ACTION ALERT

Top priorities for action in the closing days of the 149th Session,
And one we urge NO ACTION

LWVDE urges all members to contact their legislators to act on our remaining 12 top priority bills before June 30. Please note: We had other very high priority bills but, recognizing the reality of the legislative process, we did not include bills we believe do not have a reasonable chance to be enacted in the few remaining days of the 2018 Session. All are important—but if you could contact your own legislators on even one or two bills of your choice it would greatly enhance the efforts of the League's registered (VOLUNTEER) lobbyists. You are free, even encouraged, to say you are a League member and to pick more than one or two! A few need action in both Houses. The Funding for New Voting Equipment requires action by the House and Senate in a final appropriations bill.

**Needs Funding**

**Funding for New Voting Equipment.** It is critical that the General Assembly include funding in the budget for new equipment that can be in place for the 2020 election. Any new equipment must be capable of providing a paper backup to be used in recounts and audits of election results. [Funding must be added to the budget by the Joint Bond Bill or Joint Finance Committee by June 30 to provide for manufacture and delivery for 2020. None is currently provided.]

**Needs Action in House**

**HB 63** is the first leg of a constitutional amendment that would eliminate restrictions on voting by absentee ballot, leaving the determination of needed restrictions up to the General Assembly in the future. [Must be voted on in the House and get through Committee and final passage in the Senate.] See update HB 44, a new bill replacing the need for HB 63 on page 4.

**HB 90** provides for in-person early voting at least 10 days prior to an election, including the Saturday & Sunday immediately prior to the election in at least one location in each county and the city of Wilmington. [Must be voted on in the House and get through Committee and final passage in the Senate.]

(Continued on page 2 Advocacy)
HB 300 makes it a crime to sell, transfer, buy, receive or possess a trigger crank or bump-fire device designed to accelerate the rate of fire of a semiautomatic rifle, making the weapon function more like an automatic weapon. This bill has been back and forth between the House and Senate with multiple amendments. [Ready for final passage if the House will accept a Senate amendment that lowers the punishment for a first offense.]

SB 171 requires the Department of Correction to provide those being released from prison after 6 months of incarceration following conviction, with a Personal Credential Card that the ex-offender may use to receive a free certified copy of his/her birth certificate & one identification card or driver's license, if otherwise eligible to receive those documents. [Ready for House consideration on final passage.]

SB 172 increases the transparency of school spending by requiring establishment of a statewide uniform approach to the reporting of expenditures at the school level. This would allow the public to see how their dollars are being spent at each school, compare schools in a variety of categories, such as student demographics and student outcomes, thereby leading to data-driven decision making. [Passed Senate, ready for final consideration in House.]

SB 183 relates to Limited Liability Companies (LLCs). We are particularly supporting Section 8 that, upon motion by the Attorney General, authorizes the Court of Chancery to cancel the certificate of formation of any domestic limited liability company for abuse or misuse of its limited liability company powers, privileges or existence. Although LLCs are a legitimate corporate form, some are involved in illegal activities. [Passed Senate; needs release from House Judiciary and passage in the House.]

HCR 34, a concurrent resolution, establishes a Legislative Task Force to investigate the cost of special education and make recommendations related to cost efficiency. We OPPOSE this resolution because it singles out special ed and assumes it is not cost-effective. This type of study should be undertaken by a subject matter expert, rather than allowing legislators to “feel good” that they are doing something that will make a change. In fact, task forces like this rarely lead to change and just waste the time of all involved. [Has been reported out of Committee unanimously, awaiting full House action, after which it would move to the Senate Education Committee.]

**Needs Action in Senate**

HB 113 makes Earned Income Tax Credits (EITC) refundable in Delaware. This would target aid to some of the lowest-income workers and provide work incentives, drafted in a way that makes the expense of the program practically revenue-neutral. [Has passed the House; must get out of Senate Finance Committee on June 13 and be passed by the Senate.]

House Substitute 1 for HB 222 allows law enforcement to seek a one-year lethal violence protection order where a family member or law enforcement officer provides a preponderance of evidence that a person poses a danger to self or others by owning, possessing, controlling, purchasing or receiving a firearm. [Passed House, ready for Senate Committee and floor action.]

