



DELAWARE VOTER

The League of Women Voters of Delaware

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President: Carol Jones

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The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

WELCOME TO OUR NEW PRESIDENT

To all members of the League of Women Voters of Delaware:

I've been president for two months and feel I've barely scratched the surface of what I need to learn; but I'm working on it and will need a lot of help from you throughout my term. Thanks to the officers and committee chairs who "re-upped" for another term and thanks to the new chair people who have come on board. If you want to volunteer for one of the projects listed below or if you have an idea for something new we might consider pursuing, let me know. The League is not static. We're always moving forward to the next thing and we finish what we start. And I'm asking you to contact me personally because I want to get to know new people who are volunteering. You can be sure I'll quickly refer you to the chair of the committee that best suits your interests. My email address is: sundiallee@aol.com.



The past two years under Sandy's leadership have launched the LWVDE into a much more active role. She has done a terrific job and it's been an exciting and productive period. We intend to keep up the momentum and here's how we're starting out:

- We're undertaking a state-level study on Campaign Finance Reform. Delaware gets very low marks on its current campaign finance laws in national studies that we've seen. We intend to remedy that.
- The National Study on The Role of the Federal Government in Education is scheduled to be completed by the end of November. We have our immediate work cut out for us within our three local Leagues.
- We will investigate with the IRS the idea of folding our Ed Fund money in with regular dues and other

types of contributions and fund raising so that all of the money we receive is tax deductible and can be spent for whatever we need. We may qualify for a different non profit tax category than the one we're in which might make this possible. There is precedent for it and we'll keep you up to date on our progress.

- We hope to develop a "shadow" structure for all committee chairs. We ask a great deal of our committee chair persons and believe it will be helpful if they can have a backup person that they can mentor to support them and fill in for them as necessary.
- We intend to improve our overall fund raising ability. Among other things, we need to investigate the wide range of grants that might be available to us. The committee is yet to be formed. If you're interested, let me know.
- We need to expand our communications areas -- including public relations, our web site, help with The VOTER, and the list goes on. We're going to be using social media, especially FACEBOOK more and more to get our message across. All this takes people to write, to monitor, to be "techies." Let me know if you want to be part of this team.

The Action Committee is ALWAYS looking for new members. You don't have to be a lobbyist (although we're happy to help you become one) because we need people to do research and development on the myriad pieces of legislation we cover. Our co-chairs, Charlotte King and Les Stillson will be delighted to welcome you to their midst. Let me know.

See Mickey McKay's request for volunteers to start the Delaware State Revenue Study on next page.

The talent among our members is awesome. Help us put it to use.

Carol Jones, President

COMMEMORATING THE 35TH ANNIVERSARY OF THE FOIA

On Monday, July 25, the League of Women Voters of Delaware in partnership with the Delaware Coalition for Open Government celebrated the 35th Anniversary of the signing of Delaware's Freedom of Information Act. Forty-five FOIA supporters managed to squeeze into the House Caucus Room at Legislative Hall for the occasion.



**Pictured L-R
Carol Jones, John
Flaherty and
Senator Karen
Peterson**

The highlight of the event was presenting Senator Karen E. Peterson with the "Certificate of Achievement" award for her long and outstanding crusade to strengthen Delaware's open-government laws, to extend the reach of those laws and to make FOIA easier and more accessible for the average citizen to use.

Senator Peterson was on the vanguard of the move for government reform and transparency since long before the concept of Open Government reached the broad national attention it currently enjoys. Early in her public career, during her two terms as President of the New Castle County Council, Karen actively pushed for greater transparency of records and meetings.

When Senator Peterson was first elected to the Delaware Senate in 2002, she had little to no support for the concept of making the legislature subject to the Freedom of Information Act. Six years later, after reintroducing bills year after year, she had 14 co-sponsors. In 2009, in the final days of the 144th session of the Delaware General Assembly she accomplished her goal. The General Assembly eliminated the thirty three years of exemption to FOIA that it had enjoyed. It was the culmination of a long hard road for this legislator.

In the most recent GA session, Karen proposed a bill (SB 283) that would circumvent a Constitutional obstacle that effectively prohibited the State Attorney General from pursuing FOIA complaints against state agencies. The bill's passage removed the "virtual immunity" state agencies had enjoyed for over thirty years.

No one is more deserving of the Open Government Award than Senator Karen Peterson.

Awards were presented to seven local governments for their outstanding performance on the LWVDE's FOIA Audit that was completed in 2010. The Audit was funded by a grant from the LWVUS. It's purpose was to determine to what extent local governments were complying with Delaware's Freedom of Information Act. League members audited thirty four local governments, including twelve school districts, nineteen municipalities and three counties. The results of this Audit can be viewed on the LWVDE website.

The governments receiving awards were: Cities of Newark, Lewes and Seaford; the Towns of Wyoming and Felton and the Smyrna and Milford School Districts. Audit results revealed several weaknesses in Delaware's FOIA. League lobbyists will be working with State legislators to address these weaknesses in order to strengthen the State's open government landscape

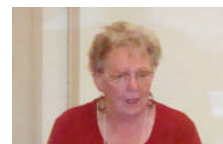
Mickey McKay, Chair, LWVDE FOIA Project

Be part of this new study "Delaware State Revenue Study"

The "Delaware State Revenue Study" that was adopted at the recent LWV-DE Convention is being formed. We need a few good men and women to join Mickey McKay, Will Garfinkel and Crystal Hamilton (Kent Co.),

We need people from the other two counties to join us in an upcoming planning meeting that has yet to be scheduled. It would be great if there are any members who have experience or interest in public or private finance or are familiar with the D.E. legislative process who would like to join us.

We have several studies from other state Leagues who have completed similar studies that we can use as models for our own state study.



