

## The League of Women Voters of Alameda

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**The League of Women Voters;** a non-partisan political organization – encourages informed and active participation in government, works to increase understanding of major policy issues, and influence public policy through education. The League never supports or opposes any political party or candidate. We advocate only on issues that members have studied and come to a consensus on. In an era of proliferating and powerful special interests, the League's advocacy in the public interest is increasingly recognized as an essential voice of democracy.



**Volume 42  
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# VOTER

**Political Responsibility through Informed and Active Participation**

## Meet and Greet Your Public Officials April 23<sup>rd</sup> Alameda League's Annual Social and Fundraiser

"Meet Your Public Officials" night is an Alameda League tradition that brings together elected and public officials with anyone in the community who buys a ticket. What a great way to get to know the people whose work directly affects Alameda in a friendly, fun and informal environment. This year's event will be on Thursday, April 23<sup>rd</sup>, from 5:30 to 7:30pm at the Harbor Bay Community Center, 3195 Mecartney Road.

In the past, citizens have socialized and asked questions of Congressman Pete Stark, Assemblywoman Wilma Chan, Alameda County Supervisor Alice Lai-Bitker and Mayor Beverly Johnson. This year there will be some new faces among our elected and public officials. Come and get acquainted.

This is the Alameda League's annual fundraiser and our chance to recognize and thank our public official for their service to Alameda. Tickets are \$10 per person, which pays for food drinks and a raffle for door prizes. Tickets may be purchased at the door or from a League member. All members will receive tickets for sale and are requested to invite friends and family as well as participate in providing food and raffle prizes. See page 4 for more information about donations.

## Special Election Pros and Cons April 14<sup>th</sup>

The League's Voter Education team will be presenting the Pros and Cons for the measures on the May 19<sup>th</sup> Ballot. There will be one live presentation at the Alameda Free Library Tuesday, April 14<sup>th</sup> at 7pm.

As this special election is all about the Budget, retired city financial officer Juelle Ann Boyer will be lending her expertise to the event as well as many more of the Alameda League's politically savvy members.

For those unable to attend the event, the League plans to post a video version on U-Tube. Other internet sources of information are LWV Smart Voter at [www.smartvoter.org](http://www.smartvoter.org), The State League at [www.ca.lwv.org](http://www.ca.lwv.org), and the California Secretary of State's web site at [www.sos.ca.gov](http://www.sos.ca.gov)

The Voter Education Committee really has its work cut out for it and a short time to do it. Volunteers are needed to staff the pros and cons meeting as well as to deliver voter education materials. Please contact Joanne McKray at [joannemck@alamedanet.net](mailto:joannemck@alamedanet.net)



## PRESIDENTS MESSAGE

Kate Quick, President, League of Women Voters of Alameda

It is officially spring! To re-word the popular song: “League is bustin’ out all over!” All those seeds we have been planting are starting to grow and indeed, to bloom in the most miraculous ways.

The March Board meeting was long, but I was very pleased with the reports of all the growth from the hard work that has been going on during our cold and wet winter. The planning committee for our April 23<sup>rd</sup> Meet Your Public Officials Event has made great progress and it appears that all will be ready for one of our best, yet. The Nominating Committee came in with a report of a full slate of officers for our Annual Meeting election – including a Co-President, which made me very happy. We will have nominees for both Treasurer and Secretary, and with co-presidents, will not need to fill the Administrative VP slot.

We heard the report from the consensus committee for the LWV National Popular Vote study, and adopted their findings, after some spirited discussion on the topic. More on that will be found elsewhere in this VOTER.

Joanne McKray and her stalwarts are moving right along on the plans for the May 19<sup>th</sup> special election. Speakers on each of the six propositions have been found, the Easy Voter Guide materials ordered, and date and venue for our Pros and Cons Forum in April, established. In addition, plans are in action to film not only that forum via Comcast, but to produce a Pros and Cons video for posting to U-Tube and to link it to the various blogs about town.

