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QUESTIONS AND ANSWERS ON CANDIDATE ENDORSEMENT

Q. Can AAUW, legally, endorse candidates?

A. As long as AAUW is primarily involved in numerous other activities which advance social betterment, endorsement of political candidates as well as other partisan political activity is not prohibited.

Q. What restrictions, if any, does the law provide?

A. AAUW is a Section 501 (c)(4) organization. Such an organization is not organized for profit, but operated exclusively for the promotion of social welfare. Promoting social welfare is defined as being primarily involved in the promotion of civic betterment and social improvements. An organization may carry on political activities and remain exempt under Section 501 (c)(4) as long as it is primarily engaged in activities that promote social welfare.

Q. What action would be necessary to change AAUW policy?

A. The AAUW Board of Directors has the power to approve or disapprove such a change in policy on candidate endorsement. No Bylaws change would be required to implement a board decision.

Q. Has the decision been made?

A. Absolutely no decision has been made to allow endorsement of partisan or non-partisan candidates.

Q. What would be the benefits to AAUW?

- A.
1. Endorsement of candidates is an important aspect of social change since (a) it helps in the election of candidates to public office who support AAUW positions; and (b) it affords AAUW an increased access to those public officials whom the Association, division or branches supported.
 2. Endorsement would allow us to actively promote qualified women for elected office, and to support both male and female candidates who advocate AAUW positions.
 3. Endorsement would enhance AAUW visibility in the community, giving us an additional opportunity to speak out in favor of our convictions.
 4. Endorsement would strengthen branches to work together for a common purpose.
 5. Endorsement would attract new members by drawing politically active people to join AAUW.
 6. The best way to promote equity for women is to elect candidates for public office with like-minded philosophies.

Q. What would be the problems?

- A.
1. There are other organizations that support political candidates so AAUW does not have to do this.
 2. If we support a loser, AAUW could have relatively limited access to the winner.
 3. Candidate endorsement could drain off branch energy and resources from other projects.
 4. Candidate endorsement could be divisive in the branch or division if there were

disagreement on which candidates should be endorsed.

5. AAUW could be perceived as being a tool of special interests.
6. Branches and divisions might not understand how to evaluate a candidate.

Q. What procedure would we use to select candidates?

A. No procedures have been established. The Association Legislative Program Committee, however, has recommended the following general guidelines should the Board decide to change its policy:

1. That there be general guidelines written for branches and state divisions on the reasons for endorsing political candidates, how endorsement is accomplished, and the benefits to the branches of endorsing candidates.
2. That there be guidelines for the AAUW use of name provisions so they apply to the endorsement of political candidates as well as to public policy issues.
3. That there be a stated policy that specifies the endorsement of a particular candidate be made ONLY by the branch or state division whose members would be constituents of the elected candidate.
4. That there be a standard selection procedure specifying the criteria for endorsement to be used by all branches and state divisions.
5. That there be a standard reporting form to inform other branches, state divisions, and the Association of state or federal candidates endorsed by AAUW local levels, that this form be available for possible further action by the Public Policy Department.

Q. Who would make the decisions on the selection?

A. While no policy has been established, it was the consensus of the ALPC in discussion of this issue, that the local constituency, i.e. the branch or division that is represented by the candidate(s), would be the body to make the selection.

Q. Could we endorse partisan candidates?

A. Yes.

Q. On what would we base a decision for endorsement?

A. The AAUW Legislative Program would serve as a guide to establishing selection criteria.

Q. Are we getting too political?

A. AAUW, since its founding, has taken a strong and active interest in legislative activities. Candidate endorsement is a further extension of facilitating change in the community.

Q. What if two or more branches in a political division disagree?

A. Guidelines would be developed to resolve conflicts, similar to procedures already in place for legislative policy disagreements (i.e. an interbranch council or appeal to the division).

Q. Does our endorsement mean anything in a political campaign?

A. Endorsement by national organizations is considered an important asset to candidate credibility and recognition of his or her political views. Endorsement also improves AAUW visibility and access.

- Q. If we endorse a candidate and he or she loses, will that cut off our access to, and effectiveness with, the winner?
- A. Politics is a series of alliances and coalitions. After an election, win or lose, politicians must deal with all constituencies in a community.
- Q. Could we endorse only in a general, rather than a primary, election?
- A. Such decisions would be subject to the guidelines developed by the Association Board, if candidate endorsement is approved.
- Q. Will we alienate members if we support candidates?
- A. In any diverse organization there will always be those who disagree with certain positions taken. There may be some who choose to leave an organization because of controversial stands, but for every member we lose, AAUW may gain new members who are strongly committed to its Legislative Program.
- Q. How will the public view AAUW getting into politics?
- A. In many communities AAUW is already perceived as having a political agenda.
- Q. Are we talking about local, state, or federal elections?
- A. The question is open for discussion, AAUW could choose to limit endorsement to specific levels, such as local, if we wish.
- Q. How will the expenses for candidate endorsement be paid?
- A. Endorsements do not imply financial commitments of Association monies. Expenses of the branch and state divisions related to record-keeping would be part of the membership data base currently maintained at the Association office.
- Q. Would a branch or state division be required to spend money on a campaign for a candidate they endorsed?
- A. No. Funding of an endorsed candidate, other than individual contributions, is a separate issue and would require another decision and guidelines from the Association Board.
- Q. How does the League of Women Voters handle candidate endorsement?
- A. The League of Women Voters does not support candidates, but rather serves as an education forum on the elections process and issues. Other national organizations, such as the National Federation of Business and Professional Women's Clubs (BPW), not only endorse candidates, but have Political Action Committees to solicit contributions to support them.
- Q. Would candidate endorsement be required of a branch or division?
- A. No. Endorsement would be at the discretion of the branch or state division and there would be no requirement to endorse even if an Association policy which permitted endorsements were adopted.



President
MARY H. PURCELL

December 1981

Dear Division Presidents:

I need your help in educating members about a change in the Internal Revenue Service Tax Code which has implications for AAUW. Since 1969 we have stated consistently and continuously to our membership that IRS regulations prevented AAUW from endorsing candidates for public office. We have been so effective that I daresay we have very few members who are not aware of our position. We now understand that a 1976 change in the IRS law permits organizations such as AAUW to support candidates as long as it is not our primary activity.

In response to members request the Association Legislative Program Committee is studying the viability of a change in AAUW's current policy on non-support of candidates, both partisan and non-partisan.

Enclosed with this letter are the following pieces of information:

1. background information about our previous and current policy;
2. the latest legal opinion on political activity;
3. the major arguments for and against AAUW support of candidates;
4. a copy of the Leader in Action survey of membership opinion on this topic. This survey and accompanying information will be printed in the Winter Leader in Action which will reach the branches and divisions shortly.

Please become familiar with this information so that you can help branches understand the issues involved and encourage them to respond to the survey. Bring the same information to your division leaders. If you are having a division board meeting before February 26, discuss the information and respond to the survey as representatives of your division.

It is very important that AAUW members and leaders discuss this information fully and then express their views as it could result in a significant change in AAUW polity that will have impact not only on AAUW but also the greater community we live in.

Sincerely,

Mary Purcell

cfc

Presented below are some reasons for and against the Association endorsing political candidates. Study these arguments, read the opinion of our legal counsel, and talk the issue over with other members. We would like the broadest participation of all our members in a discussion of this kind. We do believe that women's voices are being ignored in the formation of legislation, and in the creation of public policy. Any decision the Association makes concerning candidate endorsement should bear this in mind. We look forward to your response.

ARGUMENTS SUPPORTING CANDIDATE ENDORSEMENT

1. Endorsement of candidates is an important aspect of social change since (a) it helps in the election of candidates to public office who support AAUW positions; and (b) it affords AAUW an increased access to those public officials whom the Association supported.
2. Endorsement will allow us to actively promote qualified women for elected office, and to support both male and female candidates who advocate AAUW positions.
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4. Endorsement will strengthen branches to work together for a common purpose.
5. Endorsement will attract new members by drawing politically active people to join AAUW.
6. The best way to promote equity for women is to elect candidates for public office with like minded philosophies.

ARGUMENTS OPPOSING CANDIDATE ENDORSEMENT

1. There are other organizations that support political candidates so we do not have to do this.
2. Endorsements could polarize our membership if forced to choose between candidates.
3. If we support a loser, we will have limited access to the winner.
4. Candidate endorsement will drain off branch energy and resources from other projects.
5. There are other ways of influencing government action.
6. AAUW may be perceived as being a tool of special interests.

