



JUNE 22 (2ND) UPDATE ON Top priorities for action in the closing days of the 149th Session

The legislature is speeding toward June 30 so a lot is happening quickly. This is another update on the Action Alert we sent out this past week. Changes are in **red and BOLD Caps and we have struck out bills that are DONE, some DEAD.** The ones with the best chances are HB 90 and HB 113, both in the Senate listed below. Also, see HB 446, substitute for HB 63 on next page. LWVDE urges all members to contact their legislators to act on our remaining top priority bills before June 30. All are important--but please focus now on your Senators for HB 90 and 446 plus HB 113. It would greatly enhance the efforts of the League's registered (VOLUNTEER) lobbyists. You are encouraged to say you are a League member and to make contact on others, too!

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. [**DONE!** The Joint Bond Bill Committee has provided \$10 million for this purpose. Elections Commissioner Elaine Manlove tells us this is sufficient. P.S. **There's also \$10 million each for farmland preservation and open space** that was an important priority that didn't make it to our first alert.]

Needs Action in Senate

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. [PASSED in the House. Needs final passage in the Senate. Please contact your Senator!]

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; still must get out of Senate Finance Committee and be passed by the Senate. Senator Harris McDowell, Finance Committee Chair has released a "hold" on this but it still needs action. Please contact your Senator as its chances are significantly improved.]

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 and Senate!** Scheduled to be signed by Governor Carney on Wednesday, June 27.]

HB 366 requires safe storage of firearms. [**Failed to be released from Senate Judicial Committee. We are urging Sen. McBride to suspend the rules and bring it to the Senate floor for final passage.**]

SB 227 requires most insurance plans to reimburse primary care physicians and other front-line practitioners for chronic care management and primary care at no less than the Medicare rate for the next 3 years. Insurance companies are paying them as low as 65% to 85% of Medicare rates. It also makes changes in the duties and authority of the Health Care Commission to develop recommendations to strengthen the primary care system in Delaware. [**Passed the Senate on June 13. Very favorable bipartisan hearing in the House Committee suggests there should be little problem securing final passage in the House.**]

SB 163, the Assault Weapons Ban was killed when the Senate failed to pass a suspension of rules, *needed since it was not released from Committee.* All Republicans except Cloutier who was in the hospital and Hocker, who didn't show up until after the vote, plus Democrats Ennis and Bushweller voted NO.

HB 460 to enact the budget smoothing recommendations is the first leg of a constitutional amendment as discussed at League Day in Dover. [It was released from the House Administration Committee with very positive comments from members of both parties on June 13; ready for passage in the House. Please urge your Senator to support it!]

~~SB 221 and SB 222.~~ In order to reform bail (pre-trial detention) in Delaware, a constitutional amendment and enacting legislation must be passed. These bills would have made sure that:

- Cash bail becomes a last resort.
- Detainees rights are restored through access to legal representation and immediate hearings.
- This process restores constitutional rights by requiring that the state has the burden of proof to show that an individual detained has to be held on an actual risk-- not on ability to pay.
- Restores transparency and procedural fairness to the pre-trial justice system.
- Re-assures public safety by making who is detained--- and who is not--- more predictable.
- May reduce false guilty pleas.

[DEAD! The Senate defeated these bills. Since constitutional amendments must pass in two consecutive General Assemblies, with an election in between, these now cannot go into effect until at least 2021.]

Needs Action in House

HB 63 is replaced by HB 446, 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. **[On the schedule for the House on June 26. Would still need to get through Committee and final passage in the Senate.]**

HB 300 passed the House with Senate amendment and was signed by the Governor the same day, June 14. It 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.

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. PLEASE CONTACT YOUR REPRESENTATIVE!]*

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, out of Committee in House but an amendment is pending. If the amendment is accepted, bill will go back to Senate for final passage.]*

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; released from House Judiciary, awaiting final 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. **[A substitute resolution has been proposed that changes the makeup of the Task Force to be sensitive to special ed needs, but this one may die due to limited time before June 30.]**