (6:30 for refreshments)
- January 15 Lunch with a Leader, Mary Feldblum and Tyler Taylor, Mesa Public Library, 11:45 a.m.
- January 22 Roe v. Wade Day celebration, NM Capitol Rotunda, 1 to 2 p.m.
- January 22 Board meeting, Mesa Public Library, noon
- January 28 Voices of LA, Danny Katzman and John Horak on the chromium plume,  
Unitarian Church, 6:30 p.m.
- February 6 LWVNM Legislative Reception, Garrett's Desert Inn, 311 Old Santa Fe Trail, SF, 5:30 p.m.
- February 7 LWVNM League Day at the Legislature, State Land Office,  
310 Old Santa Fe Trail, SF, and Roundhouse, 10:15 a.m.

## **Lunch with a Leader: Ellen Ben-Naim**

This month's Lunch with a Leader will be at 11:45 a.m. on the second Tuesday, December 11, in Graves Hall at the United Church. Our leader will be Ellen Ben-Naim. She is the current Program Manager of the First Born program in Los Alamos.

Ellen has lived in Los Alamos since 1996 and has been active in the community, both professionally and as a volunteer. She was elected to the School Board in 2017 and is currently Vice-President of the Board.

*(continued on page 2)* *Ellen Ben-Naim, courtesy of Los Alamos Daily Post*



We will be eager to hear more about what Los Alamos is doing to support new families in getting their children off to a good beginning. After the Early Childhood presentation by Charles Sallee in September, this is a wonderful follow-up.

In January, the topic will be the Health Security Act, explained by Mary Feldblum, Executive Director of Health Security for New Mexicans, and local physician Dr. Tyler Taylor.

*Karyl Ann Armbruster*

## **Co-President's Message: Remembering Refugees**

As League members, we are passionate about the great outer world of politics. But often that outer world impinges on our inner lives, where we see people just as people, not members of political parties, nationalities, or religions.

Now that we approach the winter solstice, the darkest time of the year, I am haunted by images of refugees. Starvation in Yemen, bombs falling in Syria, scorched houses in Paradise, tear gas on the Mexican border. These tragic pictures contrast painfully with our comfortable lives, where December brings a parade of feasts: Thanksgiving, friendly gatherings, Christmas, Hanukkah, Kwanzaa, and New Year's. Bitter cold, roofless darkness for refugees; blazing fires with holiday lights for us.

As we celebrate, let's make a space in our hearts for refugees. As with politics, one way to deal with helpless feelings is to give money. Some people would happily skip the scarf or tie and instead love a donation in their name to the International Rescue Committee, Oxfam America, CARE, or UNICEF USA. If Scrooge can open his heart and purse, so can we.

*Rebecca Shankland*



*Senator Mimi Stewart addresses the Santa Fe League and friends about the National Popular Vote bill that will come before the 2019 NM Legislature.*

*Photo by Rebecca Shankland*

## **National Popular Vote Bill Proposed by NM Legislators**

At a meeting sponsored by the Santa Fe League of Women Voters, Senator Mimi Stewart and other legislators addressed the topic of the National Popular Vote. A large audience crowded the Santa Fe Unitarian-Universalist Church the afternoon of November 10.

An all-star cast of state senators showed their support: Nancy Rodriguez, Peter Wirth, Liz Stefanics, and Mimi Stewart. Senator Stewart's opening point was that this year New Mexico has a strong chance to pass the bill and have it signed by the governor. Peter Wirth joked that when Senator Stewart had been in the House, the House passed it but the Senate didn't. Later, Senator Stewart was in the Senate and it passed there, but failed in the House.

The National Popular Vote Act addresses the issue of having elections where the presidential candidate wins the electoral college without winning the popular vote. Changing or eliminating the electoral college would require a constitutional amendment, but this bill allows each state to become an important part of the electoral process.

*(continued on page 3)*

How it works: The states (including the



*Senator Mimi Stewart  
courtesy of votesmart.org.*

## **Transfer of Federal Public Lands Consensus Meeting and Holiday Potluck**

District of Columbia) who sign on to this National Popular Vote Interstate Compact (NPV) agree that once they, together, reach a threshold of 270 electoral college votes (that's a majority of the 538 total electoral college votes), they will cast their electoral votes for whoever wins the popular vote. Pure and simple, the popular vote would prevail in presidential elections.

In the past, these presidents have won the electoral college but NOT the popular vote: John Quincy Adams, Rutherford B. Hayes, Benjamin Harrison, George W. Bush, Donald J. Trump.