HB 366 requires safe storage of firearms. Has passed House but failed to be released from Senate Judicial Committee. [Need reconsideration in Senate Judicial Committee and Senate passage.]

SB 227 requires individual, group, and State employee insurance plans to reimburse primary care physicians, certified nurse practitioners, physician assistants, and other front-line practitioners for chronic care management and primary care at no less than the physician Medicare rate for the next 3 years. Insurance companies are paying them as low as between 65% and 85% of Medicare rates. (The State may not regulate self-insured companies.) It also makes changes in the duties (Continued on page 3 Advocacy)
LWVDE ADVOCACY UPDATE CONTINUES - Sandy Spence, Advocacy Corps Chair

League members meet Governor Carney at Legislative Hall in the afternoon of or traditional legislative day.

At our most recent Advocacy Committee meeting, we identified 14 of LWVDE’s top priority bills to focus our effort to seek passage before June 30, the last legislative day of the Session. We agreed to focus on those we thought had a reasonable chance of getting passed in both House and Senate by June 30. Those twelve are listed in the Action Alert included in this newsletter. The Alert was sent to all members, posted on our website at lwvdelaware.org and on our Facebook page at https://www.facebook.com/groups/LWVDE/.

Then, two more passed the House and Senate before we could even publish the list:

**ERA.** The Delaware Equal Rights Amendment, after being defeated in the Senate, was called up for a re-vote of an amended version and passed the Senate on 6/6/18. The House passed it on 6/7/18. Since it is a constitutional amendment, it will need to be passed by both houses again next year. The Senate amendment, developed by Senators Anthony Delcollo and Stephanie Hansen, addressed three Senate concerns that caused its original defeat by adding provisions to establish clear legislative intent that the amendment:

- Will apply to the State and its political subdivisions, not private entities,
- Will not impair a person’s opportunity to exercise those rights (intended to allow separate programs for men and women), and
- Does not require the State to fund those rights (intended to address concerns about abortion rights).

The actual language of the amendment was not changed.

Four Senators who voted against the bill on final passage were Hocker, Lawson, Richardson, and Simpson. Representatives who voted “no” were Collins, Dukes, Kenton, Postles, Wilson, and Yearick.

**Conversion Therapy.** SB 65 makes unprofessional conduct or grounds for discipline for most medical or mental health professionals or clinical social workers to engage in conversion therapy with a child or to refer a child to a practitioner in another jurisdiction to attempt to "convert" juveniles from their sexual preference or gender identity choice.
This bill passed the Senate in 2017 and the House on June 7, 2018. We expect the Governor will sign it.

The Advocacy Corps is asking all members to contact their legislators to act on the remaining 12 top priority bills before June 30. An Action Alert has been sent to all members and is posted on our website and our Facebook page.

HB 446 is a new bill replacing the need for HB 63 that is included in our Top Priority Action Alert bills. It amends the state constitution to eliminate restrictions on absentee voting. The new bill also fixes a provision in the constitution that sets a voting age of 21. This has been replaced by both federal and state law that changes the voting age to 18. The bill was released from the House Administration Committee on June 13 and is expected to pass the House easily. Please urge support from your Senators for HB 446 rather than HB 63.

Just a few of the important bills that appear to be dead for this year include:

SB 163 that would prohibit the manufacture, sale, offer to sell, transfer, purchase, receipt, possession, or transport of assault weapons in Delaware, subject to certain exceptions. The hearing on June 6 was attended by at least two or three hundred opponents and failed to be released by the Senate Judicial Committee. Its members are Margaret Rose Henry, Chair, plus Bruce Ennis, Robert Marshall, Gregory Lavelle and Dave Lawson. We are unable to find a record of how each of them voted.

HS 1 for HB 12 establishes a funding unit for K-grade 3 basic special ed students. Although this bill is a very high priority, news reports indicate that the Joint Finance Committee has committed funding for it.

HB 270 is the Clean Water bill. It died in the House Committee.

House Substitute 1 for House Bill 330 would change the age of a person to whom another person can sell, give or transfer a firearm or ammunition for a firearm from 18 to 21 except for those in law enforcement or military. This bill passed the House but has died in the Senate where multiple amendments were offered that would have substantially watered the bill down.