LWV of DELAWARE CONVENTION HIGHLIGHTS

Pictured below: L-R Shayna Howell, Shur Fellow, and Roberta Ray



The League of Women Voters of Delaware has announced its election of new officers and directors for the coming two years. Carol Jones of Rehoboth Beach succeeds Sandy Spence

of Lewes as President. Charlotte King of Lewes succeeds Lisa Pertzoff as First Vice President, while Les Stillson of Camden succeeds Janet Kramer of Hockessin as Second Vice President. Carol Walsh of Newark and Valerie Driscoll of Rehoboth Beach were re-elected Secretary and Treasurer respectively.

Directors include Joann Hasse and Roberta Ray from Wilmington, Janet Kramer of Hockessin, Peggy Schultz of Newark, Esther Shelton from Lewes, and Kim Walker from Dover.

The new president can appoint up to six additional directors with approval of the board. Local League presidents or their designees also serve on the state board. These include Cathy Ward, recently elected president of the LWV of Sussex County, Christine Stillson of Kent County and one representative of the Leadership Team of New Castle County.

“The League has always valued continuity and this newly elected slate of officers and directors is dedicated to continuing the work that began under the leadership of past president Sandy Spence. We have new challenges as well and we will continue with our advocacy of issues as determined by the consensus of our membership,” said President Carol Jones.

Besides adopting a two-year budget and making minor bylaw amendments, **the League voted to undertake a study of current state revenue sources and their relative importance to the state budget.** The study will examine such criteria as adequate yield, equity/fairness, compatibility with state social and environmental policy, cost effective administration, elasticity/natural growth, benefit/fairness, simplicity, public acceptance, as well as compatibility and links with federal policy and a competitive business climate. It will also look at the process used by Delaware to estimate future revenues for budgeting purposes by the Delaware Economic and Financial Advisory Council (DEFAC).

The Convention featured workshops on a variety of topics including redistricting, how to organize an Observer Corps to monitor meetings of local public bodies, writing letters to the editor, and the Delaware Freedom of Information Act, the latter featuring guest speaker Deputy Attorney General Judy Hodas. Shayna Howell from South Carolina, who is a liaison with the LWV of the U.S., led a leadership development workshop with Kent County President Christine Stillson.

Reported by Sandy Spence

LWVUS COUNCIL 2011 HIGHLIGHTS

LWVUS Council 2011 changed its usual business-type meeting to focus on training. It was an outstanding experience for everyone who attended. Training had a heavy emphasis on exploring the role of New Media (Blogging, Facebook, Twitter, etc.) and developing a visibility plan and there was an excellent session on using tools to understand leadership styles to assist in team development and board management. Go to www.lwv.org/AM/Template.cfm?Section=Home&TEMPLATE=/CM/ContentDisplay.cfm&CONTENTID=17623 to see the power point presentation on Leadership Styles, based on American Indian concepts, and explore your own style. The presentation explained the need for all styles to be represented to round out any leadership team. Other Council materials are also available in that part of the LWVUS website.



Pictured L-R Letty Diswood, Anne Riley, Sandy Spence, and Carol Jones

During the three-day program, each state delegation prepared a plan for a major "campaign" we would like to focus on in the coming year. Our Delaware delegates developed a plan to advocate for serious campaign finance reform for the state. The plan is under review by the Action Committee and will be submitted to the state Board to determine whether this is something they wish to take on.

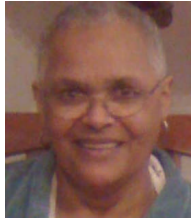
During the relatively short business session, Council adopted a budget for the fiscal year starting July 1 through June 2012. In the future, two year budgets will be adopted at the biennial Convention. Next year's convention will be held at the Washington Hilton in D.C. June 8-12.

Delaware had the largest delegation at Council. Carol Jones and Sandy Spence were delegates from the state board. LWV Sussex's new President Cathy Ward and VP Anne Riley along with Letty Diswood rounded out the delegation.

DELAWARE LEGISLATIVE WRAP-UP of the 146TH SESSION

SOCIAL POLICY

Charlotte King, Social Policy and Action Chair



SB 30 (Sokola) This bill which passed and has been signed by the governor creates civil unions for qualified people in Delaware. Despite the strategic and contentious efforts of those in opposition to

same-sex unions the bill was strongly supported by the majority of legislatures in the House and Senate.

HB 106(Barbieri) This bill which passed the House and Senate in June, 2011 mandated improved communication and information sharing between the Domestic Violence Coordinating Council and the Medical Examiners office.

SB 12 (Henry, Schooley) This bill which was signed into law on June 23, 2011, removed the prohibition against convicted drug felons from receiving federal food stamp assistance.

SB 17 (Henry, Keeley) This bill which dealt with the legalization of medical-use marijuana was signed on May, 13, 2011. The bill was monitored by the LWVDE. LWVDE was not able to take a support or oppose stand on this bill in the absence of a national league position or statewide consensus. Because this is a growing national issue, with at least 15 states having legal medical marijuana programs it is recommended that our state league implement a study on this issue and seek the consensus of its membership.

SB 15 (Booth, Ennis) This bill would require documentation of lawful presence for all persons 14 years of age and older who apply for public benefits. Public agencies would also be required to verify employment authorization status for all new contractual or permanent hires. This bill which was being monitored by LWVDE, will remain in committee until the 146th General Assembly reconvenes in January, 2011. The bill in its current form could not be supported by LWVDE because it lacked clarity about the public benefit restrictions for adolescents and young adults.

GOVERNMENT

Joanne Hasse, Health Care Chair

SB 19 (Katz) would have prevented any lobbyist from serving on a state board, commission, committee, etc. Several LWVDE lobbyists would have been affected

by this. We believe the bill was overly restrictive in that it would exclude people with the most knowledge/interest. League was among those who testified in opposition. No one testified in support. The bill was tabled in committee by the sponsor.

HEALTH CARE

Joann Hasse, Health Care Chair

SB 13 (Henry) removed the sunset provision from the Wilmington needle exchange pilot program which has been very successful. An attempt to extend the program statewide was dropped when it became apparent that it would kill the whole bill.

LWVDE supported the original legislation 5 years ago and also SB 13 as a public health measure to control the spread of HIV and hepatitis C among partners of drug users and to connect drug users with treatment program. SB 13 has been passed and signed.