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AAUW ENDORSEMENT OF CANDIDATES FOR PUBLIC OFFICE

The Association Legislative Program Committee recommends the following procedures should AAUW support candidates for political office:

1. That there be general guidelines written for branches and state divisions on the reasons for endorsing political candidates, how endorsement is accomplished, and the benefits to the branches of endorsing candidates.
2. That there be guidelines for the AAUW use of name provisions so they apply to the endorsement of political candidates as well as to public policy issues.
3. That there be a stated policy that specifies the endorsement of a particular candidate be made ONLY by the branch or state division whose members would be the constituents of the elected candidate.
4. That there be a standard selection procedure specifying the criteria for endorsement to be used by all branches and state divisions.
5. That there be a standard reporting form to inform other branches, state divisions, and the Association of state or federal candidates endorsed by AAUW at local levels and to be available for possible further action by the Public Policy Office.

Orono - Old town

marie Grady

To: Maine Branch Legislative Program Chairmen
From: Jeanne L. Hammond, Maine Division AAUW LPC
Subject: Advocacy Training Conference, Washington, D.C., 9/23-9/26, 1982

Representing the Maine Division AAUW, I attended the AAUW Advocacy Training Conference, "The New Federalism: A Washington Primer". This was arranged through the support of Shell Oil Company and the co-sponsorship of Congresswoman Lindy Boggs and the Congressional Caucus on Women's Issues. Maine Representative Olympia Snowe serves as a director of the Caucus, and has volunteered to send to me the regular reports of the Caucus. All Association Legislation Program Committee members participated in the training, which was moderated by Kappie Spencer, chairman of that committee, and Johanna Mendelson, director of AAUW's Public Policy Department. Mary Purcell, AAUW president, and Quincalee Brown, executive director, also participated.

The goal of the conference was to develop greater advocacy/action capacity among the DLPC's through programs about the changing relationships between the federal, state, and local branches of the government, and how the shifts in federal spending will affect the role of citizen advocates.

Briefing sessions were held on these topics:

Understanding the Federal Budget

The Legislative Process

Block Grants

Environmental Concerns

Congress and Higher Education; The Challenge of the 80's

Organizing a Grassroots Network for Political and Legislative Action

Local-State-Federal Connection: How to be Effective in your

Community in the Legislative Process

Special Community Needs and How to Achieve Them in Washington and your State

The New Federalism and the Impact on the AAUW Legislative Program

Consolidating the Network; Obligations and Responsibilities of

AAUW State Divisions

Media Training

AAUW organized a "Take your Member of Congress to Lunch" function. More aides than members attended, but most states were represented. My guest was Susan Wagner, on the staff of Representative David Emery. I found her to be friendly, interested, well-informed on Emery's stands--and young! We were generally struck by the youth of the Congressional staff people. Sue volunteered a statement that Emery has trouble with the abortion issue, but has generally supported other "women's" issues. He, along with the other members of the Maine delegation, endorsed the re-entry of the Equal Rights Amendment.

Areas of concern which have become more real to me as a result of the Conference include: 1) the federal budget-making process, which, I found, can run almost by default through use of continuing resolutions; 2) the wisdom of delegating block grants for human services to the individual states, which have varying levels of funding, standards, historical approaches--I fear inequity increasing, state and local taxes rising, and no real lessening of bureaucratic involvement; 3) personal reaffirmation of the necessity of a national Equal Rights Amendment!

I accumulated a notebook full of materials from the conference. These are listed on the second page. I'll be happy to share these with you, and would "fill orders" at 5¢ per page for copying cost. Just let me know what you need.

Printed materials:

AAUW Legislative History and Policy Notes, 3rd edition - 1981-83 (53 pp)
Who Makes AAUW Legislative Policy? (1 pg chart)
What Is Public Policy? (1 pg)
How To Write a Legislative Study (1 pg)
AAUW Resource List (5 pp list of materials available from the Sales Office)
Candidate Endorsement (1 pg policy statement from Branch Leaders' Handbook)
Ten Commandments of Citizen Lobbying (3 pp)
How To Lobby on Federal Legislation (3 pp)
Map of Senate and House Office Buildings (1 pg)
Members of the Congressional Caucus on Women's Issues (1 pg)
How a Bill Becomes Law (1 pg diagram)
Action Alert, Vol II, Issue 11, Sep. 1, 1982 (4 pp)
Voting Record, 97th Congress, First Session (24 pp)
Congressional Budget and Impoundment Control Act of 1974 (2 pp)
Budget Cuts and Block Grants: Social Needs and the New Federalism (8 pp),
publication of the League of Women Voters Education Fund
Briefing Paper: Block Grant Program (2 pg)
National Plan of Action Task Force on: Education (2 pg)
Approved National Coalitions for AAUW Membership (1 pg)
Charting Your Course to Educational Equity, Multiplying Power: The Use of
Networks and Coalitions (9 pp)
Case History: In Self-Defense, Industry Builds a Coalition (2 pp reprint
from Association Management)
Guidelines for AAUW Coalition Membership (2 pp)
Maine Business and Professional Women (BPW) State Presidents and National
Committee Chairmen (3 pp)
League of Women Voters State Presidents (4 pp)
National Women's Political Caucus State Chairs (3 pp)
The U.S. Congress Handbook, 1982 (136 pp)
Our American Government (150 Questions and Answers), (56 pp, 1981 Edition)
Plugging in to Washington: How To Communicate with Congress (20 pp,
American Society of Association Executives)
AAUW Legislative Program and Resolutions 1981-83 (2 pp)

This report would not be complete with mention of these experiences:

- 1) Tour of the Capitol, conducted by the Capitol historian!
- 2) Meetings and meals held in the Rayburn House Office Building--we were really in the places where the action is!
- 3) Meetings, reception, meals, and a tour--all in AAUW's own building. We were all impressed!
- 4) Gracious hospitality of the Canterbury Hotel--we couldn't have had more comfortable housing!
- 5) My exhilaration at being part of this particular group of concerned, involved women--one from every state--in our nation's capitol
- 6) Finally, the personal experiences of making new friends, sharing common concerns, experiences and goals, enjoying the National Symphonic Orchestra in concert and the Smithsonian--there just wasn't time for all the sightseeing I'd love to do!

Do I still sound excited--even after a month of more-or-less routine living? I am excited! And I hope to be effective as a catalyst in creating more interest in legislative matters among our Maine members, in encouraging more learning about legislative issues, and surely in producing more action as citizen/lobbyists. We are the government--it's up to us to help our elected representatives remember this!

TEN COMMANDMENTS OF CITIZEN LOBBYING

A lobbyist, paid professional or citizen activist must follow a few rules to be effective.

1. Know your facts, be accurate in expressing them.
 - Be accurate in facts and figures.
 - Do not misrepresent your opponent's view.
 - Remember, even if you win the battle you may lose the war. Long-term credibility is what counts in lobbying.
2. Know your opposition.
 - Effective lobbying means identifying your opposition early in the lobbying campaign.
 - Analyze your opponents position and attempt to neutralize it. This analysis is as important as your own case.
 - Remember: be honest, be accurate.
3. Correct errors immediately.
 - When many individuals participate in a lobbying campaign errors can occur.
 - It is essential that you follow firm policies regarding individuals authorized to speak for the group.
 - Always be aware of AAUW use of name policy and the rules for application.
4. Plan, coordinate and follow-up on each contact.
 - Carefully plan your approach to Capitol Hill or your state legislature.
 - Before you make a contact with a legislative office, re-search its role.

- Keep careful notes of meetings and follow-up with memos.
 - Once you have developed a network of friends in the legislature keep them informed of your activities and always remember to thank those who have helped your cause.
5. Avoid being a zealot.
- Being a fanatic does not impress people.
 - Fanaticism on an issue reduces a group's credibility.
6. Cultivate your allies, make sure they do their part.
- Many issues attract widely diverse groups.
 - Learn which organizations support our issues and learn to work in coalition.
 - Few political objectives can be gained without allies.
7. Know the Legislative Process.
- Good intentions are no substitute for knowledge about how a bill becomes a law.
 - Learn the system and work with it.
8. Be careful with money.
- Lobbying campaigns can be very expensive or very inexpensive depending on how you plan your activities.
 - Mailings, petitions, trips to the legislature cost money.
Keep accurate records.
9. Grow thick skin.
- Taking a position can often evoke criticism. Don't take it personally.
 - Fire aimed in your direction is merely business.
 - Lobbying is serious but don't take yourself too seriously.
 - Above all, maintain a sense of humor.