Currently, eleven states and the District of Columbia have passed the NPV compact, for a total of 172 electoral votes. So, another 98 votes are needed from the remaining states in order to have the bill take effect. New Mexico would add another 5 votes. The bill will be introduced in several other states this year—the momentum is building.

The state League has now added passage of the NPV bill to its list of priorities for the 2019 legislative session.

For further information, see [www.nationalpopularvotennm.org](http://www.nationalpopularvotennm.org).

*Rebecca Shankland*

### **League Note**

Carroll Thomas has a new address:  
1001 Oppenheimer Dr. #200,  
Los Alamos, NM 87544



*The west face of Cat Mesa, Forest Service property near Jemez Springs, is one of the many beautiful vistas on public lands.  
Photo by Barbara Calef*

All Los Alamos League members are invited to attend the consensus meeting at Becky Shankland's home (6 Mariposa Court, White Rock) on Thursday, December 6, beginning with a holiday potluck at 6:30 p.m. Please bring a main dish, side dish, or dessert to share (the drinks will be provided). We'll also spend some social time getting to know each other.

Judy Williams wrote an excellent

summary of our study in the Fall *La Palabra*, <https://www.lwvnm.org/newsletters/Fall2018.pdf>.

Please read the following questions, which we will be discussing at the meeting.

### **TFPL Consensus Questions with Pros and Cons**

Following each question, the arguments are presented with the no-transfer arguments first.

- 1. Federal lands are meant to benefit all Americans. Would turning them over to New Mexico abrogate that promise? Why or why not?**

*Yes, it does abrogate the promise because:*

- *With the introduction of the multiple-use sustained-yield policy, the government gave Americans access to public lands, which are now a cherished asset.*
- *There is no evidence that the states could or*

*(continued on page 4)*

would manage the lands for the same multiple uses and public access. Access could be restricted and/or user fees could be increased.

- States could relax current federal environmental standards resulting in environmental damage.
- Transferring lands to the states would likely result in ranchers having to pay higher grazing fees, etc.

No, it does not abrogate the promise because:

- Some people argue that the enclave and/or property clauses in the U.S. Constitution require transfer.
- Some states say they can manage them as well as or more effectively than can the federal government.
- Transfers might reduce resentments in the West against the federal government.

**2. Should New Mexico require that any transferred public lands retain the same use mandates and accountability to the public as applied before transfer? Why or why not?**

Yes, because:

- The multiple-use sustained-yield mandate and the requirements for accountability assure that the land will benefit all New Mexicans, not just the extractive industries.
- New Mexico could raise revenue through all the multiple uses, including outdoor activities.

No, because:

- Eliminating the mandate could encourage a pivot to extractive industries if they are believed to be more profitable.

**3. Are challenges with federal management and regulation sufficient reason to support the transfer of federal public lands? Why or why not?**

No, because:

- The wider American public could be excluded from oversight and decision-making, leaving the power in the hands of a few local groups or individuals.
- Federal oversight and regulation can be improved without transferring the lands.

- States do not necessarily have the expertise or the funds to manage the varied types of federal lands.

Yes, because:

- Some state governments maintain they would be more responsive to area residents' desires and concerns.
- Some state governments say they can streamline regulations.
- Decision-making should always be at the lowest level that is appropriate.

**4. Does the LWVNM support the transfer of federally owned subsurface rights to the state in split-estate situations? A split estate is an estate where the surface rights and the subsurface rights belong to different parties. Why or why not?**

No, do not support transfer of subsurface rights because:

- The development of subsurface rights should benefit all Americans.
- The historical precedent is that the federal government retains subsurface rights upon transfers.
- States already get a share of the revenue from extractive activities on federal lands within their boundaries.
- There is no evidence that state ownership of subsurface rights would make them more attractive to the extractive industries.

Yes, support transfer of subsurface rights because:

- Revenue from development of subsurface rights could be used to fund education or other services in New Mexico.
- The State Land Office, with its local focus, could be in a better position to pursue this revenue source.