HB 47 (B. Short, Hall-Long) gives the Dept. of Health and Social Services the authority to investigate unsanitary and unsafe conditions in certain facilities where invasive procedures are performed (after a patient complaint) and to adopt regulations; also gives the Div. of Professional Regulation authority to investigate and inspect unsafe and unsanitary conditions maintained by individuals licensed by the Board of Medical Licensure and Discipline. League supported. Passed and signed.

HB 144 (B. Short, Henry) is a companion bill to HB 47 (above). It gives Dept HSS the authority to require accreditation for medical facilities where invasive procedures are performed and to promulgate regulations. It also expands the ability to file a complaint to a patient's spouse. League supported. Passed and signed.

REPRODUCTIVE CHOICE

HB 80 (Lavelle, Bonini) would have changed the current Parental Notification of Abortion statute to a Parental Consent for Abortion. It would have raised the age of consent from 16 to 18 and removed grandparents and licensed mental health professionals as persons who could give or facilitate consent. In the case of incest by the father, only the mother's consent would have been required. LWVDE, along with others, particularly domestic violence groups opposed the bill vigorously. Opposition was based on the possible disastrous effects on girls from dysfunctional families as most young women who feel they can approach their parents already do so. The bill was tabled in committee.

JUSTICE REPORT

Janet Kramer, Urban Health and Justice Portfolio



The Justice Team includes the members of the League of Women Voters New Castle County Urban Health and Justice Committee and League members from around the state who have asked to be placed on the email list. When a program or legislation is introduced that needs discussion, these members are notified. Information on pertinent legislation and programs from non-governmental nonprofit/nonpartisan agencies such as SURJ, the Delaware Center for Justice and the Delaware Chapter of the American Civil Liberties Union are also shared by email with the Justice team; and under recommendation of the Delaware League Action Committee and Board with all League members in email alerts.

Below are listed the major areas of interest for Justice (in *italics*) and the legislation that has been discussed in the Action Committee or reviewed, lobbied or publicly spoken about in the 146th General Assembly. Because the 2011 session is the first of a two year Delaware General Assembly, it is anticipated that some of the legislation not acted on before July 2011 will be discussed after January 1, 2012 when the session resumes. At the Action Committee, it is determined whether a piece of legislation will be supported, opposed or monitored based upon whether the legislation supports or opposes League positions. Some legislation is monitored because the League either has no position or the legislation conflicts with and supports League positions and needs to be clarified before the League can take a position. (See SB 99 as an example—Open Government versus Victims Safety)

LWVDE Current Justice Areas of Interest:

Opposition to Mandatory Sentencing and adjustment of sentencing laws to fit seriousness of crime.

- **HB 19** An Act to Amend DE. Code relating to Drug-involved offenses. Passed and signed by the Governor May 12, 2011.

Prisoner's Rights

- LWVDE continues to urge full voting rights for all citizens including citizens who are incarcerated and on probation/parole.
- This year LWVDE also unsuccessfully urged the census counting of prisoners in their home districts not as a group in the district where they are incarcerated in order that some districts which have large correctional facilities are not factitiously enlarged by adults who not allowed by law to vote by current Delaware law.
- Abolish the Death Sentence in Delaware

Support of therapeutic treatment for offenders during incarceration and in the community

- **SB 12** removed the prohibition against persons convicted of any drug felony from receiving federal food benefit assistance was passed and signed by Governor June 22, 2011
- **SB 59** Changes waiting period to get professional licenses and removes the 5 year limitation for misdemeanors entirely for professions. The law leaves the decision on license limitation to the discretion of the individual licensing boards-signed by Governor June 8, 2011.

Support for Family Court System

- **HB 117** gives the Family Court certain powers over the parents or legal guardians of minor children who are the subject of a delinquency action in Family Court. Passed the House 6/17/11 and sent to the Senate Judiciary Committee 6/8/11. HB 117 will most likely be heard in the Senate committee after January 1, 2012.

Support for therapeutic intervention and services for all victims of crime, neglect and abandonment. This includes children in state custody, foster care; victims of domestic, institutional and general violence and neglect

- **HB 70** Establishes a civil cause of action which would allow a person injured by intoxicated minor (under 21) to sue adults who provided alcohol to the minor or permitted minor to consume alcohol on the premises. Passed by the House 6/7/11 and assigned to the Senate Judiciary Committee 6/8/11. HB70 will most likely be heard in the Senate committee after January 1, 2012
- **SB 99** Increases the privacy protection of crime victims and witnesses by permitting, while not requiring the use of initials or pseudonyms in law enforcement reports and court documents. Senate Judiciary committee to hear after January 1, 2012.

We need your help: If you are interested in Justice issues, join us to monitor open advisory committees and commission meetings, monitor Delaware House and Senate Judiciary Committees, review new legislation online or just join the Justice team to find out what is happening. Call me at 1 302 239 1518 or Email me at jkr5936763@aol.com to discuss and schedule.

LAND USE/TRANSPORTATION

Peggy Schultz - photo at right, and Jane Dilley, Land Use and Transportations Co-Chairs

During this past year three consensus meetings throughout the state resulted in the following positions:

The League of Women Voters of Delaware supports reducing transportation-generated greenhouse gas emissions by wiser land use planning and by enhancing public transit options. Some key points that should be included:

1. Direct development towards growth zones, except for environmentally sensitive areas within those growth zones; assure availability of infrastructure, services and walkability before developing.
2. Build compact, or dense, development within established development areas in which pedestrians can safely and conveniently access services.
3. Reduce vehicle miles traveled (VMT).
4. Modify Delaware's paratransit fee schedule to establish separate classifications for ADA* and non-ADA** service. Reform the system to establish fairer pricing for non-ADA paratransit use. Tighten eligibility requirements for all paratransit use in situations where the state has discretion. Establish a dedicated funding stream for public transit; explore a variety of funding sources.