HOW TO LOBBY ON FEDERAL LEGISLATION

- | | | |
|---|--|---|
| (1) Determine legislative goals. | (2) Identify piece of legislation or issue on which you want to act. | (3) Determine the stage(s) in the legislative process you are concerned about. |
| (4) Identify key legislators and their positions. | (5) Develop AAUW lobbying strategy. | (6) Cooperate with other interested groups/individuals to plan joint lobbying strategy. |

(1) DEFINE YOUR GOALS.

Try asking these questions to help you set your lobbying goals:

- What do you want to accomplish? Be specific.
- Which of the following goals is more appropriate for you at this point:
 - Influencing an elected official.
 - Public education.

Every lobbying goal requires its own lobbying strategy. The most common goal of lobbying is to influence the vote of your legislator and other key legislators whose position in the legislative body makes them particularly influential (for instance, the chair of a committee). Usually, you will want to convince a legislator to vote the AAUW way, but sometimes you may lobby a legislator to assume a leadership role on an issue that is important to the Association.

Public education requires a different type of lobbying strategy. It entails lobbying other members of your community. Your aim is to educate them and mobilize them to action.

(2) IDENTIFY PIECE OF LEGISLATION OR ISSUE ON WHICH YOU WANT TO ACT.

To be an effective lobbyist, you will have to do some research before you start to lobby. Below are some guidelines you will want to follow in order to identify the appropriate legislation:

- If you have not picked your issue, review the AAUW and Division legislative programs and the Action Alert (in addition to newspapers, periodicals, etc.) for ideas.
- Be sure that the issue you select is one that will interest and excite your community.
- Once you have chosen your issue, be sure that it falls within the Association's Legislative Program. You may want to contact the Public Policy Department for assistance and background information, as well as other public interest groups in your community.

- Read AAUW's Legislative History And Policy Notes on use of the AAUW name, page 23, and for background on your issue.
- If you are lobbying on a specific piece of legislation, are you sure that this bill deals with your issue effectively? Study the bill carefully and talk to knowledgeable people about it.

(3) DETERMINE WHAT STAGE IN THE LEGISLATIVE PROCESS YOU ARE CONCERNED ABOUT.

Every legislative body has a step-by-step decision making process for doing its work. Many of these steps are good opportunities to lobby. What stage in the legislative process are you concerned about right now? What stages will you be concerned with as the legislation moves through Congress? (See "How A Bill Becomes A Law").

Stages in the Legislative Process:

Writing of the legislation
Referral to committee(s)
Hearings in subcommittee/full committee
Floor debate in House/Senate
Conference committee
Compromise bill voted on by both houses
President's signature

(4) IDENTIFY KEY LEGISLATORS AND THEIR POSITIONS.

Once you know your issue and the stage(s) of the legislative process that concern you, you can identify key legislators. Learn which committee is responsible for your bill or issue. All of these committee members will have a strong interest in your bill. Some may even be willing to take a leadership role in supporting or defeating your legislation. You will also want to know which legislators (on and off the committee) have a vested interest in the issue.

Find out each key legislator's position on the issue by:

- Asking the legislator or his/her staff members
- Using AAUW's Voting Record
- Checking newspaper articles
- Consulting the AAUW Public Policy staff.

Evaluate the factors influencing his/her position (constituency? lobby groups pressure from his/her political party?) How firm is the legislator's position on the issue? Why would he/she favor or disfavor your issue?

Don't forget that your own Senators and Representatives are important. Let them know of your interest. They can, in turn, influence their colleagues in Congress.

(5) DEVELOP AAUW LOBBYING STRATEGY.

You have now set out your goals, researched whom you want to target, and what legislation or issue you want to support/oppose at the appropriate stage in the legislative process. All this information should be used to determine your lobbying technique. Here are some lobbying alternatives to consider:

- Face-to-face interview. It is usually easier to get an appointment with an elected official at his/her home office than in Washington, D.C. As noted earlier, follow AAUW's Action Alert to find out when your legislators will be home and make your appointment with his/her office as early as possible. Use your discretion to determine if you should go alone or take several persons from your community to this appointment.
- Cultivate a working relationship with Congressional aides at home and/or in D.C. offices. These people have a direct line to your Congressman, and once a working relationship is developed they will take the time to listen and help you develop strategy.
- Write:
 - Mass letter writing
 - Postcard writing
 - Public opinion message (POM)
 - Telegram
- Phone calls
- Testify at a hearing in your home state or district, or work with the AAUW Public Policy Department to submit testimony to a committee.
- Lobby other groups to lobby
- Petitions

(6) COOPERATE WITH OTHER INTERESTED GROUPS/INDIVIDUALS TO PLAN JOINT LOBBYING STRATEG

What groups or individuals in your community are also interested in this issue and might want to do some lobbying? Supporters might include:

- Groups or individuals who normally support this type of issue (e.g. League of Women Voters, National Federation of Business and Professional Women, etc.)
- Those most directly affected by the issue
- Civic groups
- Church groups
- Student groups
- Media (try finding a reporter who is interested in your issue)
- Coalitions

Perhaps there already is a coalition of organizations in your community working on this issue. Cooperation with other organizations on the same legislative issue can be an effective way to obtain information and work from a broad base of support. It is important to review "Guidelines for AAUW Participation in Coalitions" which appears in Legislative History And Policy Notes, page 22, before joining a coalition.

CANDIDATE ENDORSEMENT

AAUW does not endorse partisan or nonpartisan candidates for public office. AAUW publications may not be used to endorse any candidates, including members of the Association, for public office. Names of candidates, their policy statements, or a summary of their positions on major issues may be printed in AAUW publications, only if all of the candidates for the office are included. If an AAUW member is running for the office, this announcement can be made in AAUW publications or at AAUW meetings, only if the names of all the candidates for the office are given. The branch may invite candidates for an office to speak, only if all candidates for the office are invited. It is permissible for the AAUW position on an issue relating to candidates to be printed in articles containing policy statements of the candidates or to be stated in a forum where the candidates are present.

In cases where all candidates are asked to submit policy statements or attend a forum, equal efforts must be expended to obtain responses from each candidate. Requests should be made in writing and copies should be kept in the branch file. If a candidate does not respond, the publication or forum may proceed. A note or announcement should give the name of the candidate(s) who did not respond.

Following is an example of how your branch might report the position of candidates for public office:

"Elections for county commissioner of Independence County, Virginia, will be held on Tuesday, November 3. Candidates for this office are Mr. John Doe and Ms. Jean Smith.

"Doe received a BA degree from the University of Virginia in Business Administration. He has worked for the Flag City Chamber of Commerce since 1973 and is a member of Rotary International and the National Management Association. Doe is an advocate of the increased urbanization and development in the county; he does not support the ERA.

"Smith graduated from George Washington University and earned a Master's Degree in Public Administration from American University. A ten-year veteran of the county school board, she has developed vocational education programs in Independence County schools. Smith is a member of AAUW and the National Education Association. She supports public education and the ERA.

"In issues relating to this election the Independence County branch of AAUW has opposed the recommendation of the County Board of Supervisors for a new and larger sewerage system. We support education at all levels and advocate passage of ERA."

SOURCE: AAUW BRANCH LEADERS' HANDBOOK

WHAT CAN BE DONE TO WORK FOR THESE PRIORITIES?

EXISTING ACTION MECHANISMS AND RESOURCES

PEER--Community involvement project to improve vocational access K-12. "Title IX Watch" updates. Contact: Linda Weston, 1112 13th Street, NW, Washington, DC 20005; phone (202) 332-7337.

WOMEN'S EQUITY ACTION LEAGUE (WEAL)--National legislative updates. Contact: Char Mollison, 805 15th Street, NW, Washington, DC 20005; phone (202) 638-1961.

MATH/SCIENCE NETWORK--Links individuals, programs, institutions, conferences.

Address: Math/Science Resource Center, Mills College, Oakland, CA 94613; phone (415) 430-2230.

NATIONAL EDUCATION ASSOCIATION--Also state and local education associations. Contact: Barbara Stein, 1201 16th Street, NW, Washington, DC 20036; phone (202) 822-7715.

PROJECT ON THE STATUS AND EDUCATION OF WOMEN--Higher Education newsletter-subscribe.

Contact: Bernice Sandler, Association of American Colleges, 1818 R Street, NW, Washington, DC 20009; phone (202) 387-1300.

SOCIAL SCIENCE CLEARINGHOUSE--Computerized information on educational research/programs. Contact: Sydney Meredith, 855 Broadway, Boulder, CO 80302; phone (303) 492-8434.

