



DELAWARE VOTER

The League of Women Voters of Delaware

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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.

PRESIDENT'S MESSAGE

Greetings to all members of the Delaware League. This being my first message as President I first want to thank you for putting your trust in me and I will do whatever it takes to serve all of you.

Our State is so unique and diverse . Each county has its own issues and priorities and as a whole we can be very proud of the work that is being done on environment, social justice, intellectual freedom, education, debates, voter registration, transparency in government, elections and education, Great Decisions, observers in local governments, and most impressive is the Advocacy Corps and its members who work tirelessly on all legislation for the good of the citizens of Delaware.

There are too many accomplishments from the above to cite every one of them but know that the diligence and dedication of our members makes a difference to all Delawareans.

We are embarking on a most significant time in our history with elections that will determine the future of our democracy. It is my vision that our voter registration drives will be successful, but that we as a League will focus on motivating all registered voters to go and vote in all elections including school boards, local and state and our 2016 national elections. I call on every member of League to come up with campaign ideas that will remind and motivate our citizens to exercise their right and duty to vote. We cannot take this privilege for granted.

So as we enjoy the rest of summer with family and friends give some thought to what actions we will begin to take in early Fall.

Yours in service,

Jill A Fuchs

LWV Hosts Roundtable for 20 African Students who are attending the Women's Empowerment Institute (WEI) for Sub Saharan African Women at UD.

The roundtable took place at Legislative Hall, Dover on July 21 from 2-5 pm. The 20 young women are university students who hail mainly from African countries threatened by conflict such as South Sudan,



(Above: Students enjoying tour inside Senate Chambers) Cote D'Ivoire, Mali and the Democratic Republic of Congo. Many of them may well be part of state reconstruction and institutional rebuilding in their countries of origin.

The students were here to learn about the role women have played throughout US history in politics, culture and civic engagement. Participants will draw connections between women's rights and major civil advocacy movements. The LWV provided folders about its history and how the LWV is structured, and its advocacy history.

Members spoke about advocacy that we are doing at the state and local level. Much of the time was spent asking each other questions and free informal discussion. We also gave students a tour of the House and Senate chambers. It turned out to be a very enjoyable, interesting, inspiring, and a learning experience for all.

(Continued on page 2 Roundtable)

(Continued from page 1 Roundtable)



(Above) Roundtable discussion at Legislative Hall, Delaware
(Below) Students posing on steps inside Legislative Hall



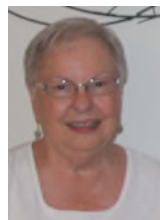
Save the date!

The LWVDE is doing a fundraiser on Sunday, October 11th. It's a showing of the film "1776" at the newly renovated Milton Theatre in Milton, which is in Kent County.

Details to come but please plan on attending. Proceeds will go toward funding our proposed Civics Education Program for Adults. Hope to see you there.

Carol Jones

LWVDE Acting on Public Policy Issues - Highlights of the 2015 Session of the Delaware General Assembly



Between the opening of the 148th Session of Delaware's General Assembly and its early a.m. July 1 adjournment, the League's Advocacy Corps reviewed 106 bills, deciding whether to support, oppose, suggest amendments or simply monitor. Among

our top priorities were Same Day Registration which is pending in the Senate (see Voting and Elections below), a bill to prohibit domestic abusers from buying or keeping a gun, which was passed and is pending signature by the Governor (see SB 83 in the Justice Report), and repeal of the death penalty which was killed in the House Judiciary Committee (see SB 40 in the Justice Report).

Comprehensive reports on criminal justice legislation and health care developments appear in separate articles on pages 7-9 *Other Highlights of the 2015 Session:*

- **Voting and Elections.** HB 105 was the first leg of a constitutional amendment that would eliminate restrictions on absentee voting in Delaware's Constitution with provision for the General Assembly to enact general laws providing for absentee voting. Although it was reported out of the House Administration Committee on April 29, it did not make it to the floor for a vote. The League strongly supports this bill.

HB 155 requires that those voting in school board elections and school tax or bond elections be registered voters eligible to vote in general elections. Currently, any resident of the school district is eligible to vote in school elections. The League has not taken a position on this significant bill but is interested in the views of members. Email sandyspence325@gmail.com to let us know what you think and why.

- **Same Day Registration.** Senator Margaret Rose Henry introduced SB 111 on June 3 and held a hearing in her Senate Elections Committee on June 10. Letty Diswood testified in support for LWV at that hearing and also spoke at a press conference promoting the bill. Unfortunately, Sen. Henry knew she didn't have enough support to get the bill passed in the Senate, so it remains in Committee and

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may be considered in 2016 if the Coalition in which we have been active can build sufficient support.