*ADA refers to the Americans for Disabilities Act requirement that paratransit service be provided within a 3/4 mile radius of all fixed-route bus service routes. Both origins and destinations must be within the required radius.

**Non-ADA refers to paratransit trips which either originate or end outside the 3/4 mile radius.



TRANSPORTATION/LAND USE LEGISLATIVE UPDATE

During the 146th Legislative Session the team took positions on the following bills:

HB 101 Requires traffic studies for developments discussed in MOUs between DelDOT and local governments; studies would not be limited to areas covered in MOUs. HS 1 assigned to Transportation/Land Use Committee on 5/12/11 LWVDE opposes.

SB 9 Bill prohibits DelDOT from accepting as dedicated a road that makes a connection to a dedicated road within a 55 or over community; prohibits DelDOT from constructing such a connection. Signed by the Governor, LWVDE opposed.

SB 126 Creates a Cabinet Committee on State Planning Issues; eliminates Governor's Advisory Council on Planning Coordination; sets a common deadline (July 1st) for county and municipal annual reports; specifically authorizes OSPC to prepare the State Strategies for Policies and Spending document and maps. Signed by the Governor, LWVDE supported.

SCR 13 Requests that DelDOT expand efforts to create uninterrupted networks of walkways and bikeways throughout state. It passed unanimously in both chambers. LWVDE had no position on it, though it's a great victory in terms of our goals.

Portfolio Team Members: Jane Dilley, Peggy Schultz, Laura Swiski, Robert Bennett, June MacArtor, Betty Hutchinson, Margo Perkins, Sandy Spence, Esther Shelton

NATURAL RESOURCES/ENERGY LEGISLATIVE ROUNDUP

Pat Todd, Natural Resources Chair

This has been a somewhat quiet legislative session for this portfolio compared to recent years. The biggest stir was HB 86 introduced by Representative Peterson who tried to remove Delaware from the Regional Greenhouse Gas Initiative (RGGI) alliance with other northeastern states. This is a cap and trade system where DE receives several million dollars (Continued on page 7 **Natural Resources**)



(Continued from page 6 **Natural Resources**)

each year from industry when they buy energy credits to use in the future. **HB 86** never made it out of the House Natural Resources Committee.

Also Rep. Peterson introduced **HB 29** which would make waste haulers list two prices on their invoices to customers; the cost of trash hauling and the cost of recycling. This also died in the House NR Committee.

Another scare was the possibility of legislation which would weaken the Universal Curbside Recycling Law by letting some residents opt out of the law. After several days of discussion in Senator McBride's Natural Resources Committee meetings with the public, no legislation was introduced. The haulers spoke adamantly against weakening the law because they have already spent a great deal of money on new equipment and containers.

Other important legislation which was passed and signed by the Governor was: HB 163 (Hefferon) re-authorizing the DE Hazardous Substance Cleanup Act (HSCA) so that money would be available from the federal government to cleanup DE's superfund sites; HB 122 (Carson) transfers authority to review and approve water conservation plans and issue certificates of adequate water supply from the Public Service Commission to the Water Supply Coordinating Council; SB 64 (McBride) authorizes DNREC to adopt minimum standards to minimize risk from flooding and appoints a stakeholder advisory group to work with DNREC to develop the standards; SB 40 (Marshall) provides tax credits to companies in DE starting up or expanding their renewable energy businesses; SB 124 (DeLuca) allow fuel cells to be included in DE's Renewable Energy Portfolio Standards; HB 186 (Q. Johnson) re-authorizes the Clean Air Act Title V Operating Program; SB 26 (Bunting) expand the Conc. Animal Feed Operation (CAFO) under the National Pollution Discharge Elimination System (NPDES).

One bill that the League supports which is still in the Senate NR Committee is SB 149 (McDowell) which will strengthen the DE Endangered Species Act by modeling it after policies in MD and NJ. Let's hope that sees its way through the General Assembly.

A COMPREHENSIVE ENERGY/CLIMATE CHANGE PLAN FOR DELAWARE

Chad Tolman, Climate Change Chair



The LWVDE Energy/Greenhouse Gas Subcommittee - consisting of John Austin, Chris Bason, Sumner Crosby, Mary Anne Edwards, Steve Hegedus, Peggy Schultz and Chad Tolman - carried out a 6-month study comparing Delaware's energy and climate performance and policy with those of other states. A 4-page summary (www.de.lwv.org/docs/BriefEnergyConsensusInfo.doc) and a longer more detailed background paper of its findings can be found on the League website. A proposed comprehensive plan was presented and improved upon at consensus meetings in all three counties.

The final wording was:

The League of Women Voters of Delaware supports an aggressive and comprehensive energy use/climate change plan for Delaware. Some key points that should be included:

- ***Accelerate bringing new green businesses, jobs and industries to Delaware, and investigate emerging energy technologies.***
- ***Set targets and a timetable for reducing Delaware's total greenhouse gas emissions.***
- ***Plan for extensive adaptation measures at all levels of government for climate change impacts that cannot be avoided---especially sea level rise.***
- ***Support public education and outreach; expand renewable energy and climate change in Delaware curriculum standards.***
- ***As Delaware calculates energy costs, full life cycle analyses with all externalities must be included. Social and economic justice must be considered in implementing energy and climate change policy.***

After Board approval the plan was endorsed by 23 other organizations and individuals, including the ministers of three churches of different faiths. A letter, signed by Carol Jones and Chad Tolman, was sent to Governor Markell in late June, asking him to adopt the plan by executive order. We are eagerly awaiting his reply.

ELECTIONS AND VOTING

Letty Diswood, John Sykes, Ellen Wasfi



The LWV of Delaware's advocacy and education efforts are based on the LWVUS Position Statement: Representative Government: Voting Rights - Citizen's Right to Vote: The League of Women Voters of the United States believes that voting is a fundamental citizen right that must be guaranteed.