SPRINT HOTLINE--"In the Running" newsletter. Address: 805 15th Street, NW, Washington, DC 20005; phone (800) 424-5162, for information on athletics.

REGIONAL SEX DESEGREGATION ASSISTANCE CENTERS--Funded by Title IV, U.S. Education Department. For nearest center, contact MACSE, #252, 3301 New Mexico Avenue, NW, Washington, DC 20016; phone (202) 686-3511.

SUGGESTED ACTIVITIES

- * Lobby Congress, legislatures, school boards on legislation and appropriations.
- * Organize or participate in state and local coalitions pushing for educational equity efforts in legislation, funding, enforcement, curriculum, training.
- * Investigate progress toward equity in state and local school systems and higher education institutions, including employment of women in administrative positions proportion of women on boards of education, enrollment of boys and girls in non-traditional vocational courses, type of counseling, use of unbiased textbooks and curricula, athletic, physical education and extracurricular opportunities, etc.
- * Educate local leaders, organizations and individuals, including students, concerning educational equity problems and involve them in working toward solutions.
- * Support the programs and staff already devoted to educational equity, such as Title IX and vocational education sex equity personnel, Title IV centers, and demonstrations funded by WEEA, PEER.

OTHER GROUPS TO ENLIST IN YOUR EFFORTS

National, state, and local chapters/representatives of the Lead Organizations listed on front of sheet. Subscribe to: AAUW "Action Alert;" "WEAL Washington Report." Persons employed in state and local Education Departments and higher education institutions as Title IX or vocational education sex equity coordinators, affirmative action/human rights officials, women's studies faculty. Organizations with general concern for quality of education such as Parent-Teacher, student groups, women's centers, and state or local Commissions for Women.

The National Women's Conference Committee produced and distributed these Task Force papers. For full 1977 Plan of Action, send \$1.00 to Allie Hixson, Secretary, Route 4, Box 502, Greensburg, KY 42743.



UNIVERSITY OF MAINE *at Orono*

Women's Development Program

November 15, 1983

251 Aubert Hall
Orono, Maine 04469
~~207/581-7957~~
207/581-1227

Ms. Marianne Pinkham
5 Park Lane
Orono, ME 04473

Dear Marianne:

On December 7, Betsy Sweet, Director of the Maine Women's Lobby, will be making an informal presentation and leading a discussion about ways in which we as women can increase our political effectiveness and impact. Are there ways in which AAUW and the Maine Women's Lobby can work together on a limited number of issues of mutual concern? Are there particular issues that you hope the Maine Women's Lobby will address? Would you simply like more information about the Maine Women's Lobby so that you can decide whether you'd like to become involved in it? Betsy is eager to hear your questions.

You and others in the AAUW are invited to All Souls Church, 10 Broadway, Bangor, at 7:30 p.m. on Wednesday, December 7. Would you please share this information with others in the AAUW?

Thank you. I hope to see you December 7.

Sincerely,

JoAnn M. Fritsche
Director
Equal Opportunity/
Women's Development Program

JMF/gh

To: All Maine Division AAUW Branch Presidents and Legislative Program Chairs
From: Jeanne L. Hammond, Maine Division Legislative Program Chairman
Subject: JOINT LEGISLATIVE DAY - MARCH 20, 1984

PLEASE SHARE this announcement with all your branch members!

The Joint Legislative Day sponsored by the Maine Division AAUW and the Maine Federation of Business and Professional Women is scheduled for Tuesday, March 20, 1984, in Augusta.

THE SCHEDULE now includes:

Coffee at the Blaine house	9:30 to 10:30 a.m.
Program and Panel Discussion	10:45 to 12:30
Lunch break	Time is flexible
Legislative hearings	Time to be announced

MORE DETAILS:

Coffee: Special invitations will be sent to each Legislator; you are encouraged to mention the event to your own legislators and to ask them to meet you there.

Program: Senator Judy Kany (AAUW member) is arranging this. Governor Brennan has been invited to speak (pending his agenda) Secretary of State Rodney Quinn Attorney General James Tierney Members of the Legislative Committees on Education, Business, Taxation Several women involved in the legislative process

Lunch: You may want to bring a bag lunch, eat at state cafeteria, or go elsewhere. You may want to invite your legislator to meet you for lunch

Hearings schedule will be set on the preceding Thursday, so we will obtain that information later and provide it on your agenda.

WHY SHOULD YOU AND YOUR MEMBERS ATTEND THIS FUNCTION?

- For personal enrichment
- To support the Maine Division
- To emphasize to the legislature that you are interested and concerned
- To intensify the impact that Maine Division AAUW is now making on the Maine scene through our contacts with the Maine Commission for Women, the Maine Women's Legislative Agenda Coalition, the Maine Women's Lobby, the Maine ERA Committee and other organizations
- To increase our public relations outreach and networking endeavors

PLEASE R.S.V.P. to Margaret Whelan, 98 Windsor Avenue, Augusta, ME 04330, by 3/15!



UNIVERSITY OF MAINE *at Orono*

Women's Development Program

March 16, 1983

251 Aubert Hall
Orono, Maine 04469
207/581-7957

Ms. Marianne Pinkham
201 Wells Commons
CAMPUS

Dear Marianne:

Enclosed are multiple copies of the statement I promised to send you. Thank you for your willingness to seek support from AAUW and its members and others whom you are comfortable contacting.

Perhaps, it would be preferable for people to mail their checks to you, rather than to me. If so, you can just write on the bottom of the sheet that the check should be mailed to you.

Enclosed, for your information, is the forum agenda and the budget, in case you need to respond to questions.

If you incur postage expenses, keep a record, and I will reimburse you.

Again many thanks.

Sincerely,

JoAnn M. Fritsche
Director
Equal Opportunity/
Women's Development Program

JMF/gh

Enclosures

Women: An Economic Resource
BUDGET

I.	SALARIES & WAGES	
	A. Coordinator	\$2666.68
	(1/2 time for 4 mos. = \$666.67 x 4)	
	B. Clerical	\$ 254.00
	1/10 x \$635 per mo. x 4)	
II.	COORDINATOR'S TRAVEL FOR PLANNING MEETINGS	\$ 249.90
	(7 x 170 x \$.21)	
III.	SPEAKERS, PRESENTORS	
	A. Keynote speaker (Carolyn Shaw Bell, Professor of Economics, Wellesley)	
	1. Travel	\$ 195.00
	2. Honorarium	\$ 300.00
	3. Per Diems	\$ 55.00
	B. Panelist	\$ 36.75
	(1 x avg. of 175 mi. ea. roundtrip x \$.21)	
	C. Model Programs	
	1. Travel expenses of 7 presentors	
	a. Charleston, SC to Augusta and return (1)	\$ 600.00
	b. Washington, DC to Augusta and return (1)	\$ 452.00
	c. Boston, MA to Augusta and return (1)	\$ 152.00
	d. Charlotte, NC to Augusta and return (1)	\$ 548.00
	e. Portland, ME to Augusta and return (3)	\$ 75.60
	(120 mi. x 3 x \$.21)	
	2. Per diems for 4 presentors from out of state	\$ 220.00
	(\$55 x 4)	
IV.	FACILITIES	\$ 150.00
V.	LUNCHEON SESSION (for 100 people)	\$ 475.00
VI.	SUPPLIES (for forum and follow up communications)	\$ 100.00
VII.	POSTAGE (for forum and follow up communications)	\$ 250.00
VIII.	PHONE (\$100 x 3)	\$ 300.00
IX.	PRINTING AND PUBLIC INFORMATION (for forum and follow up)	\$ 300.00
X.	MISCELLANEOUS	\$ 25.00
	TOTAL	<u>\$7404.93</u>
	Contributions received:	
	UMO \$3170.00	
	NEI \$1000.00	<u>-\$4170.00</u>
	BALANCE NEEDED	\$3234.93

Women: An Economic Resource

The Women's Development Program of the University of Maine at Orono and the New England Institute are seeking the advice and support of companies, organizations and agencies, and individuals that wish to promote the economic development of both women and the state of Maine. This effort to promote both equity for women and also economic development for the state is, we believe, the first of its kind and is an innovative approach which could serve as a model in other states.

The Maine Women's Business & Resource Directory was the Women's Development Program's first effort to demonstrate that women are an economic resource for the state.

Still needed are opportunities for people from both the private and the public sector and for people with individual concerns to consider current job training, apprenticeship, and job development programs in the light of new information about the changing workforce, changing technology, and model policies and programs to stimulate movement toward both equity and economic development.