Shubha Fanse reported we now have 114 members on the National Database, which is a great number, considering that four years ago we had a low of 83. The soil from which these seeds sprouted was particularly hard, and I thank all the members who didn’t take no for an answer and kept on digging to produce these fruits. The membership coffee for new and prospective members is planned for Saturday, March 28<sup>th</sup>.

The Budget Committee has come in with a good report – we are remaining quite solvent and will have enough to add to our rainy day fund CD again this year. Please come to the Meet Your Public Officials event and bring your friends, relatives, and neighbors. This is our one big fund raiser, and it really helps to keep us “in the green.”

Anne Spanier and I will be our LWVC Convention delegates in May (14-17<sup>th</sup>). I’m looking forward to going to Long Beach. Convention is always a stimulating and fun time where we meet and network with our League members from all over the State. It is energizing and at least for me, acts like a good dose of “Miracle Gro” to keep me growing, healthy and strong in my League commitment. I’ve been asked to be nominated for the position of Chair of the State (LWVC) Nominating Committee for next term, and so will be up for election as such at Convention. I’ll have to be watching the members to spot good candidates for the state board, so I’ll have a lot to do. Kate

### The State Budget and the May 19<sup>th</sup> Ballot

Californians breathed a sigh of relief when the budget crisis was resolved last month. Or was it? The famous 42 million dollar gap will not be closed unless the voters approve five propositions designed to move money from one fund into another, allow the state to cap spending, extend tax raises for a few more years, and let the state to borrow against future revenues from lottery sales.

Over the years with the help of the initiative process, voters have mandated a number of budgetary requirements and specific funding sources to assure children’s health services, mental health services, and funding for schools. While these are noble causes which clearly establish what California voters want the spending priorities to be, they do mandate specific amounts of money be taken from the general fund and placed into these special categories. When money is tight and priorities shift, the legislators find little room to reallocate to meet shifting needs.

**Proposition 1A. Stabilizes State Budget. Reforms California Budget Process. Limits State Spending. Increases “Rainy Day” Budget Stabilization Fund.**

(continued on page 3)

(continued from page 2)

In 2004 Californians passed Proposition 58 which requires the state to pass a balanced budget each year. There are two reserve funds created to “house” the revenues until the Governor and the legislature develop the budget. One of the funds, SFEU, “houses” funds for unexpected expenditures and as such is considered a reserve fund. However, these funds may be used by the Governor without penalty. This proposition would change the way the state sets aside this “rainy day reserve fund” by increasing the amount of money to be placed into the fund and by limiting the governor’s ability to declare an emergency and use the funds. It would also allow the Governor more latitude in cutting certain spending and would extend current tax increases for 2 more years. In opposing Proposition 1A, the LWVC believes the measure will tie the legislature’s hands in creating new budgets based on shifting demographics and growth while increasing the governor’s power in the budgetary process.

**Proposition 1B. Election Funding. Payment Plan**

In 1998 the voters passed Proposition 98 which guarantees a certain minimum funding to K-14 from General Funds and local property taxes. Funding mixes are created by one of 3 different “Tests.” Historically Proposition 98 has created future funding obligations -called a maintenance factor- in two specific situations. These funding calculations are based on revenues in the General Fund and previous school enrollment figures. Currently the state has a gap in maintenance factor obligation of \$1.4 billion dollars. Proposition 1B calls for a “Supplemental Education Obligation” of \$9.3 billion dollars to begin in BY 2011-2012. These payments would replace any maintenance factor funds for 2007-08 and 2008-09. The legislature and governor will have more discretion in how the funds are allocated between K-12 and K-14 and more discretion in equalizing low revenue per pupil districts to high revenue per pupil districts. The LWVC takes no position on this measure.