We are working to eliminate five year waiting period for felons to be eligible to vote after all requirements of a sentence have been met; are opposing ID and documentary proof of citizenship; improve polling place management and ballot design; guard against undue restrictions on voter registration; improving administration of statewide database systems and guarding against wrongful or incorrect purging; improving poll worker recruitment, training and supervision

However, across the country and here in Delaware efforts are underway to mandate photo ID and proof of citizenship to be able to vote. This is not a requirement at this time in Delaware and we will vigorously oppose any efforts to do so. We are also advocating to simplify absentee voting process; would like to see early voting option; allow more time for party affiliation changes (shorten closed periods for party affiliation changes).

Listed are bills and status.

HB 9 This Act is the first leg of a Constitutional Amendment which eliminates the existing five-year waiting period before eligible felons who have fully discharged their sentences may have their voting rights restored. This Act shall be known as the Hazel D. Plant Voter Restoration Act. Bill was voted out of committee; **League supports**.

HB 11 (Fusion Candidates) This Bill would allow only members of a political party to seek that party's nomination for an elected office in a primary or otherwise be nominated for office by that party. We supported and signed by Governor.

HS 1 for H.B. 33 This bill empowers the State Election Commissioner to declare vacancies in municipal offices in the event of a tie vote, cancel municipal elections due to weather-related and other unforeseeable emergencies, and invalidate the results of municipal elections involving conduct in violation of federal or state law. **HS 1** restricts the powers given to the Election Commissioner in the main bill in cases where a municipal charter makes other provisions for cancellation of elections due to impracticability and for tie votes. Where the municipal charter has a provision related to these conditions, the charter controls. The amendment further changes the provision relating to the invalidation of election results to provide that the Commissioner may invalidate an election only where he/she finds an election law violation AND such violation was reasonably likely to have affected the election result. **We support** this bill and it passed Senate and House.

HB 55 Under the U.S. Constitution, the states have exclusive and plenary (complete) power to allocate their electoral votes, and may change their state laws concerning the awarding of their electoral votes at any time. Under the National Popular Vote bill, all of the state's electoral votes would be awarded to the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia. The Action Committee and LWVDE board **decided not to take a position** even though the LWVUS allows for support of the National Popular Vote because at the time when the study was done in Delaware, we did not come to consensus, and actually had one county opposite to the other county's outcome. The bill passed the House and is in the Senate Administrative Services Committee.

HCR 4 In this concurrent resolution, the members of the General Assembly recognize that the members of the Delaware Federation of Republican Women are urging the passage of legislation that requires voters to show government-issued photo identification before voting. **League is opposed** and it is tabled in the House Administrative Services Committee.

HCR 5 In this concurrent resolution, the members of the General Assembly recognize that the members of the Delaware Federation of Republican Women are urging the passage of legislation that moves the Delaware election
(Continued on page 9 **Elections**)

(Continued from page 8 **Elections**)
primaries to an earlier date to ensure the timely issuance and receipt of military absentee ballots. The bill is tabled in House Administrative Services Committee. **League took no position.**

SB 94 This Act moves the dates during which a registered voter may change his or her party designation so that it matches the dates during which a newly registered voter may select a party designation. It was defeated in the Senate; **League supports.**

S.B. 89 This Bill will change the date of the Presidential Primary from the first Tuesday in February to the fourth Tuesday in April. Passed both Houses; **League took no position.**

SB 118 This Bill would bring the State into compliance with the Military and Overseas Voters Empowerment Act by giving the Departments of Elections sufficient time to prepare and send ballots to military and overseas voters at least 45 days before the day of the Presidential Primary, give all voters more time to change their political party affiliation before the Presidential Primary and give the Departments of Elections capability to run the Presidential Primary in a more efficient manner. The bill also provides voter sufficient time to change their political party affiliation following a presidential primary by moving the beginning of the closed period for party changes to the last Saturday in May. Passed both Houses; **League supports.**

SB 119 This bill would bring the State into compliance with the Military and Overseas Voters Empowerment Act by giving the Departments of Elections sufficient time to prepare and send ballots to military and overseas voters at least 45 days before the day of the Special Election and give the Departments of Elections capability to run the Special Election in an efficient manner. Passed both Houses; **League supports.**

HB 199 This is the first leg of a constitutional amendment to allow the General Assembly to enact laws relating to requiring photographic and signature identification to vote. Bill is in the House Administrative Services Committee and **League is opposed.**

HB 200 This companion bill to **HB 199** is the first leg of a constitutional amendment to allow the General Assembly to enact laws relating to requiring photographic and signature identification to vote. Bill sits in House Administration Committee and **League is opposed.**

If you are interested in any of these bills please contact Letty Diswood, we are looking for people to join this small committee. Much of our work can be done by e-mail letty.diswood@verizon.net.

<p>Make a Gift that will Keep on Giving: The LWVDE Endowment Fund</p>
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Would you like to make a contribution to the League of Women Voters of Delaware that will “keep on giving”? Consider a tax-deductible gift to help ensure the League’s long-term financial viability and educational activities here in Delaware by supporting our growing Endowment Fund.

The Delaware Community Foundation program gives smaller organizations that can’t afford the normally required \$10,000 the opportunity to start with a minimum of \$2,000 and a commitment to bring this amount to \$10,000 within five years. By December 31, 2010 (the second year of our Fund Builder program at the DCF) we had raised \$4,151.51.

Once we reach \$10,000, the funds will be invested as part of the multi-million dollar funds managed by the DCF. Annual returns and donations made after that can be used to support important LWV DE Education Fund projects such as our outreach to newly naturalized citizens, eligible portions of our League Day in Dover programs and candidate forums, and other citizen education projects that will support our efforts to “make democracy work.” Returns on investments at the DCF are generally much better than most other institutions where we could invest for the future.

This program could be especially relevant to anyone who wishes to donate highly appreciated stock as stock can be transferred directly to the DCF. Also, DCF is set up to accept matching funds from companies who match gifts made by their employees. So, employed members can double the value of their gift if their employer has such a program. If you would be interested in either of those possibilities, please contact Sandy Spence for details on how to do it. You can reach her at sandyspence325@gmail.com or 302-645-9559.