To bring together representatives from the private sector, legislators, directors of state agencies involved with economic development planning or changing manpower [sic] needs, and women who can articulate the needs from a variety of perspectives, the Women's Development Program and the New England Institute are (1) proposing a forum, to be held on May 16 in Augusta; and (2) proposing to coordinate follow up after the forum.

Additional contributors from the private, as well as the public sector, are now being sought. Contributors who donate funds to help support the "Women: An Economic Resource" project will receive recognition.

Would you please help to support equity for women and for economic development?

Yes, I would like to make a tax deductible contribution to this effort to promote both equity for women and economic development for the state.

(Name)

(Phone Number)

(Address)

Enclosed is my check for \$ _____. (Please make checks payable to the Women's Development Program, UMO, and mail c/o JoAnn M. Fritsche, 251 Aubert Hall, University of Maine at Orono, Orono, Maine 04469.)

The Zonta Club of Bangor
is pleased to invite Service, Professional and
Business Women of Greater Bangor for dessert
to meet and hear

Maggie Smith, Ph.D.

District Chairwoman for the Status of Women -
Zonta International

Discuss AGEISM

Thursday - April 7, 1983

7:00 - 9:00 p.m.

Bangor Public Library

This will be an opportunity to

Talk

Listen

Watch

Laugh

Observe

Participate and

Learn - Age is not a four letter word.

R.S.V.P.

Bonnie Drew 989-2742

Barbara Drew 843-6519 days
843-7771 evenings

Betsy P. Adams
76 Hillcrest Drive
Brewer, Maine 04412



American Assoc. of Univ. Women
Maryanne Pinkham
5 Park Lane
Orono, Me. 04473



Governor Joseph E. Brennan

Maine Commission for Women

State House Station #93
Augusta, Maine 04333
(207) 289-3417

Cleveland Building
Hallowell Annex
Hallowell, Maine

October 28, 1981

Dear Sister:

The Maine Commission for Women has recently received a grant from the Maine Council for the Humanities and Public Policy to research the roles women play in Maine agriculture and health-care economies. The guiding research questions for the first part are:

1) Who are the women included in Maine's agriculture; 2) What are the agricultural roles carried out by these women; 3) What is the historical experience of women in agriculture in Maine; 4) What are the critical issues facing women in agriculture today?

Our initial research yielded the following issue areas:

- whether there is a correlation between technological growth and the roles women play
- what happens to women's roles upon the introduction of paid labor or when a farm becomes incorporated
- do the services and opportunities offered through the U.S. Department of Agriculture's Extension Service and the University of Maine reflect assumptions about women's roles
- are the responsibilities of farm women the same on personal farms as they are on commercial farms

After interviewing as many women as possible and investigating other primary sources of women's experiences, the project will produce slide tapes to present information collected to a variety of audiences in order to continue the public discussion. In the end, study guides will be produced and made available with each slide tape.

Commissioner Stewart Smith and Associate Commissioner Sarah Redfield and others in the Department of Agriculture have been involved in the development of this project. We hope that members of your organization will attend the public meetings to participate in the discussions fostered by the slide tapes. Obviously, the tapes and guides will be available to your organization at the end of the project.

Finally, and importantly, I would welcome any suggestions of farm women in your organization or suggested by someone in your group, who you think would be willing to be interviewed. Professors at Colby and Bowdoin primarily will be involved in conducting the interviews and scripting the slide tape presentations. In order to assure a comprehensive and balanced view, we want to be in touch with as many women as possible who will share their experiences working and living on Maine farms. If you can suggest one or more good resources, please send their names to the Commission office.

Thank you,

Jacqueline Potter
Jacqueline Potter
Executive Director

*Becky Anderson -
reach her through
personnel pool on campus
don't know if she'd be interested*

TELEGRAM JAN. 28
1980

ERA: A guarantee

Despite Jim Brunelle's pro-ERA articles over the years, he is mistaken in thinking that equality for women is already a fact by virtue of the 14th Amendment.

Five years after its passage, the Supreme Court in 1873 in *Bradwell v. State* approved an Illinois law prohibiting women from being licensed as attorneys. If the 14th Amendment should have protected against such discrimination, the court's interpretation certainly did not reflect this.

Since 1971, which was the first time the court used the 14th Amendment to strike down gender discrimination, it has struck down some sex classifications but allowed others to stand.

If the 14th Amendment had been applied to women's rights, there would have been no need for the 19th Amendment, which gave women in 1920 the hard-fought right to vote. As for the laws of the 1960s and 70s prohibiting discrimination against women in employment, education, credit, etc., these can be amended or written into obscurity with little effort.

The goal of the ERA deals only with government action relating to equality of the sexes under the law. Social customs and private behavior will not be affected.

Without final constitutional recognition of the right of men and women to be treated as individuals before the law, legislative action will continue to fluctuate as it has for the last 200 years.

Should not any unfairness be eliminated as immediately as possible by an Equal Rights Amendment to the Constitution? This is the permanent and immediate way to guarantee uniform fairness in every state.

DOREEN J. MacLEOD,
President

Area League of Women Voters

Portland

1/27/79
P.O. Box 2113
Scarboro, Me.
04074

Ms. Doreen MacLeod Pres.
Area League of Women Voters
157 High St.
Portland, Me.

Dear Ms. MacLeod,

I read your editorial
in the Maine Sunday Telegram
and I am in complete
agreement with your
stand on ERA.

It is about time
that women were on equal
status with men and were
treated as individuals and
not objects or playthings
for their amusement.

As a divorced working
mother with a child to
support, I have myself been
subjected to sexual harass-
ment on the job and been
fired because I would not
over

cooperate.

I would be very interested in helping your organization as I am a staunch supporter of women's complete equality.

Sincerely yours,

BARBARA GROVER
(Ms.)

'Misconceptions' and ERA

TELEGRAM

FEB 3 '80

The misconceptions about the Equal Rights Amendment aired by columnist Jim Brunelle in his article of Jan. 20 must be corrected.

As a businesswoman and a member of the National Federation of Business and Professional Women's Clubs, I disagree with statements that women do not need ERA. Discrimination against women insofar as equal pay for equal work is concerned does exist. The protective laws in existence are not strong enough to be enforced.

The text of the Equal Rights Amendment is: 1, that equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex; 2, that Congress shall have the power to enforce, by appropriate legislation, the provisions of this article; 3, that the amendment shall take effect two years after the date of ratification.

The disfavor that opponents have chosen to see in ERA is beyond comprehension.

If one examines the 14th Amendment closely, the interpretation covers discrimination on the basis of race. It is never extended to consider discrimination on the basis of sex.

Woman's Day, one of the 33 magazines which published articles on ERA in November, 1979, showed several instances where the so-called ex-

isting laws concerning discrimination are of no value.

Title IX of the Education Amendment of 1972 does not apply to schools that have been single-sex from the beginning.

The Equal Pay Act of 1963, Title VII of the 1964 Civil Rights Act and the Equal Employment Opportunities Act of 1972 are laws that are either limited as to application or inadequately enforced.

The right to legal protection is denied battered wives in some areas. Under ERA, all laws would become unconstitutional that uphold different standards for men and women.

Inequalities in Social Security, the right to property, the right to credit, the right to child support, the right to pensions and the right to inheritance will be adjusted under ERA especially on a nationwide basis for the benefit of both sexes.

Since we are concerned about obtaining a better future, it hardly matters if the brain power of knowledge is that of the male or the female gender so long as we work together. Sharing burdens and rewards equally will be the secret of success.

LILLIAN C. MARCOUX

Lewiston

L W V of PORTLAND AREA, MAINE

1/21/80

CONTACT: Emily Farley, 112 Parsons Rd., Portland, Me. 04103

Phone: 774-3289

FOR RELEASE: Sunday Telegram, January 27, 1980

To the Editor:

Despite Mr. Brunelle's pro-ERA articles over the years, he is mistaken in thinking that equality for women is already a fact, by virtue of the 14th amendment. ^{Five yrs. after its passage,} ~~of 1868~~. ^{in 1873} ~~In 1873~~ the Supreme Court, in Bradwell v. State, ^{approved} ~~upheld~~ an Illinois law prohibiting women from being licensed as attorneys! ^{If 14th Amend. should have protected women against discrim., the Court's interpretation certainly did not reflect this.} Since 1971, which was the FIRST time the Court used the 14th Amendment to strike down gender discrimination, the Court has struck down some sex classifications ^{but} ~~and~~ allowed others to stand.

If the 14th Amendment had been applied to women's rights, there would have been no need for the 19th Amendment, which gave women in 1920 the hard-fought right to vote.