**Proposition 1C. Lottery Modernization Act.**

This measure modifies both the state constitution and other state laws. It makes major changes in the operation of the lottery and the allowed use of lottery funds. These changes also allow the state to borrow from future lottery profits. For example, this measure allows the state to borrow 5 billion dollars to balance the 2009-2010 budget and eliminates the funding of educational institutions while allocating these funds to the state General Fund. The LWVC opposes this measure, as it believes that the state’s yield on these bonds would be very unfavorable, as they may be sold at a low rate. This raises the question about whether the resulting revenue would be enough to cover the costs of schools mandated under 1B.

**Proposition 1D. Protects Children’s Services Funding. Helps Balance State Budget.**

The California Children and Families Act (now called First 5) was created in 1998 as Proposition 10 to meet the needs of young children and their families. A trust fund is designated to hold the funds which are tax monies from tobacco products and are not subject to appropriation from the legislature. There are 58 County Commissions which allocate the funds for programs primarily to address school readiness for low achieving children, access to child health programs for special needs children, and the teaching of parental skills in their respective counties. Unspent funds are held over from year to year. Current estimates put the County Trust Fund’s unspent balances at approximately \$2.1 billion dollars and unspent balances of the Commissions themselves at approximately 400 million dollars. Children under 5 years of age are also provided for from the General fund in the form of MediCal, foster care and other social service funding. The proposal temporarily redirects Proposition 10 monies to fund services for children under 5 years of age that are currently being borne by the General Fund and redirects them to the General Fund until the 2013-14 budget year. Additional changes in auditing and reporting requirements would also be imposed. The LWVC opposes this measure as it believes it is an illusory stop gap measure not designed for correcting a broken budgetary system.

**Proposition 1E. Ensures Funding for Children’s Mental Health Services. Helps Balance State Budget.**

Mental health programs are provided through the counties to both children and adults. They are funded by a mix of local, state and federal funds. Counties spend about 5 billion dollars a year for these programs. In 2004 the voters passed Proposition 63 named the Mental Health Services Act which applies a 1% surcharge on incomes above one million dollars (continued on page 4)

(continued from page 3) a year. Since inception the Act has supplied between 900 million and 1.5 billion dollars of funding. The Act requires that these monies be added to existing programs and it bars the state from decreasing its Mental Health funding levels from the General Fund below the 2003-04 levels. This measure proposes that \$226.7 million be redirected from Proposition 63 funds for the 2009-10 budget and \$226.7 to \$234 million for budget year 2010-2011 and be directed to the federally mandated program EPSTD. EPSTD is a screening program for mental health disorders for MediCal recipients under the age of 21. The LWVC takes the position that this "shifting of revenues" does not address the underlying problems of inadequate revenue to meet the states needs, and so opposes the proposition.

**Proposition 1F. Elected Officials Salaries. Prevents Pay Increases During Budget Deficit Years.**

In 1990 the voters passed Proposition 112, which created the California Citizens Compensation Commission. The Commission's duty is to establish the compensation for state elected officials, including medical insurance and other benefits. This measure would amend the constitution to prevent the Commission from awarding pay increases in certain cases in any year that the General fund is expected to end with a deficit. The League has no position on this measure.

## Meet Your Public official Needs Food Donations

This annual event is popular because of the opportunity to meet, greet and eat. Providing tasty finger food is all part of the fun. This event relies on the generosity and creativity of our members.

As usual we need commitments from members to bring their favorite finger food. The items should be brought to the Harbor Bay Club House before the event so food can be displayed at 5:15 before the first guests arrive. There is a warming oven available. If the dish requires toothpicks or other accoutrements please provide them.

The committee will provide the paper plates, napkins, cups, coffee and tea from Peets. If you bring a dish or plate that needs to be returned, please label it so it won't be lost.

Please call Anne Spanier @ 522-3426 if you are contributing and the type of item if possible. I can also be contacted at [annespanier@mindspring.com](mailto:annespanier@mindspring.com)

## MYPO RAFFLE PRIZES NEEDED

Raffle prizes are needed for the annual MYPO event on Thursday, April 23, 2009 and we need your help in obtaining donations. Would you connect with your business contacts and ask if they can support us by contributing a raffle prize?