**5. Should New Mexico or the federal government require that federal public lands transferred to the state not be sold to private entities? Why or why not?**

Yes, it should be a requirement because:

- Once sold to private entities, the lands will be
- (continued on page 5)

*inaccessible to the general public and be lost as a source of ongoing revenue.*

- *Private entities may be unable or unwilling to bear the costs of maintaining the land.*
- *Private owners may allow destruction of ecological and/or cultural assets on the lands.*

*No, it should not be a requirement because:*

- *The state may be able to generate immediate revenue by selling some of the lands.*

**6. What kinds of studies of immediate and future impacts should precede federal land transfer to New Mexico?**

- *Environmental, including air quality, water quality, land quality, biodiversity, endangered and threatened species?*
- *Financial/economic?*
- *Cultural resources?*
- *Public access?*
- *Management for fire and other natural disasters?*
- *Other?*

**7. Are there any other reasons to justify or oppose the transfer?**

**8. Should the League of Women Voters of New Mexico support the transfer of federal public lands to the state of New Mexico? Why or why not?**

*No, do not support the transfer because:*

- *The cost of administering the public lands will be high and, if the state lacks the necessary funds, could result in great pressure to sell them.*
- *Such a transfer goes against many decades of legal precedent and historical practice.*
- *The New Mexico state budget must be balanced. Managing and recovering from unpredictable natural disasters, such as wildfires or floods, would severely strain state finances.*
- *New Mexico would be responsible for the deferred maintenance costs on any transferred lands, placing additional strain on state finances. This could lead to degradation of the lands.*

*Yes, support transfer because:*

- *New Mexicans are able to determine the best use for lands within their borders.*
- *New Mexico could generate additional revenue.*
- *There could be fewer regulations governing the use of the land.*

*Barbara Calef*

## **Report on the 2018 Midterm Election**

The midterm election ran smoothly in Los Alamos. The League's voter guide was distributed to all households as part of the *Los Alamos Daily Post* on October 11; additional copies were available in the libraries and senior centers. Leslie Wallstrom, Judy Prono, and Rosmarie Frederickson assisted Lynn Jones, our wonderful Director of Voter Services, with the editing. The turnout in Los Alamos County was 72.86%, the highest in the state. The statewide turnout was 55.61%.

*Barbara Calef*

## **Advocacy Workshop at the Roundhouse on December 8**

The League of Women Voters of New Mexico will present its annual workshop on Effective Citizen Advocacy at the Legislature on Saturday, December 8, 2018, from 10:00 a.m. to noon at the State Capitol in Room 322 (enter on the East side only). The public is welcome.

The speakers will be Senator Peter Wirth, D-Santa Fe, District 25; Senator Sander Rue, R-Albuquerque, District 23; and Jim Jackson, formerly CEO of Disability Rights New Mexico.

Attend the workshop, then join the LWVNM Action list. It's a good way to learn about the issues

*(continued on page 6)*

the League is following in the Roundhouse. In addition, League members are invited to participate in teleconferences. To join, send a message to [lwvnmaction-subscribe\(AT\)yahogroups\(DOT\)com](mailto:lwvnmaction-subscribe(AT)yahogroups(DOT)com).

You will receive an email from the group, asking you to confirm your request to join the list; reply to it immediately, and you will be on the mailing list.

Members of the Action Committee meet by phone weekly during the legislative session and monthly throughout the year. Meeting times and agendas, as well as detailed discussions of proposed legislation, are sent to the LWVNM Action mailing list.

*Dick Mason*

## **Roe v. Wade Day**

The 46<sup>th</sup> anniversary of the Roe v. Wade Supreme Court decision will be celebrated at the New Mexico Capitol Rotunda on January 22, 2019, from 1 to 2 p.m. The NM Coalition for Choice will be hosting the event and discussing New Mexico's plan to address the growing threat to women's right to choose and privacy rights if the Roe v. Wade decision is overturned at the federal level.

The Respect NM Women campaign is working to make the public aware that NM has archaic language in its statutes that criminalizes abortions. Numerous legislators have expressed their commitment to pass legislation to remove these discriminatory laws and several are scheduled speak at the event in support of reproductive justice.

*Coalition for Choice*



*Campaign logo courtesy of [respectnmwomen.org](http://respectnmwomen.org).*

## **Legislative Preview on January 9**

The 2019 session of the legislature begins on January 15 and will last 60 days. Once again, the AAUW is co-sponsoring our annual legislative preview. It will be held in Fuller Lodge on Wednesday, January 9, from 7 to 9 p.m., with refreshments at 6:30 p.m. Everyone is invited. This is your opportunity to meet with our legislators, Representative Christine Chandler and Senators Carlos Cisneros and Richard Martinez, and to learn about the issues that will be debated during the session.

*Barbara Calef*

## **Observer Corps Reports**

### **County Council**

This brief report is based on a detailed summary by Becky Oertel. Please see the Los Alamos County (LAC) website for the agenda packets and video: <http://losalamos.legistar.com/Calendar.aspx>.