As for the laws of the 1960's and 70's, prohibiting discrimination against women in employment, education, credit, etc., these can be amended or written into obscurity with little effort.

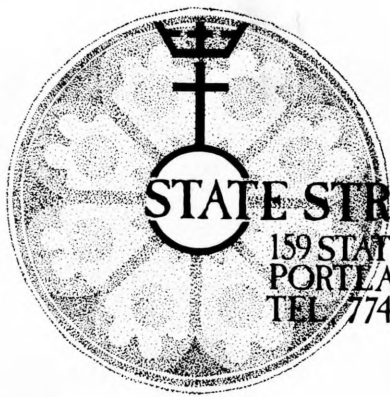
The goal of the ERA deals only with government action relating to equality of the sexes under the law. Social customs and private behavior will not be affected.

Without final Constitutional recognition of the right of men and women to be treated as individuals before the law, legislative action will continue to fluctuate as it has for the last 200 years.

Should not any unfairness be eliminated as immediately as possible ^{by an} ~~by an~~ Equal Rights Amendment to the Constitution? ^{This is the permanent and immediate way to guarantee uniform fairness in every state.}

Doreen J. MacLeod, President
Portland Area League of
Women Voters

(90 Carroll Street
Portland, Me. 04102)



STATE STREET CHURCH

159 STATE STREET
PORTLAND, ME. 04101
TEL 774-6396

Tuesday, Jan. 29

Dear Don,

Your excellent letter to the editor in Sunday's Telegram is now on our bulletin board. Thank you for your intelligent, concise statement of the facts about equality for women.

In my own mind I cannot justify asking women to register for a possible draft without an equal rights amendment. I know it is possible, but it doesn't make legal sense.

I'm sure the issue will be a constant up-hill battle until the ERA succeeds. You are doing an important work.

*Much love,
Barbara*

ERA

wording of the Maine ERA:

"Equality of Rights under the law shall not be denied or abridged in this state because of the sex of the individual."

MAINE ERA ***** 6 WEEKS AND COUNTING ***** MAINE ERA

Maine State ERA Application

Q. Will the State ERA only apply to actions taken by government.

A₁ Yes. It will not apply to private action. Every court that has been asked to consider whether a State ERA applies only to government action has concluded that this limitation does apply. It generally is referred to as the "state action requirement".

A₂ Six state ERAs expressly apply only to instances where government action is involved.. For example, the Hawaii provision states that "(e)quality of rights under the law shall not be denied or abridged by the State on account of sex". This is similar to the language of the proposed federal ERA, which prohibits denial of rights "by the United States or by any State." Only one state, Montana, expressly prohibits discrimination not only by the state, but also by "any person, firm, corporation or institution." Regardless of the language, however, every court that has been asked to consider whether a state ERA applies only to government action has concluded that this limitation does apply. It generally is referred to as the "state action requirement."

In its clearest form, this requirement means that state law, and actions taken directly by the government (e.g., as an employer) are covered by the state's ERA. However, sometimes seemingly private action may be so identified or infused with governmental involvement that it is considered to be state action. For example, an interscholastic athletic association's rules have been held to be state action because the association is "controlled and supported by [public] school membership and cooperation necessarily involving the use of public funds..."

Maine State ERA and Homosexual Marriages

Q. Will the State ERA require the legitimization of homosexual marriages?

A₁ No. There is no state, including the sixteen states that have ERA's (two of which, Utah and Wyoming date back to 1896 and 1890) that legally recognizes homosexual marriages. The Maine ERA would prohibit discrimination on the basis of sex, not sexual preference.

- A₂ State ERA's do not apply when a law does not expressly classify by sex and when it affects men and women equally. Thus, Washington State's ban on homosexual marriages was upheld under the State ERA since the court found that it was not a sex-based classification. The restraint on such marriages applied to both men and women who sought to marry someone of their own sex. [Singer v Hara, 522 p.2d 1187 (Wash. App. 1974)].

Maine State ERA and School Sports

Q. Will the State ERA prohibit school sports teams that are only for boys or girls?

- A₁ No. Sixteen other states have ERA's and none prohibit single-sex sports teams. Under current federal and state law, there must be equivalent sports activities in publicly supported schools. A State ERA would affirm that equal opportunity to sports activities.
- A₂ Pennsylvania, Colorado, Washington and Massachusetts courts have interpreted their State ERA's to require equal opportunity for both boys and girls regarding sports teams.

Title IX (the Federal Statute relating to sex discrimination in publicly funded schools) has some appropriate exemptions (military schools, Boy's/Girl's State, father-son/mother-daughter activities, so long as opportunities for "reasonably comparable" activities are offered, fraternities/sororities, etc.)

However, the recent U.S. Supreme Court case regarding Grove City College has weakened the application of Title IX to educational institutions receiving Federal dollars. Title IX now applies only to those programs directly receiving the federal dollars, not the entire institution. A good example of the impact is: if federal dollars are supplied to a college financial aid office, athletic departments can use that money for athletic scholarships for men only. Title IX would only apply to the financial aid office (the official recipient of the federal dollars) and the financial aid office is not the one that is discriminating. Although there are federal attempts to restore Title IX to Congressional intent, passage is not guaranteed. A State ERA would restore that public policy for Maine that the Federal Title IX had provided since 1972.

Maine State ERA and Insurance Rates

Q. Will women have to pay higher auto insurance rates under a State ERA?

- A₁. Not necessarily. There are states which have outlawed gender-based tables used for insurance rates. Instead these states use more accurate, reliable indicators of risk, such as: number of miles driven annually, years of driving experience, accident history, etc. Women's rates have not increased significantly in these states. In North Carolina auto insurance rates actually declined for "good risk" drivers -- both male and female.

- A₂. Basing any type of insurance rates on gender is merely a tradition. There are other, more accurate predictors of risk: for auto insurances - years of experience, number of miles driven annually and drinking habits. For medically based insurances - medical history, smoking/drinking habits, weight, occupation and avocation.

States which have outlawed gender-based discrimination in setting auto-insurance rates have found methods to implement the more accurate indicators, thus creating a system where the people who pay the highest premiums are those individuals who are higher risks.

These "gender-neutral" states are: North Carolina, where rates actually declined; Massachusetts, Michigan and Pennsylvania.

Maine State ERA and the Family

Q. Isn't the ERA anti-family?

A₁ No. The ERA will, in fact, help the homemaker by recognizing contribution to the family and it will help women who work outside the home by requiring that she be paid fairly for her work.

A₂ The reality of Maine in 1984 is that over half of the women in this State are in the labor force, most supporting or helping to support their families. They want to be paid fairly for their work. Currently women are not rewarded by our pension and social security systems for the very major contributions that they make to their families social and economic well-being. The status of the homemaker will, in fact, increase rather than decrease if the ERA is ratified in Maine this fall.

The ERA does not cause divorce. In fact Massachusetts and Utah, which have state ERA's, have lower divorce rates than their neighbors, New York and Nevada, who do not. When divorce occurs, if a state has an ERA, division of the couple's property is more equitable, child support is more likely to be paid by the partner who can afford it and the children will reside with the parent who can best take care of them.

State ERA's are being interpreted to support the view that marriage is an economic, as well as a social and emotional partnership. As a result, married women, especially homemakers, have acquired new rights.

Before Pennsylvania adopted a state ERA, for example, a married woman who was legally separated from her husband could not obtain financial support from him greater than one-third of his net income. When a Pennsylvania husband sought to enforce this income limit against his wife, who had been a fulltime homemaker throughout their thirty year marriage, the court rejected the rule as inconsistent with the Pennsylvania Equal Rights Amendment. The husband was ordered to pay his wife the full amount her budget showed she needed (which the court found he could afford.)

The court observed that the old rule reflected "an ingrained sexist philosophy whereby a man's labor for money was somehow thought to be more valuable than a woman's work as a homemaker."

State ERAs have resulted in the recognition of marriage as a partnership in other ways as well. Courts in Washington, Texas, Pennsylvania and Alaska have interpreted their state ERAs to grant a married woman the right to claim damages from a person who injures her husband. Under the common law, a wife was viewed as her husband's property. Therefore only the husband could sue for loss of his wife's companionship, care and services (in legal terms, for the loss of "consortium". Since, under common law, wives were not legally entitled to consortium they could not sue for its loss.

Maine ERA and Privacy Issues

Q. Will the ERA require "unisex" toilets and dormitories, coed sex education courses, etc., in Maine?

A₁ No.

1.) There is a fundamental Federal and State constitutional right to privacy that allows for single sex toilets, residence halls, etc. Such laws have and will continue to prevail regardless of a State ERA.