SB 170 would increase the minimum wage by 50 cents each year through 2021, from the current $8.25 per hour. A similar bill was defeated in the Senate in March and this one has not made it out of the Senate Committee.

HB 89 would move the primary for statewide, county, & municipal office to the 4th Tuesday in April – the presidential primary day in presidential election years. This would save $1 million in presidential years. Although it passed the House and was released from the Senate Committee on Elections & Government Affairs in 2017, it has never made it to the Senate floor for a vote.

League Day in Dover 2018

The theme, “Financing State Government: Everybody’s Business Let’s Stop Kicking the Can Down the Road!” was timely, not only because of huge issues that legislators faced last June but also because our expert speakers gave us a preview of an important new report on our topic.

UD Prof Ed Ratledge gave a great introduction to the theme with his analysis of the implications of the state’s evolving demographics that will affect future budgets. Chairman of the Delaware Economic and Financial Advisory Council (DEFAC) Michael Houghton, State Treasurer Kenneth Simpler, and Secretary of the Department of Finance Richard Geisenberger, then teamed up to report on their work as part of an advisory panel under DEFAC that studied fiscal controls and budget smoothing mechanisms that could be added to Delaware’s current financial framework.

(Continued on page 5 League Day)
Implementation of the recommendations will require a constitutional amendment but the legislation to do that was introduced on June 12 and released from the House Administration Committee on the 13th with strong bipartisan support and is expected to pass the House soon, so it is hopeful that the Senate will act on it by June 30. The bill is HB 460, introduced by Rep. Quinn Johnson and supported by the Governor with numerous additional sponsors and co-sponsors on a bipartisan basis.

Since this bill is for a constitutional amendment, it needs to be approved by the General Assembly for two years with an election in between. If not approved this year, it can’t be passed until at least 2021.

*League members are urged to contact their Senators to support the bill. Please mention you are a member of the League.*

The advisory panel had been set up by House Joint Resolution 8 last June to better address the State’s systemic fiscal difficulties and long-term budget challenges.

The Panel was tasked with drafting the report that addressed:
- a. the State’s historic adherence to the 98% appropriation limit and its use of the Budget Reserve Account;
- b. the need for reasonable restrictions on the use of budget surpluses, including but not limited to those arising from unforeseen revenue growth or one-time revenues, to control the expansion of expenditures over the long term; and,
- c. the benefits of a budget stabilization fund to store excess funds during periods of budget surplus and cover operating deficits during periods of budget deficit.

The team presented a clear explanation of their work and its resulting report that has three primary recommendations:

1) Redefine the Appropriation Method and Build on Current Fiscal Controls.
2) Repurpose the Budget Reserve Account into a Budget Stabilization Fund.
3) Reform the Personal Income Tax to Broaden the Tax Base.


Our luncheon speaker was former Senator Karen Peterson (left) who served on the Joint Finance Committee and was tasked with giving her perspectives on the politics of the budget process, included in her comments “Ten Random Observations” that included:

1. Non-essential programs suck the life out of our state. Get rid of them.
2. Eliminate the approximately 1,000-1,200 take-home state-owned cars and the parking privileges that go with the cars.
3. Drastically reduce staff in the Department of Education. We currently have a “Director of Fruits and Vegetables.”
4. Switch to mail-in ballots instead of using voting machines. It has been proven that a very serious attempt was made during the last general election to electronically penetrate Delaware’s voting system. With mail-in ballots you save money, have a verifiable paper trail, and remove the threat of an electronic interference
5. Consolidate school districts. We currently have 19 school districts, with one district having only one school. Such consolidation would save $75 million in administration.

6. Cut grant-in-aid budgets. This is just a slush fund for legislators.

7. Drastically cut aid to the University of Delaware. The University has a huge endowment and recently paid $7 million in exit pay, including $2 million to a fired coach. The citizens of Delaware should not be responsible for such exorbitant expenditures.


9. Don’t raise the pay of teachers who gain additional degrees. Other professionals who earn advanced degrees don’t get pay raises in response to earning additional degrees.

10. Encourage jobs for women and minorities.

In the afternoon, many attendees visited Legislative Hall to meet with Governor Carney, deliver packets with League priority positions papers to all legislators, and attend committee hearings.