If you wish to send a check, it can be made out to the Delaware Community Foundation with "**DE LWV Endowment Fund**" in the memo field and sent to LWVDE at 2400 W. 17th St., Clash Wing, Lower Level, Wilmington, DE 19806-1311.



I must take this opportunity to give my heartiest thanks to a devoted board, numerous committees, individual members, and our indefatigable Letty Diswood without whom all of this would not have been possible.

When I entered office two years ago, there were several members who, for a few years, had been urging the LWVDE and our three local Leagues to merge into one, unified League. My impression was that they believed such a move would improve efficiency, reduce duplication of effort such as multiple boards and officers, multiple Voters, four separate web sites, and other improvements. I wanted to resolve this issue so we could either do it, find a middle ground, or move one, as we are.

So we created a special Governance Task Force that represents one Committee that has completed its mission and can now be dissolved, unless our next President and her board decide that there remain any unfinished business.

- Our Governance Task Force has met over 8 times, once via Skype, to address the question of whether we should merge the state and local Leagues into a single statewide League, or not. Outcomes include a recommendation accepted by the board to work toward streamlining the state and local League functions rather than unifying the structure. Numerous recommendations toward streamlining and expanding state support for locals have been developed and several have already been achieved. Perhaps the most significant way we could streamline operations and reduce duplication of effort might be accomplished through a final recommendation that is left to the new Board. That is to explore how we could merge the 501(c)(4) League structure with the 501(c)(3) charitable and educational activities of the state and local Education Funds. This has been accomplished by at least one local League in California and a statewide effort to do this is underway in Wisconsin. This could be done in such a way that the outstanding and extensive work of our nine volunteer registered lobbyists would remain permissible, while allowing us to make our dues tax deductible, eliminate the need for separate officers, and significantly simplify all of the budgeting and other financial functions of the state and local Leagues.
- As part of our Governance efforts, Roberta Ray (New Castle) has ably led a new Communications Committee that put together a single statewide Voter last summer as a test of how we could incorporate news from the state and locals in a single Voter, *periodically*, to help reduce the work of producing four separate Voters.
- In addition, Roberta has thoroughly explored a means to establish a state website that will enhance the familiar LWV “brand,” vastly simplify updating without the need for a programmer, and that can include pages from the locals or be linked to their own sites, as is now the case. In any case, each local League would have control over content on their own pages. This will also facilitate the improved use of a statewide calendar and sharing of program and other information among our Leagues.
- Valerie Driscoll (Sussex) has taken on the job of Treasurer of the LWVDE, as well as the Sussex and New Castle Leagues, reducing the number of treasurers we need to recruit in the separate Leagues. And Becky Panichelli (New Castle) is now using QuickBooks to document all the Ed Fund financial records and provide more regular and meaningful statements to all involved.
- A small but dedicated committee chaired and inspired by Rashmi Rangan (New Castle) with the mighty support of Letty Diswood produced a highly successful statewide 90th Anniversary Gala event that provided unexpected, but appreciated, revenue for the locals (although it prevented the LWVDE from undertaking its annual fundraising campaign to meet its own budget).
- With support from Shayna Howell, our liaison from LWVUS, we initiated monthly communications of membership leaders from all three locals to share ideas and experience and inspire new focus on this critical work and follow up on earlier Membership Recruitment Initiatives initiated by LWVUS. Thanks to all of you who have put into practice some of the principles we have learned from the Membership Recruitment Initiative and that Shayna is helping us build into our ongoing planning and action. At least in part due to that effort, in the past year, Delaware’s statewide membership grew by 6%. Only five other states had a greater percentage membership growth! Yeah, Delaware! Let’s build on that momentum!
- Our Action Committee has been expanded and its operations improved under the very able leadership of John Sykes (Sussex). Our new portfolio chair for social issues not covered by others and registered lobbyist Charlotte King (Sussex) made a powerful statement on our behalf in the House in favor of the recently enacted civil unions’ bill and our eight additional volunteer lobbyists have done a terrific job representing us regularly at Legislative Hall: Pat Todd, Joann Hasse, Lisa Pertzoff, and Letty Diswood (New Castle), Mickey McKay and Christine Stillson (Kent) and John Sykes and Sandy Spence (Sussex). Lisa Pertzoff developed a more systematic

(Continued on page 11 **Year End Report**)

(Continued from page 10) **Year End Report**) way of keeping track of the many bills we are monitoring, supporting or opposing. John has shared his techie expertise in enabling us to make better use of shared documents on the Internet, the use of Skype, when appropriate, by the Committee and others in the League, and Julie Price (Kent) has helped us keep track of our actions.