2.) In no other of the 16 states that have State ERA's has there been a mandating of single-sex toilets.

A₂ In fact, there is a good example from the State of New Mexico which has had an ERA since 1973. In New Mexico, the Attorney General ruled that under the State's ERA, girls could not be excluded from a special high school program in a state operated school, New Mexico A.G. Op. No. 75-74 (12/24/75). But at the same time, courts determined in *Futrell v. Ahrens*, 540 P.2d 214 (New Mexico Supreme Court, 1975) that the State ERA does not require elimination of restrictions on coed dorm visits.

The State ERA and Child Support and Alimony

Q. Will the Maine State ERA affect child support and alimony in Maine?

A₁ No. Alimony and child support decisions in Maine are currently based on the financial circumstances of the mother and father or husband and wife. There is no differentiation based on sex.

A₂ All statutes in Maine relating to child support are gender-neutral. There is one statute affecting the support of a spouse that is not sex neutral. It says that a husband must support a wife, but a wife must support a husband when he is "in need". But in Maine courts the practice has been that neither the husband nor the wife must support the spouse unless he or she is "in need". The Attorney General's report (February 1983) states that "In light of the court's ruling in *Beal v. Beal*, 391 A.2d 58 (Me. 1978), the court may, under either the [existing state] Equal Protection Clause or an ERA apply the support provisions equally to men and women.

What does equal application mean? It means that Maine courts would (as they do anyway now) treat men and women equally - - that if a man must only support his wife when "in need", then the same must apply for women or if the courts decide that men must support their wives regardless of need, then so must women support their husbands. Obviously, the court's practice has been and most certainly would be to apply the "in need" standard to both husband and wife.

Maine State ERA and the Military

Q. Won't the State ERA allow women to be drafted into the National Guard?

A No. The U.S. Supreme Court, in its 1979 Feeney decision, put the matter to rest by holding that even the most extreme form of veterans' preference law in state employment, the kind in which preference for any veteran with a passing score is absolute and which the preferences last a lifetime, was not unconstitutional. (Maine does not have a veteran's preference.)

Regarding the drafting of women, the Governor of the State of Maine does not have the power to "draft" anyone into the National Guard. The Maine National Guard (Army and Air) are Federal entities. The Governor has only the authority to call them into action in case of an emergency. Any conscription of women, during peacetime or war, would have to be as a result of an act of Congress. The Governor cannot change the nature or composition of the Guard organizations.





League of Women Voters of Maine

325 Garland St., Bangor, Me. 04401 • (207) 947-4737

October 26, 1984

To The Editor:

The League of Women Voters of Maine supports the ERA because we believe women need a constitutional guarantee. This is how we see the state ERA:

1. NO STATE has repealed its state ERA. Colorado voters confirmed for a second time its state Equal Rights for women in a 60% to 40% vote. So, in fact one state has voted twice to give its women citizens equal rights!

2. In 94 years of state ERAs (Wyoming has had an ERA in the body of its constitution since 1890) NOT ONE STATE has sanctioned homosexual marriages—opponents agree. The ERA is used in situations in which men AND women are being denied rights because they are women or because they are men. The Equal Rights Amendment is NOT a homosexual rights amendment.

3. NOT ONE COURT in this country has used an ERA to force states to use tax funding for abortions—opponents agree with this. As courts set precedent; it is less likely to use ERAs to force state funding of abortions—not more likely.

4. An amendment to the constitution is NOT a law. It is a guideline for judges to make court decisions and legislators to make laws. A law has to be enforced, but an amendment regulates court decisions and lawmaking. As such, the 14th Amendment to the U.S. Constitution is not enforceable. Judges know it was ratified in 1868 after the Civil War to give black men due process of the law. When Susan B. Anthony tried to vote under this amendment she was arrested. To be sure that scandal did not recur, the Fifteen Amendment was passed which said citizens could not be denied the right to vote on account of race, color, or previous condition of servitude. Sex was not added to the list until the 19th Amendment when women won the right to vote in 1920. Judges have not and will not use the 14th Amendment as an Equal Rights Amendment because it was not intended to be one. If people believe women's and men's rights should not be denied under the law because of their sex they must vote to put this guideline into the constitution.

5. It is true an Equal Rights Amendment will not cure all the problems for men and women. It is also true that the 14th Amendment did not cure all the problems for black men. Does this mean the 14th Amendment does not need to be in the constitution? This country and the State of Maine in particular has a very strong moral sense. Just as men dumped tea into Boston Harbor because they were being taxed without being represented, we believe women deserve equal rights guaranteed. ALL people deserve to be treated equally under the law—opponents agree. Our Constitution does not specifically give women equal rights under the law. We now have the opportunity to correct this injustice. Our Constitution is where we state our most important beliefs. It is where we give our citizens guarantees of rights and responsibilities.

Let's not get caught up in other issues. The Equal Rights Amendment will only give women and men a guarantee they will not be denied equal rights under the law because they are men or because they are women.

VOTE YES ON #6 ON NOV 6TH!!! IT IS ONLY FAIR!!

Penny Harris, President League of Women Voters of Maine

ERA

wording of the Maine ERA:

"Equality of Rights under the law shall not be denied or abridged in this state because of the sex of the individual."

MAINE ERA ***** 6 WEEKS AND COUNTING ***** MAINE ERA

Maine State ERA Application

Q. Will the State ERA only apply to actions taken by government.

- A₁ Yes. It will not apply to private action. Every court that has been asked to consider whether a State ERA applies only to government action has concluded that this limitation does apply. It generally is referred to as the "state action requirement".
- A₂ Six state ERAs expressly apply only to instances where government action is involved. For example, the Hawaii provision states that "(e)quality of rights under the law shall not be denied or abridged by the State on account of sex". This is similar to the language of the proposed federal ERA, which prohibits denial of rights "by the United States or by any State." Only one state, Montana, expressly prohibits discrimination not only by the state, but also by "any person, firm, corporation or institution." Regardless of the language, however, every court that has been asked to consider whether a state ERA applies only to government action has concluded that this limitation does apply. It generally is referred to as the "state action requirement."

In its clearest form, this requirement means that state law, and actions taken directly by the government (e.g., as an employer) are covered by the state's ERA. However, sometimes seemingly private action may be so identified or infused with governmental involvement that it is considered to be state action. For example, an interscholastic athletic association's rules have been held to be state action because the association is "controlled and supported by [public] school membership and cooperation necessarily involving the use of public funds..."

Maine State ERA and Homosexual Marriages

Q. Will the State ERA require the legitimization of homosexual marriages?

- A₁ No. There is no state, including the sixteen states that have ERA's (two of which, Utah and Wyoming date back to 1896 and 1890) that legally recognizes homosexual marriages. The Maine ERA would prohibit discrimination on the basis of sex, not sexual preference.

- A₂ State ERA's do not apply when a law does not expressly classify by sex and when it affects men and women equally. Thus, Washington State's ban on homosexual marriages was upheld under the State ERA since the court found that it was not a sex-based classification. The restraint on such marriages applied to both men and women who sought to marry someone of their own sex. [Ginger v Hara, 522 p.2d 1187 (Wash. App. 1974)].

Maine State ERA and School Sports

Q. Will the State ERA prohibit school sports teams that are only for boys or girls?

- A₁ No. Sixteen other states have ERA's and none prohibit single-sex sports teams. Under current federal and state law, there must be equivalent sports activities in publicly supported schools. A State ERA would affirm that equal opportunity to sports activities.
- A₂ Pennsylvania, Colorado, Washington and Massachusetts courts have interpreted their State ERA's to require equal opportunity for both boys and girls regarding sports teams.

Title IX (the Federal Statute relating to sex discrimination in publicly funded schools) has some appropriate exemptions (military schools, Boy's/Girl's State, father-son/mother-daughter activities, so long as opportunities for "reasonably comparable" activities are offered, fraternities/sororities, etc.)

However, the recent U.S. Supreme Court case regarding Grove City College has weakened the application of Title IX to educational institutions receiving Federal dollars. Title IX now applies only to those programs directly receiving the federal dollars, not the entire institution. A good example of the impact is: if federal dollars are supplied to a college financial aid office, athletic departments can use that money for athletic scholarships for men only. Title IX would only apply to the financial aid office (the official recipient of the federal dollars) and the financial aid office is not the one that is discriminating. Although there are federal attempts to restore Title IX to Congressional intent, passage is not quarenteed. A State ERA would restore that public policy for Maine that the Federal Title IX had provided since 1972.