An intrepid few stayed long enough to observe the Senate debate on the Delaware ERA bill (HB 399). They heard Senator Delcollo engage in a colloquy with Delaware Law School Dean Rodney Smolla and then go on to introduce three amendments that proved unacceptable to the Democrats. As a result, the bill was defeated. Hoping that a compromise could be reached to save the bill, Sen. Margaret Rose Henry changed her vote to “no,” a procedure that later allowed her to call for a re-vote the following week. By then, Sen. Delcollo had worked with Sen. Stephanie Hansen, who led the debate for the Majority, had reached the needed compromise and the bill was passed. As mentioned above, the ERA is a constitutional amendment, requiring it to be passed by both houses again next year.

Report from LWVDE COUNCIL and PRESIDENT'S MESSAGE - Joann Hasse

Steps one and two of the merger of the League of Women Voters of Delaware, a 501 (c) (4) organization under the IRS Code, into the Delaware League of Women Voters Education Fund, a 501 (c) (3) organization have been completed after a unanimous vote by attendees at Council, followed by the “official” signing of the Merger agreement by me as President and Christine Stillson as Secretary. The merger had been approved in April by the Ed Fund Board at which time new bylaws were also adopted. The bylaws are pretty much the same as the former LWVDE bylaws with some adaptations for the new 501 (c) (3) status. One minor but IMPORTANT change was to state that email rather than telegram was among the acceptable ways to notify Board members of upcoming meetings! (Guess we missed that detail in previous reviews of the bylaws!) The merged organization will be called the League of Women Voters of Delaware.

Next steps in this process: The agreement must be filed with and accepted by the Delaware Secretary of State. Then the IRS paperwork must be submitted and the bank accounts, insurance contracts, office sharing agreement, etc. must be adjusted. Nitty, gritty details maybe but necessary and lots of work for a few people.

Continued on page 7 Council)
We all, but especially me, owe a huge THANK YOU to Les Stillson, state board member from Kent County, who, in consultation with the LWVUS guru on League mergers Tom Carson of the California League, has done all the “legwork” in bringing us this far. The next steps will fall largely on him though our Treasurer Beverly Jackson and Office Manager Letty Diswood will have considerable work also.

Next business at Council was a presentation by our national board liaison Amy Hjerstedt who did a great job in explaining to a sometimes slightly hostile group the changes to our organization that are under discussion, underway or being piloted as part of the Transition Journey into our next century as an organization.

- She emphasized the need for the League to re-claim our role as THE Democracy Champion in light of the many new organizations moving into this space. Though barriers to registration, gerrymandering and voter suppression are not major issues in Delaware, it is important that the entire League speak with one voice as we implement our new Mission Statement: “Empowering Voters. Defending Democracy”.
- Diversity, Equity and Inclusion will be a major focus as we try to make League membership more representative of the makeup of our communities.
- She reassured us that state and local Leagues will still be free to work on issues to which many of us have devoted considerable time over the years (environment, criminal justice, health care, social policy, etc.). I did mention that at times this was a somewhat “skeptical” audience! She had been forewarned by me as I was one of the skeptics.
- Another point of some controversy was the new Value Statement: “The League believes in the power of women to create a more perfect democracy”. Whether this fits with the focus on Diversity, Equity and Inclusion was questioned rather strenuously though it had been adopted unanimously by the national board after much discussion. I think it was a draw!

Amy did a masterful job in explaining the rationale for the changes and proposals! I’m sure not everyone was in agreement but this was a League meeting so what could one expect! There were lots of questions and a lively discussion. “Impressive” was the word I heard to describe her after Amy left to drive back to her home in Virginia. Unfortunately for the League (in my opinion), she is finishing her term on the national board, BUT she has been nominated for the next Nominating Committee. As our national liaison, she has been a great help and sounding board for me and I will miss her and her enthusiasm for this organization.

P.S. “Breaking News! Below is the Proposed Resolution just submitted by the Oregon League for consideration at national Convention which is June 28-July 1. The Oregon president is male. (Marj Johnson and I will be going --self, not League, funded.)