With the change in the economy comes an opportunity to be creative and think outside the box and support our ONLY fundraiser. Do you possess or do you know of someone who possesses a special skill that could be donated?

For example:

- 1 hour landscaping consultation?
- Do you have an abundance of herbs that want new homes?
- Juggling lessons?

Letters can be provided to donors if requested.

We can pick up your donation or you may drop it off. Please call Doris Gee, 521-2117. All donations must be received by Saturday, April 18.

<b>Dates to Remember</b>	<b>April 14<sup>th</sup> Pros &amp; Cons 7:pm Main Library</b>	<b>April 16<sup>th</sup> – Board 7:30 pm Alameda Hospital Room C</b>	<b>April 23<sup>rd</sup> MYPO 5:30 Harbor Bay Community Center</b>
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## ASSEMBLY MEMBER SANDRE SWANSON INTERVIEWED BY THE LEAGUE

Each year, League members interview our legislators, using questions provided by the LWVC. This year the questions focused on the State Budget, Education, and Health Care. Those participating in Assembly Member Swanson's interview were Lianne Campodonico, Piedmont LWV, Kate Quick, Alameda LWV, and Jean Jackson, Oakland LWV.

We discussed our positions on the May 19<sup>th</sup> ballot measures and Mr. Swanson agreed with our opposition to several of them for the same reasons that the League opposes them – they are “fixes” without underlying structural changes or substance to insure that the most vulnerable are well served in our State. He is not opposed to the notion of using propositions to fix budget problems, but said “These are the wrong propositions.”

Mr. Swanson also is a strong advocate of reducing the threshold for passage of budget and taxation measure to either a simple majority, or at most, 55%. He believes that the existence of term limits leads legislators to be always running for office and trying to vote to insure their reelection or ability to raise money, instead of for the principle of the measures being voted upon.

Mr. Swanson believes that the State should be aggressive and competitive in pursuing the stimulus money offered for education, as well as pursuing grants from the federal education coffers. He favors funding education as fully as possible now with these short-term “fixes”, with hopes that more money will be available for continued funding as the economy improves.

Mr. Swanson would like to see credits for coursework passed as the criteria for high school graduation, rather than the simple exit exam. He believes that the exit exam leads to teaching to pass the exam, rather than to the intellectual development of the student.

As to health care, he certainly feels strongly that the system is broken and needs fixing. He is an advocate of the Leno bill (810), which is a continuation of Sheila Kuehl's bill. He would like to see President Obama leave a great legacy in getting single payer through, but understands the politics and thinks that health care may have to be tackled incrementally. He wants to see the community push for reforms with an emphasis on accessibility and cost containment. He recognizes the impact health care has on the whole economy.

Kate Quick

### JANUARY PROGRAM MEETING AN EYE-OPENER

Anne Spanier

On Thursday January 29<sup>th</sup> Dan Purnell, executive director of the Oakland Public Ethics Commission participated with Doug DeHaan, Alameda City councilmember, and Hadi Monsef, former Alameda City councilmember in a discussion regarding campaign financing of local elections. Mr. Purnell began the evening by discussing the evolution of campaign financing in the State of California. He chose to begin his remarks with the passage of Proposition 9 which set in motion the Fair Political Practices Act of 1974. The **California Fair Political Practices Commission** (FPPC) is the government body that enforces political campaign, lobbying, and conflict of interest laws in the state of California similar to what the Federal Elections Commission does at the federal level. The FPPC educates the public and public officials on the requirements of the Act. It provides written and oral advice to public agencies and officials; conducts seminars and training sessions; develops forms, manuals and instructions; and receives and files statements of economic interests from many state and local officials.

The FPPC investigates alleged violations of the Political Reform Act, imposes penalties when appropriate, and assists state and local agencies in developing and enforcing conflict-of-interest codes.