Over the years since land on the north side of Route 4 in White Rock was transferred from LANL to the County, several companies have attempted to develop it for residential housing. A major obstacle has been the presence of basalt deposits over most of the area. The current developer is Site A-19-A-1 Acquisition Group LLC, with Principal Adam Thornton, a Los Alamos native. The company has named the development the Mirador Subdivision and intends to build 161 single-family homes there. Eventually, they plan to add 60 loft apartments as well as retail space.

During the October 16 County Council work session, Thornton and his partners gave a presentation to convince the Council to authorize a Public Infrastructure District (PID) for the Mirador Subdivision. The PID would impose a levy on homeowners in the district, not a county-wide tax. However, the County is required to collect the levy.

*(continued on page 7)*

An alternative to the PID would be for the developer to raise the initial cost (sales price) of the homes. However, the developer's argument was that doing so would delay their ability to reduce their carrying costs and complete the project in four years rather than seven, which was the original timeframe outlined in the existing development agreement. They said the cost to the homeowner would average about \$200/month under the PID but without it could run as high as an additional \$50,000 per home.

At their October 30 meeting, the County Council discussed a resolution to create the PID. Most of the public comment was in support of making every effort to build new housing. David North listed a number of concerns with the approach. Councilors Chandler, Maggiore, and Izraelevitz were also skeptical. Chandler was concerned that the resolution required very little commitment from the developer to build the housing. There was no binding obligation. Izraelevitz was concerned about imposing an expensive second mortgage that is non-negotiable and one that could not be refinanced on every buyer who moves into Mirador. Maggiore was also worried about the financial impact on the homebuyers. The resolution passed 4-3, with Izraelevitz, Chandler and Maggiore opposed. Councilors Reiss, Sheehey, Pongratz, and O'Leary voted in favor of the resolution.



*Adam Thornton A-19-A-1 Acquisition Group, LLC speaks to Los Alamos County Council Oct. 30 during its regular meeting. Photo and caption by Kirsten Laskey with the Los Alamos Daily Post*

According to the state statute, the local government was also required to form a District Board to govern the PID. In the motion that the Council passed, three members will be County Councilors appointed by the

Council Chair. Other board members would include Adam Thornton and Scott Grady of Raylee Homes, a partner in the development. Two of the County Councilors and Thornton will serve six-year terms and the remainder will serve four-year terms. Pongratz, Reiss, and Sheehey were initially appointed to serve on the District Board. When Pongratz's and Reiss's terms expire at the end of the year, the Council will need to appoint new members.

During the public comment section of the October 30 Council meeting, James Whitehead requested an investigation regarding how failures to comply with Detention Center policy have led to victimization of a family. He also said sexual abuse, guns, bullying, dating violence and more were significant problems in the county that were misrepresented in reports to the state. He requested an independent audit by the County, that annual criminal activity reports be more formalized, that drug testing be required.

At the November 13 Council meeting, Police Chief Sgambellone responded that different reporting definitions in each state can account for the variances, but the numbers are accurate. Inmates' use of phone and email can be monitored (except legal-related correspondences). They can make calls and write letters any time. That conduct is part of their rights if done within the law. There is a pending criminal action concerning the harassment case to which Mr. Whitehead was referring. The Council voted for no further action on the petition.

At the same meeting Councilor Sheehey asked the Council to approve a resolution in support of the New Mexico Health Security Act, which will be filed during the 2019 legislative session. Mary Feldblum, Executive Director of the Health Security Campaign responded to questions from the Council. After listening to public comment, the Council voted unanimously in favor of the resolution.

[You can also read Becky's detailed summary of the meeting on the [Voices of Los Alamos Facebook page.](#)]

*Becky Oertel and Barbara Calef*

*(See page 8 for Board of Public Utilities report)*

## Board of Public Utilities

Members of the Board of Public Utilities (BPU) met on Tuesday, November 20, for their regular monthly meeting. The Department of Public Utilities (DPU) staff sought BPU approval for a contract to purchase and install Advanced Metering Infrastructure or AMI, which includes electric smart meters. Staff also asked the BPU to approve an opt-out provision for customers who do not want to participate in the AMI. Specifically, the opt-out provision was suggested to address privacy concerns. Since the county-owned utility falls under New Mexico sunshine laws and data collected from the smart meters may be subject to a request to inspect public records, the DPU and BPU wanted concerned customers to have the option not to receive a smart meter. The BPU approved both items. The County Council will consider approval of the AMI contract at their December 18 meeting.