Proposed Resolution:
Whereas, the LWVUS Board unilaterally adopted a Value Statement that says "We believe in the power of women to create a more perfect democracy’’;
Whereas, this Value Statement mentions only one gender;
Whereas, the expressed goals of Council 2017 and the Transformation Roadmap were to increase diversity, equity, and inclusion within League membership; and
Whereas, the delegates of Convention 2018 find the Value Statement is divisive rather than inclusive and does not represent the values of many members;
Therefore be it resolved, we, the assembled delegates of the LWVUS Convention 2018, call on the LWVUS Board to rescind the Value Statement, and if it thinks we still need a Value Statement, to create a transparent process and discussion with all League members to adopt one.
Updated Lobby Handbook Now Available

Thanks to President Joann Hasse, one of the original authors, and Carling Ryan from the new Women's Advocacy Office, our Lobby Handbook has been updated and is now available online here.

This book has been written to give you a "short course" on the legislative process in Delaware and to offer practical information about influencing it. We encourage you to take advantage of our state's small size and to become knowledgeable about and involved in your government.

After you take a look at the book and want to learn how to practice what you learn, League members are invited to attend our monthly Advocacy Corps meetings where you can observe and, when you are ready, lend a hand as our ten registered, volunteer lobbyists work to implement League policy positions into Delaware law.

VOTE411 ON TRACK FOR JULY LAUNCH

The Delaware VOTE411 team is well on its way to publishing our state-wide election information in the www.VOTE411.org online voters’ guide on our launch date of July 16, 2018. The candidate questions are finished; board approved and have been sent off for Spanish-language translation. Many thanks to the VOTE411 Questions sub-committee... Anne Elmlinger in New Castle County, Amystique Church and Anne Parker-Dockins in Kent, Suzanne Hain and Linda Lewis in Sussex... for all their hard work on the candidate question sets! Thanks as well to Pat Makos for her sage advice, and Suzanne Hain for drafting the candidate invitation emails.

The candidates and party leaders have been contacted with an initial introductory email, and the candidates will receive their official invitation to participate by mid-June.

The VOTE411 team still needs help in these four areas:

1) **Follow-up calls** - to encourage candidates to participate, in the late June or early July timeframe.
2) **Corporate sponsors** – to help fund our advertising efforts. WSFS Bank has agreed to be our first state sponsor, but we’d like to have two more state sponsors at the $500 level. State sponsor logos will appear on the VOTE411 website whenever a visitor enters a Delaware address. We’d also appreciate sponsors to help finance poster printing, radio or newspaper ads, etc. Every little bit helps!
3) **Distributing posters & flyers** – we need League members and other volunteers to put up posters and distribute flyers to businesses and agencies across the state. Think about places where you work, shop or hang out... would they agree to put up a poster for you? Materials distribution will begin in mid-July and continue through early fall.
4) **Student volunteers** – do you know a high school or college student who is at loose ends this summer? Would they like to work with the League, empowering voters and defending democracy? We have plenty of VOTE411 tasks that energetic young folks could tackle.

Please call or text Kim Wells at 302-650-6897 or email me at kimwells19702@gmail.com if you’d like to help the VOTE411 team with any of these items. Thanks!
--Kim Wells, 2018 Delaware VOTE411 Coordinator
THANK YOU FOR CONTRIBUTING TO THE DELAWARE LEAGUE OF WOMEN VOTERS EDUCATION FUND.

Businesses/Organizations: WSFS for VOTE411.ORG online voters guide, Network for Good through Sandy Spence’s birthday Facebook fundraiser

THANK YOU FOR CONTRIBUTING TO THE LEAGE OF WOMEN VOTERS OF DELAWARE AND ED FUND:
Harriet Ainbinder and Fay Whittle.

SPECIAL THANKS TO ALL OUR VOLUNTEER lobbyists, vote411.org committee members, voter registration teams statewide, local and state board members, land use and transportation, climate change and coastal zone advocates, and new citizen ceremony volunteers. You know that the League depends on you and recognizes your hard work and in-kind financial contributions you make during the course of your volunteerism.

LWVUS ADVOCACY UPDATES - details at www.lwv.org

Parker v. Reema Consulting Services, Inc.