The FPPC regulates:

- campaign financing and spending
- financial conflicts of interest
- lobbyist registration and reporting
- post-governmental employment

- mass mailings at public expense
- gifts and honoraria given to public officials and candidates.

Over the years a number of amendments to the Act were voted upon. By the mid 1990's it was clear that new guidelines were needed to clear up discrepancies in the Act. The League of Women voters supported Proposition 208 which was placed on the ballot in 1996. It passed with a 61% margin. Karyn Gill, President of the LWVC said at the time "The voters understood that we desperately need to change a system of financing elections that is fundamentally flawed."

Unfortunately, a federal district judge placed an injunction against Proposition 208, disappointing many reform minded people. Essentially his decision was based on the belief that the campaign contributions were too low for any candidate to wage a viable. Campaign. As a consequence the provisions of the Proposition were never implemented.

In March 2000 Proposition 25 was placed on the ballot and supported by Common Cause. It failed by a 65% margin. It was strongly opposed by the business community because of funding limits by corporate interests. The legislature then crafted its own bill as Proposition 34 and placed it on the November 2000 ballot. It passed. These amendments to the FPPA are still in effect.

Proposition 34 Limits individual campaign contributions per election: state legislature, \$3,000; statewide elective office, \$5,000 (small contributor committees may double these limits); governor, \$20,000. It limits contributions to political parties/political committees for purpose of making contributions for support or defeat of candidates. It establishes voluntary spending limits, requires ballot pamphlet to list candidates who agree to limit campaign spending. It expands public disclosure requirements, increases penalties for violations, and prohibits lobbyists' contributions to officials they lobby. It also limits campaign fund transfers between candidates, and regulates use of surplus campaign funds.

The LWVC opposed this measure stating: "Proposition 34 is a phony campaign reform measure put on the ballot by the legislature in order to allow for essentially unlimited campaign contributions to benefit candidates. It repeals the campaign contribution and voluntary spending limits for state and local candidates of Proposition 208, passed by the voters in 1996. It replaces them with higher dollar limits for state offices and includes no **limits at all for local offices**. The measure also raises or eliminates contribution limits to political parties or Political Action Committees (PACs) and raises the voluntary spending limits."

Because Proposition included no limits for local races, local candidates may take any amount of money putting many candidates at risk for being outspent by incumbents or politically connected candidates. Councilmember DeHaan spoke to these issues during the presentation. Former Councilmember Hadi Monsef described the situation during the 1980's when he was elected to the Council. A discussion followed regarding the problems inherent in trying to limit campaign spending which has been determined by the Supreme Court to be unconstitutional. The Court considers spending by a candidate to be a form of free speech. The speakers agreed that reform was limited to voluntary donation limits and less likely to be judged unconstitutional. The problems associated with independent expenditures were discussed at some length with examples of what would be acceptable and what would not be acceptable.

If the City of Alameda decides to implement campaign financing rules, it will be necessary to create an ordinance which sets the rules for ethical election behavior. Once rules have been established, a compliance procedure (which may or may not include an independent individual) must be created. In addition, punishments for deviating will need to be designed. If Alameda decides on these processes, there are plenty of models that can be used in the design. The City, in designing its Ethics Commission, would have to consider two main points: 1)What needs to be regulated, and why?, and 2) What do the remedies need to be?

Council Member deHaan is very interested in the formation of such a Commission and having campaign finance rules for local offices. Council Member Matarrese has also, in the recent past, expressed interest in an Ethics Commission. Perhaps League could take a leadership role in offering its expertise in convening a committee to work on an outline for moving the City toward the formation of such a group.

## **Alameda League Supports the National Popular Vote Compact**

At its March meeting the Board accepted the Study Committee recommendation that the LWVA support the adoption of the National Popular Vote Compact as a method to elect the President of the United States. The League has long supported the abolition of the Electoral College and the study was to determine if supporting the NPV Compact was an acceptable method to achieve the election of the President by the National Popular Vote.