Also on November 20, BPU members heard a presentation from Danny Katzman, the Technical Programs Manager for N3B, on the Royal Demolition Explosive (RDX) contamination at Los Alamos National Laboratory. He explained that RDX has not been detected in any Los Alamos drinking water wells. Further, there is no immediate threat of contamination of any of the drinking water wells.

Lastly, the BPU approved a multi-year contract to proactively trim trees around powerlines for safety and reliability reasons.

*Julie Williams-Hill*

## White Rock Needs Jemez House Thrift Store

[Letter to the *Los Alamos Monitor* from a board member]

The closing of Jemez House Thrift Shop was a blow to the entire community. The shop performs good deeds at every turn using only volunteer workers.

The main goal is to provide college scholarships to New Mexico students who had at one time resided in

a group home. And it does untold good along the way: keeping tons of used clothing, furniture, housewares, books and electronics out of the landfill, at the same time providing a low-cost source for these items.

Now, Jemez House needs our help. It will continue to exist until all of its scholarship money has been distributed so there is still time to resurrect the thrift store. They need a space at reasonable rent and adequate parking in order to resume business.

The community needs to step up and help this worthy organization to continue their good work.

*Kathy Taylor*

## LWVLA Board of Directors

Officers:

- Co-presidents: Barbara Calef and Rebecca Shankland
- 1st Vice President: *unfilled*
- 2nd Vice President: Leslie Wallstrom
- Treasurer: Kathleen Taylor
- Secretary: Rosmarie Frederickson

Directors:

- Reservations: Amy Birnbaum
- Lunch with a Leader: Karyl Ann Armbruster
- Director-at-Large: Ellen Mills
- Director-at-Large: Akkana Peck
- Webmaster and Social Media: Julie Williams-Hill
- Newsletter: Sandra West
- Publicity: Jody Benson
- Voter Services: Lynn Jones

Off-board Directors:

- Arrangements: *unfilled*
- Fundraising: *unfilled*
- Membership: Rebecca Shankland
- Nominating Committee: *unfilled*
- County Council Observers: Lynn Jones and Becky Oertel
- BPU Observer: Julie Williams-Hill

If you would like to join the League, fill out and submit the membership form on page 9.



LEAGUE OF WOMEN VOTERS OF LOS ALAMOS

MEMBERSHIP FORM

Mail to: LWV Los Alamos
P.O. Box 158
Los Alamos, NM 87544

Name: \_\_\_\_\_ Date: \_\_\_\_\_

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

Phone(s): \_\_\_\_\_ E-mail \_\_\_\_\_

- Check here to receive our local newsletter Update as an electronic file, saving us postage
OR Check here if you prefer the newsletter mailed in hard copy.
Check here if you wish to receive occasional friendly reminders of upcoming events by e-mail.

Membership Categories (All checks for memberships and contributions should be payable to LWV-Los Alamos and all are now tax-deductible.)

- Single membership: \$45
Household membership (two+ people at the same address): \$65
Single Sustaining membership: \$75
Household Sustaining membership (two+ people at the same address): \$95
Contribution: \$ \_\_\_\_\_

Interests and Ways to Help the League (check as many as apply)

- Topics of Interest: Affordable Housing, Local Government, Education, Elections, Voting Rights, Water Issues, Land Use, Health Care, Money in Politics, Sustainability, Living Wage, Public Transportation, Environment, Other topics (please suggest):
Ways to Help with League Activities: Set up Refreshments at Forums, Observer Corps (County Council, DPU, etc.), Nominating Committee, Voter Guide Committee, Voter Registration, Publicity, Website, Social Media, Newsletter, Membership, Fund-raising, Budget Committee for LWV, Lunch with a Leader (assistance), Fund-raising Committee for LWV, Participate in board meetings or join the board

*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.*

<b><i>In This Issue</i></b>	<b><i>Page</i></b>
Calendar	1
Lunch with a Leader: Ellen Ben-Naim	1
Co-President's Message:	
Remembering Refugees	2
National Popular Vote Bill Proposed by NM Legislators	2
Transfer of Federal Public Lands Consensus Meeting and Holiday Potluck	3
Report on the 2018 Midterm Election	5
Advocacy Workshop at the Roundhouse on December 8	5
Roe v. Wade Day	6
Legislative Preview on January 9	6
Observer Corps Reports	
County Council	6
Board of Public Utilities	8
White Rock Needs Jemez House Thrift Store	8
LWVLA Board of Directors	8
Membership Form	9