- We've experimented with new technologies, such as using Skype, a very inexpensive (usually free) Internet-based alternative to conference calls that facilitates involvement of members from all three locals in statewide committees and other activities. The Governance, Action, and Land Use and Transportation Committees as well as a local committee in Sussex all held successful meetings using Skype to communicate with folks spread out geographically. [Those without the free Skype download can participate by phone.]
- Carole Reid-Grandfield (Kent) and her Nominating Committee met frequently for over a year to develop forms and procedures and, finally, to identify candidates for board and officer candidates. Their excellent work, based on a resource from LWVUS, will serve as a template to ease the work of future nominating committees.
- Melinda Huff (Sussex) set up our VOTE 411 system, an on-line Voters Guide where voters could build their own ballots for the 2010 elections. Almost half of the approximately 150 state and local general election candidates that were listed submitted bios and answers to League questions.
- Carole Walsh (New Castle) and moderator Ellen Wasfi (Kent), with the help of several others, produced an interesting state candidates' forum in 2010. And Carole, with her committee's help, has undertaken a significant effort to develop recommendations for future improvements.
- We held an inspiring and productive weekend long Leadership Retreat at the Center for the Inland Bays in 2009 that afforded the opportunity for more interaction among members from all three locals. Thanks to Jo Klinge (Sussex) for her assistance in planning and facilitating arrangements, Carole Walsh and Joann Hasse (New Castle) for developing an informative "League 101" session that can be used as a model for local orientations, Pat Todd (New Castle) for an inspiring story of her 30-year efforts to promote recycling, Cheryl Graeve from LWVUS who educated us on the potential for having the LWVUS manage our Ed Fund monies to reduce bookkeeping and insure IRS procedures are followed, and others who made presentations, helped with logistics and brought food.
- Mickey McKay (Kent) took on the challenging but rewarding effort of supervising and reporting on an audit of local governments and school districts in all three counties on their open government practices under a small grant from LWVUS and advised us frequently on questions about compliance with sunshine laws. And, not satisfied with the simple brochure on FOIA that the state has published, she has put together our own League brochure that she brought for each of us today.
- Chad Tolman, Mary Anne Edwards, Pat Todd and others (New Castle) completed a two year Energy study and consensus meetings in each of the three local Leagues, leading to new positions that allow us to advocate on more specific issues relating to green house gases, climate change, and sea level rise. And Peggy Schultz (New Castle) organized an eye-opening field trip to Prime Hook National Wildlife Refuge to view an actual example of this threat.
- That work led up to our highly successful and very educational League Day in Dover in March, with a record 104 attendees organized by Chad Tolman and John Sykes on sea level rise. In 2009, we had a successful League Day event focused on redistricting that preceded our work supporting the 2010 Census and advocacy for transparent processes and public participation in this year's state redistricting process as well as the Sussex League's work relating to their County Council.
- Peggy Schultz and Jane Dilley (New Castle) and their very active Land Use and Transportation Committee, also working over the past two years as a subgroup of the Energy study, presented informative consensus meetings leading to expanded positions in these areas that will all depend on significant improvements in land use practices that are critical in all three counties. All of us need to help advocating for those practices to be improved.
- Finally, we established an Endowment Fund at the Delaware Community Foundation and raised \$4,100 in the first two years to insure the long-term financial viability and educational activities of the LWVDE. The fund will achieve a much better return on investment than other methods. Among other things, it allows members to transfer stock gifts directly to achieve tax advantages. Thanks to early donors: (Joyce Johnson, Roberta Ray, and Becky Panichelli) from New Castle; (Carole Reid Grandfield) and Christine and Les Stillson from Kent; and (John Sykes and Sandy Spence) from Sussex. Call me at 645-9559 if you'd like more information. This is especially relevant to those who have an IRA and have reached the year in which they turn(ed) 70-1/2. We have to take money out of our IRA, but if we transfer it directly to a non-profit like our Ed Fund or our Endowment Fund, we can avoid paying taxes on this income.

NAVIGATING THE LEGISLATURE'S WEB SITE

For the LWVDE Voter How to Track Legislation on the Web

(Written by John Sykes, immediate past Action Committee Chair, and based on the Great Works of Lisa Pertzoff)

INTRODUCTION

This article is meant to provide a "How To" explanation of the process of following the bills and resolutions of our Delaware General Assembly, simply referred to as the Legislature, using the Internet. Its purpose is to enable you to locate the appropriate pages on the Web; to find specific pieces of legislation both past and present, to know what specifically to watch for; and to have an idea of how the process works in such a way that you can feel more confident about how to participate in the process as lobbyists representing the LWV, or as plain, individual citizens.



Pictured L-R Lisa Pertzoff, John Sykes

BASIC INTERNET ACCESS

Almost all of the Internet sites that we use in tracking legislation are located within the Delaware government world, although there are a few others that are helpful. Naturally, you will use your Internet browser to connect to the Internet. As most browsers on most computers will work for these sites, you should have few problems if you use Internet Explorer, Safari, Chrome or Firefox. As you find web sites that are important and that you frequently visit, it is suggested that you make a bookmark or favorite for that site with your browser. As all browsers have the capability of creating folders within their bookmarks, you may wish to create a folder for Legislation and place the bookmarks into this folder to make them easier to find.

THE GENERAL ASSEMBLY FROM THE INTERNET

We are fortunate that our Legislature has provided a great deal of information online. Their home web location is:

<http://legis.delaware.gov/>

From this location, you may enter many of the functions of our Legislature, including: Bill Tracking, House and Senate information, Meeting Schedules, and a Virtual Tour of Legislative Hall. Please note that in the center of this home page, there are links that are very helpful. Under the headings of "Senate" and "House", one can find the pages of their own senators and representatives, link to the list of committees and their members, the current agendas of committee hearings, and link to the "Ready List" of each house, where one can find what bills and resolutions are now out of committee and ready for debate in chambers.

Also on the main site, there is a very informative link called "Session Activity Report", which shows day-by-day legislative activities. These include lists of 1) Legislation Signed by the Governor, 2) New Legislation Introduced, 3) Legislation Passed by the Senate", 4) Legislation Passed by the House or Representatives, 5) House Committee Assignments, and 5) Legislation Released from Committees.

For those that are new to Delaware's legislative process, there is an explanation later in this article that outlines the process. Also, the General Assembly has created a web site that explains how a bill becomes a law. This is yet another site worth spending some time if one wishes to learn the process, and especially important for those that might want to get involved in any particular bill or in becoming an advocate. Truly, one is only as effective as their understanding on how things work in this branch of government. This site shows graphically the roadmap from start to finish, and also provides a good tutorial through links on the left side of the home page, which is located at:

http://legis.delaware.gov/legislature.nsf/Lookup/Bill_Process?open&nav=leginfo

Finally on this page, there is a very useful section called, **What is Happening Today?** If the House is in session, you may be able to listen live to the proceedings. It would be worth your time to just explore or surf these sites to get a feel for what is available.

TRACKING BILLS OR RESOLUTIONS

If you know the number of a bill or resolution or the topic that it addresses, finding it is simple. From the GA home page <http://legis.delaware.gov/> find the area called "Bill Search" in the lower left corner of this page. You will need to have the GA Session number, which for now is 146, the type of bill and the bill number. Or, if you have the topic that the bill addresses, type that in the larger box that says Full Text Search. For the full text search, you will need to fill out the Session number. Having done so, clicking the "Go" button will take you to either the specific bill or a set of bills that match your full text search.