After careful reading and discussion of the text of the compact agreement and arguments for and against it, the Committee members Joanne McKray, Marilyn Ng, Karen Scanlon and Anne Spanier concluded the following.

### ***Amending the Constitution***

Action by states through a compact process is an acceptable way to alter the method for electing the President and Vice-President. It would be difficult to amend the Constitution as it requires passage by 2/3<sup>rd</sup> of the states' legislative bodies and passage by 3/4ths of all the states. The Constitution permits states to determine selection and modus operandi of electorates. Also the 14<sup>th</sup> Amendment guarantees equal protection of the law. Voters currently don't have equal treatment as individual votes in larger states count less than those in smaller ones.

Despite the novelty of the use of the compact approach to address a fundamental constitutional issue such as voting, the League should support the NPV Compact as a way of achieving an important goal. The Committee unanimously agreed that the League should not continue to work for a Constitutional amendment due to the great difficulty to have it passed. It was felt that the compact would further the goal of the Constitution to create a working democracy.

### ***Congressional Consent***

The possibility that the NPV Compact will require congressional consent is not of sufficient concern to block the implementation of the plan.

### ***Enforcement***

Although it is not possible to determine whether the enforcement provisions will be sufficient to assure smooth operation of the plan, the plan should be passed anyway. The Committee acknowledged that there are procedure and enforcement issues in the Compact. Plurality, and not the majority, of the popular vote is the standard used in the Compact. M. Ng pointed out that there no specific procedures given for handling recounts if needed. The Compact does not provide details on how to handle various situations that could arise and delay the final results of an election.

### ***Uniformity***

The NPV Compact is more important than uniformity of voting systems because it would succeed in achieving the popular election of the President. The Committee agrees that although uniformity of voting systems is desirable in all states, it is of greater concern that every vote be counted equally.

### ***Popular Election of the President***

It is more important to achieve the goal of national popular election of the President than it is to achieve the goal of abolition of the Electoral College. The Committee recognizes the great degree of difficulty in amending the Constitution. It was felt that League should instead strive to attain the more viable method of electing the President by national popular vote. This in turn would resolve the problem of the Electoral College.

### ***Achievability***

The NPV Compact will have problems being passed because of the need for congressional consideration and the need for action by so many states. It also concluded that a constitutional amendment to establish the direct popular election of the president would have problems being passed. Acknowledging the reality of both statements above, the Committee feels it is worth proceeding to obtain the passage of the NPVC despite the difficulties that lie ahead.

### **In Memoriam**

It is with great sorrow that we note the passing of John Hege, son of Tam Hege, former president of the Piedmont League. John was an Oakland police officer killed in the tragic police shootout.

# Join or Renew your membership in the Alameda League Today!



Name \_\_\_\_\_

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(if a family membership)

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Phone \_\_\_\_\_ e-mail \_\_\_\_\_

\$65 Single Membership  \$85 Family Membership  \$25 Student Membership Dues year is Jan 1 – Dec 31.  
 Dues assistance is available for those on limited income – Contact us at 869-4969. Make Check payable to LWV  
 Alameda and mail to: League of Women Voters of Alameda, P. O. Box 1645, Alameda, CA 94501

## Education Fund donations are Tax Deductible

Donations to the League of Women Voters Educations Fund are tax deductible. Consider sending a check for \$5 or more made out to LWV Ed Fund with your renewal, or at any time to LWV Alameda, P. O. Box 1645. Alameda, CA 94501

## Turn your Trash into Cash for the Ed Fund

Lynn and Jim Groh collect aluminum cans, sell them and give the proceeds to the Ed Fund. Drop your aluminum cans on their front porch at 1546 Eastshore Drive, Alameda, and help the League educate voters.

# Vote with The League on May 19th!

The League of Women Voters  
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