Last week, the LWVUS signed onto the Parker v. Reema Consulting Services, Inc. amicus brief, to the U.S. Court of Appeals for the 4th Circuit challenging a gender-based hostile work environment, retaliatory termination, and discriminatory termination under Title VII. The trial court dismissed the complaint holding that a rumor was not actionable under Title VII. The LWVUS supports actions that bring laws into compliance with ERA, supports the goals of ERA and enforcement of laws that promote greater equality among the sexes.

This week at the Supreme Court: Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission

On Monday, the Supreme Court of the United States (SCOTUS) released its decision for Masterpiece Cakeshop, a case dealing with a Coloradoan baker who refused to make a wedding cake for a same-sex couple. The SCOTUS decision reversed the lower court decisions and held that the Colorado Civil Rights Commission’s violated the free exercise clause when assessing a cakeshop owner’s reasons for declining to make a cake for a same sex couple’s wedding celebration. The LWVUS submitted an amicus brief arguing that allowing the bakery to refuse service violates public accommodations laws. We issued a press release shortly after the decision went public, expressing disappointment that the court did not provide clarity around when the free exercise of religion rises to the level of discrimination, which could result in more litigation around this issue in the future.

Upcoming Supreme Court cases: Husted v. APRI; Gill v. Whitford; and Minnesota Voters Alliance v. Mansky

The League is still waiting for decisions in several key voting rights cases to be announced. These cases include Husted v. APRI, which deals with the Ohio system to purge voters from the voter rolls. Gill v. Whitford, the case challenging Wisconsin’s state legislative redistricting maps on partisan grounds. And Minnesota Voters Alliance v. Mansky, which considers whether a state law that regulates speech inside of polling places in order to protect the integrity and fairness of the voting process is constitutional.
Congress Must pass the Dream Act Now. They must pass a clean DREAM Act to protect, not turn away, the 800,000 young people who were brought to the United States as children. We can and we must do better to be vigilant about speaking out against racism. We must stand up as a nation and say this is unacceptable.

Support Automatic Voter Registration Act. Senator Patrick Leahy (D-VT) and Representative Robert Brady (D-PA) introduced the Automatic Voter Registration Act of 2017 on June 14, 2017. The League is proud to support legislation that enhances access for eligible voters in our elections and works to modernize our electoral system. This bill will improve the accuracy of voter records, cut down on costs, and modernize outdated registration systems while supporting implementation in states across the country.

Pass Sensible Gun Laws it’s time to stop the violence. Legislation with common sense solutions to prevent gun violence will protect our children, our citizens and help restore our public confidence. Tell Congress to move forward with common sense gun legislation. Curbing gun violence is a critical matter of public safety and public health.

Health Care Reform. Every U.S. resident should have access to affordable, quality health care, including birth control and the privacy to make reproductive choices.

Immigration. Immigration policies should promote reunification of immediate families; meet economic, business and employment needs; and be responsive to those facing political persecution or humanitarian crises.

The Environment. As citizens of the world we must protect our planet from the physical, economic and public health effects of climate change while also providing pathways to economic prosperity.

| CALENDAR |
|-----------------------------|-----------------------------|
| Wednesday, June 20, 2018 5:30 - 7:45 p.m. | Dover City Library  
35 Loockerman Plaza  
Dover, DE 19901  
LWVDE & ED FUND BOARDS. Board meetings for the Delaware state-level league. RSVP to Joann Hasse.  
(Note: Changed to conference call meeting.) |
| Wednesday, July 11, 2018 9:30-noon | Tattanl Building, 3rd Floor Conference Room Across from Legislative Hall at  
150 Martin Luther King Blvd.  
Dover, DE 19901  
LWVDE Advocacy Corps Meeting. For details or to attend, please contact the committee chair, Sandy Spence at sandyspence25@gmail.com. |
| Thursday, September 6, 2018 7 a.m. to 8 p.m. | Your Representative District Polling Place. You should receive a polling place card with the location in July.  
Primary Election. Only registered voters from participating parties may vote.  
Note: Although elections are usually held on a Tuesday, we have checked with the Board of Elections and have confirmed it is on a Thursday this year. |
| Tuesday, November 6, 2018, 7 a.m. to 8 p.m. | Your Representative District polling place. |

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