Having now going to the specific bill's "home page", you will find a great deal of information, including both Primary and CoSponsors, date the bill was introduced, the official Long Title of the bill, a synopsis, the current status, links to both an internet version of the text of the bill and to the MS Word version, whether the bill has a fiscal note (will cost the state money) and the history of actions taken on the bill.

Continued on page 13 **Navigating)**

This page is the heart of the information on each bill and resolution in both houses.

(For those that wish to dig into a bill and really understand what it will do, click on one of the “Full Text of Legislation” and you will see the actual bill. However, this will not provide the complete picture. Almost all bills modify existing law, or if creating new law, will reference the Delaware Code, which can be found online at:

<http://delcode.delaware.gov/index.shtml>

So, to find out what a bill will actually do, it is helpful to read the bill and find out what part of the Delaware Code is modified, deleted or changed. For example, in the current Legislative Session, 146, House Bill 32 (HB31) “...aligns when Sussex County’s taxes are due and payable with Sussex County’s budget year.” This is a really simple bill with only one line of “instructions” or change that reads, “Amend **§8601(3)**, **Title 9** of the Delaware Code by deleting the phrase “May 1” as it appears therein and replacing with the phrase “July 1”.” In order to fully understand how the new law would read, one would go to the online code, as referenced above”, select **Title 9**, then select Chapter **86** and look for section 8601. As the governor signed this bill into law on April 15th of this year, the changes to the Delaware Code have already taken effect. Apparently, the governor has a sense of humor in that he signed a tax bill on income tax day.

Most bills are much more complicated than this, so will require a lot of cutting and pasting to truly see the effect. But, these laws affect all of us in various ways, so they should be reviewed.

For the more advanced computer user, the General Assembly web site has provided a really wonderful way to be notified of status changes of all legislation. This service includes all legislation that is: Introduced, in Committee, Out of Committee, In Lieu, Stricken, House Passed, Senate Passed, and Governor Signed. This is done using an internet standard called Really Simple Syndication or RSS. The web site that has all of these, along with an explanation on how to use them, is located at:

<http://www.legis.delaware.gov/legislature.nsf/lookup/RSSFeeds>

MORE ON THE LEGISLATIVE PROCESS: Before tracking a bill we should look at the generic process whereby most bills wind their way through the legislature. There are a number of different avenues by which bills can be introduced that we don't have time to explore in this forum, and you should bear in mind that not only are the rules different for each chamber, they are also subject to change from session to session. Theoretically, once a bill is introduced in either chamber, it is assigned to a committee by that chamber's leader - President Pro Tem in the Senate and Speaker of the House in the House. That committee then has twelve legislative days in which to hold a hearing on the bill. Most of the time these committee hearings are open to the public. If the bill does *not* get enough votes to be released from the committee (**OOC**, or voted **Out of Committee**), that is the end of it. If it *is* released from committee, it must then go the floor of the appropriate chamber for a vote. Should it be passed in that chamber, it goes to the other chamber (same designation, same number, unlike the US legislature) where the process is repeated. If it passes there, it goes to the Governor for signature. Please note the process can in reality be much more complicated than I have described, which is why I began the sentence with "Theoretically." In addition, there are different scenarios for cases in which the Governor does *not* sign the bill.

TIME OUT FOR ACRONYMS

GA:	General Assembly
HB:	House Bill
*HCR	Houses Concurrent Resolution
**HJR	House Joint Resolution
HR:	House Resolution
SB:	Senate Bill
**SJR	Senate Joint Resolution
*SCR	Senate Concurrent Resolution
SR	Senate Resolution
F	Favorable
M	On its Merits
OOC	Out of Committee (Voted out of, or released, from Committee)
U	Unfavorable
LOT	Laid on the Table (Tabled)

* **Concurrent Resolution:** Employed to address sentiments of both chambers, to deal with matters affecting both chambers, or to create a joint committee.

** **Joint Resolution:** If passed by both chambers, it can become law if signed by the Governor.

LWVDE HOUSING PRIORITIES 2011-12

For the past couple years, the League's housing focus has been on protecting manufactured home owners from various land owner practices. That will probably remain as a top housing priority in 2012. The most significant issue in 2011 was rent justification, legislation that would have required park owners to justify land rent increases that exceeded a measure of inflation. That bill was defeated in the Senate by one vote. Some version of the bill will likely be reconsidered in 2012, especially if land rents are raised substantially in the coming months.

LWVDE has also suggested that there should be a state agency other than the Attorney General's office to provide a mechanism for resolving disputes between landowners and homeowners short of legislation. Such an agency would also be responsible for preserving and supporting manufactured homes which represent a significant share of affordable housing, including about 21% of all housing units, in the state.

Other issues we monitor and act on, as appropriate and when resources permit:

- bond bill provisions to preserve deteriorated but badly needed federally subsidized housing sites, thus preserving funding for housing subsidies for those in need,
- bills that assist those whose homes are threatened with foreclosure,
- fair housing laws protecting minorities including the disabled.

To join the housing team, please contact Christine Stillson at clstillson@verizon.net or Sandy Spence at sandyspence325@gmail.com.

Thank you to all our members who gave generously of their time and talents; arranged and provided programs, workshops, and drove many miles to lobby in Dover and at local government meetings. Thank you to our contributors to the LWVDE Education Fund who gave since the last newsletter in May: Mr. and Mrs. Ray and Carol Grandfield.

League of Women Voters of Delaware
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Address Return Requested

CALENDAR

LWV of Delaware board meetings are the third Thursday of the month except December and May; 6-8:30 p.m. at the Roma Italian Restaurant, Dover.

The Delaware LWV Education Fund Annual Meeting and the LWV of Delaware state board meeting is scheduled to take place Thursday, August 18, 2011 6-8:30 pm at the Roma Restaurant, Dover

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