Maine State ERA and Insurance Rates

Q. Will women have to pay higher auto insurance rates under a State ERA?

- A₁ Not necessarily. There are states which have outlawed gender-based tables used for insurance rates. Instead these states use more accurate, reliable indicators of risk, such as: number of miles driven annually, years of driving experience, accident history, etc. Women's rates have not increased significantly in these states. In North Carolina auto insurance rates actually declined for "good risk" drivers -- both male and female.

- A₂. Basing any type of insurance rates on gender is merely a tradition. There are other, more accurate predictors of risk: for auto insurances - years of experience, number of miles driven annually and drinking habits. For medically based insurances - medical history, smoking/drinking habits, weight, occupation and avocation.

States which have outlawed gender-based discrimination in setting auto-insurance rates have found methods to implement the more accurate indicators, thus creating a system where the people who pay the highest premiums are those individuals who are higher risks.

These "gender-neutral" states are: North Carolina, where rates actually declined; Massachusetts, Michigan and Pennsylvania.

Maine State ERA and the Family

Q. Isn't the ERA anti-family?

A₁ No. The ERA will, in fact, help the homemaker by recognizing contribution to the family and it will help women who work outside the home by requiring that she be paid fairly for her work.

A₂ The reality of Maine in 1984 is that over half of the women in this State are in the labor force, most supporting or helping to support their families. They want to be paid fairly for their work. Currently women are not rewarded by our pension and social security systems for the very major contributions that they make to their families social and economic well-being. The status of the homemaker will, in fact, increase rather than decrease if the ERA is ratified in Maine this fall.

The ERA does not cause divorce. In fact Massachusetts and Utah, which have state ERA's, have lower divorce rates than their neighbors, New York and Nevada, who do not. When divorce occurs, if a state has an ERA, division of the couple's property is more equitable, child support is more likely to be paid by the partner who can afford it and the children will reside with the parent who can best take care of them.

State ERA's are being interpreted to support the view that marriage is an economic, as well as a social and emotional partnership. As a result, married women, especially homemakers, have acquired new rights.

Before Pennsylvania adopted a state ERA, for example, a married woman who was legally separated from her husband could not obtain financial support from him greater than one-third of his net income. When a Pennsylvania husband sought to enforce this income limit against his wife, who had been a fulltime homemaker throughout their thirty year marriage, the court rejected the rule as inconsistent with the Pennsylvania Equal Rights Amendment. The husband was ordered to pay his wife the full amount her budget showed she needed (which the court found he could afford.)

The court observed that the old rule reflected "an ingrained sexist philosophy whereby a man's labor for money was somehow thought to be more valuable than a woman's work as a homemaker."

State ERAs have resulted in the recognition of marriage as a partnership in other ways as well. Courts in Washington, Texas, Pennsylvania and Alaska have interpreted their state ERAs to grant a married woman the right to claim damages from a person who injures her husband. Under the common law, a wife was viewed as her husband's property. Therefore only the husband could sue for loss of his wife's companionship, care and services (in legal terms, for the loss of "consortium". Since, under common law, wives were not legally entitled to consortium they could not sue for its loss.

Maine ERA and Privacy Issues

Q. Will the ERA require "unisex" toilets and dormitories, coed sex education courses, etc., in Maine?

A₁ No.

1.) There is a fundamental Federal and State constitutional right to privacy that allows for single sex toilets, residence halls, etc. Such laws have and will continue to prevail regardless of a State ERA.

2.) In no other of the 16 states that have State ERA's has there been a mandating of single-sex toilets.

A₂ In fact, there is a good example from the State of New Mexico which has had an ERA since 1973. In New Mexico, the Attorney General ruled that under the State's ERA, girls could not be excluded from a special high school program in a state operated school, New Mexico A.G. Op. No. 75-74 (12/24/75). But at the same time, courts determined in *Futrell v. Ahrens*, 540 P.2d 214 (New Mexico Supreme Court, 1975) that the State ERA does not require elimination of restrictions on coed dorm visits.

The State ERA and Child Support and Alimony

Q. Will the Maine State ERA affect child support and alimony in Maine?

A₁ No. Alimony and child support decisions in Maine are currently based on the financial circumstances of the mother and father or husband and wife. There is no differentiation based on sex.

A₂ All statutes in Maine relating to child support are gender-neutral. There is one statute affecting the support of a spouse that is not sex neutral. It says that a husband must support a wife, but a wife must support a husband when he is "in need". But in Maine courts the practice has been that neither the husband nor the wife must support the spouse unless he or she is "in need". The Attorney General's report (February 1983) states that "In light of the court's ruling in *Beal v. Beal*, 391 A.2d 58 (Me. 1978), the court may, under either the [existing state] Equal Protection Clause or an ERA apply the support provisions equally to men and women.

What does equal application mean? It means that Maine courts would (as they do anyway now) treat men and women equally - - that if a man must only support his wife when "in need", then the same must apply for women or if the courts decide that men must support their wives regardless of need, then so must women support their husbands. Obviously, the court's practice has been and most certainly would be to apply the "in need" standard to both husband and wife.

Maine State ERA and the Military

Q. Won't the State ERA allow women to be drafted into the National Guard?

A No. The U.S. Supreme Court, in its 1979 Feeney decision, put the matter to rest by holding that even the most extreme form of veterans' preference law in state employment, the kind in which preference for any veteran with a passing score is absolute and which the preferences last a lifetime, was not unconstitutional. (Maine does not have a veteran's preference.)

Regarding the drafting of women, the Governor of the State of Maine does not have the power to "draft" anyone into the National Guard. The Maine National Guard (Army and Air) are Federal entities. The Governor has only the authority to call them into action in case of an emergency. Any conscription of women, during peacetime or war, would have to be as a result of an act of Congress. The Governor cannot change the nature or composition of the Guard organizations.



Orono - Old Town

TO: All Maine Division AAUW Branch Presidents and Legislative Program Chairs
FROM: Jeanne L. Hammond, Maine Division Legislative Program Chairman *JLH*
SUBJECT: JOINT LEGISLATIVE DAY - FEBRUARY 17, 1983

EXCITING NEWS!

The Joint Legislative Day sponsored by the Maine Division AAUW and the Maine Federation of Business and Professional Women's Clubs is scheduled for Thursday, February 17, 1983, in Augusta.

The Schedule now includes:

9:30 - 10:30	Coffee at the Blaine House - All Legislators will be invited (copy of invitation enclosed)
10:30 - 11:30	House/Senate Sessions or Meet with your Legislator
11:30 - 12:30*	Lunch (Cafeteria or elsewhere) - on your own (a brown bag might be easiest)
1:00 - --	Legislative hearing on an ERA to Maine Constitution

*Suggested that attendees arrive at meeting room at 12:30

Senator Judy Kany (AAUW, Waterville Branch) is working on our refined schedule, and we anticipate optional activities for the 10:30 time slot.

URGENT!

This is our first formal attempt at Networking in Maine since National President Mary Purcell made a strong recommendation that women's organizations must get to know and work with other women's groups. Please show your support for NETWORKING!

We are making an impact in Augusta! The Maine Commission for Women and the Maine ERA Steering Committee are very much aware of our Joint Legislative Day and are pleased that we have scheduled it on the day of the public hearing for the ERA. Please show your support for these groups and for a Maine EQUAL RIGHTS AMENDMENT!

We want our Legislators to be more aware of us! Why not make a personal contact to a legislator from your area and arrange to meet for coffee at the Blaine House! Above all, make arrangements for your Branch to send as many members as possible to show your SUPPORT FOR AAUW!



Dear Member of the Maine Legislature,

You are cordially invited to have coffee with members of the Maine Division American Association of University Women and the Maine Federation of Business and Professional Women's Clubs on Thursday, February 17, 9:30-10:30 a.m., at the Blaine House.

Our two organizations will be together in Augusta for our first joint Legislative Day. Our members maintain a high degree of interest in state legislation and regulatory agencies. February 17 has been set as our Legislative Day to coincide with the scheduled hearing on an Equal Rights Amendment to the Maine Constitution. Both organizations have been long-standing supporters of a federal ERA.

We hope you will find time in your busy day to join us for coffee and conversation. We look forward to a time of renewing and making friendships.

Sincerely,

A handwritten signature in cursive script that reads "Diane Sanders".

Diane Sanders
President, Maine Division
American Association of
University Women

A handwritten signature in cursive script that reads "Linda J. Landry".

Linda J. Landry
President, Maine Federation
of Business and Professional
Women's Clubs, Inc.

R.S.V.P. Regrets only
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