The bill would eliminate the requirement that felons have paid all fees and other requirements to be eligible to vote. Opponents claimed that requirement would cause long lines at the polls while poll workers checked on the status of otherwise eligible felons.

- **Minimum Wage.** SB 39, which we support, would increase the minimum wage by 50 cents per year for the next 4 years beginning June 1, 2016, reaching \$10.25 by June 1, 2019, it adds a COLA increase thereafter. This bill never got out of the Senate Labor Committee.
- **Package Addressing Women's Issues.** Four League members were present June 30 when the Governor signed six bills introduced by a bipartisan group of women legislators from the House and Senate.
 - HB 2 - Requires ongoing sexual assault training for police officers and prosecutors.
 - HB 3 - Requires employers receiving state contracts to offer employees equal pay for equal work.
 - HB 4 - Protects employees by guaranteeing them the right to take leave based on circumstances of domestic violence, stalking or sexual assault.
 - SJR 1 - Requires all law enforcement, hospitals, etc. to report untested and un-submitted sexual assault kits and date of collection.
 - SB 51 - Allows victims to provide court testimony remotely, with a judge's permission.
 - SB 84 - Exempts breastfeeding women from jury duty.

A seventh bill that requires the listing of Title IX coordinators for every public school, including public institutions of higher learning, was signed into law earlier in the session.

- **Campaign Finance.** Although our members liked SJR 5, a resolution urging Congress to call for a Constitutional Convention to address campaign finance issues resulting from Citizens United, LWVUS informed us we could not support it pending the outcome of the current national Constitution study. Since several legislators were interested in our views on this subject, Sandy Spence testified at the House Committee to explain our predicament.

We decided not to take a position on HB 128 that would raise campaign finance limits in Delaware which seemed reasonable to us, considering the huge increases in campaign costs. Although this bill got out of Committee in the House, it never got to the floor, presumably because there were insufficient votes to pass it.

- **Government.** HB 207 is the first leg of a constitutional amendment to increase the term of office for members of the House to four years and Senate to six years. Constitutional amendments must be passed in two consecutive sessions of the legislature. We have not yet taken a position and would be interested in hearing views from members. (Email sandyspence325@gmail.com.)
- **Education.** HB 50 creates the right for the parents or guardians of a child to opt out of the annual assessment testing. This bill passed both House and Senate but was vetoed by the Governor on July 17. The League took no position on the bill.

HB 56, signed by the Governor on May 6, sets a moratorium on all new charter schools until June 30, 2018 or until the State Board of Education develops a strategic plan for the number of charter, district, and vo-tech schools. Sandy Spence testified in favor for the League.

HB 81 would allow delinquent school taxes and property taxes to be collected by tax intercept (from state tax refunds). The League supported the bill and testified in the House Committee where it was reported out in early June. However, it has not yet been passed by the full House.

HB 186 would require charter schools to go through the State Auditor in contracting for audits. Although all school districts are subject to the Auditor of Accounts, 2010 edits to the Charter School Manual had removed instructions for them to do so. This bill, which we supported, passed the House on June 30. Hopefully, the Senate will act early in 2016.

Senate Joint Resolution 4, which we supported, passed both the Senate and the House. It establishes an Education Funding Improvement Commission to review and recommend modernization and strengthening of the state's public education funding system by March 31, 2016.

- **Environment.** HB 162 adds up to 5 citizen members to the Board of Directors of the Center for the Inland Bays to include more citizen representation and improve CIB's capacity to procure and administer private funds. Esther Shelton testified in support. The bill passed and was signed by Governor on July 10.

(Continued on page 4 General Assembly)

(Continued from page 3 *General Assembly*) by the Senate Concurrent Resolution 30 establishes a Clean Water and Flood Abatement Task Force and SCR 35 establishes a task force to discuss and evaluate the most effective and efficient way to recycle organic waste in the state. Both passed the House and Senate but were introduced too late in the session for us to review them.

➤ **Neighborhood Conservation.** SB 66 authorizes counties or municipalities to establish non-profits to operate land banks to help address the problem of vacant and abandoned real property. It passed the Senate and House and was awaiting the Governor's signature at press time.

➤ **Land Use & Transportation.** HB 140 increases several DMV fees to support the Transportation Trust Fund. It passed the House in May, but requiring a super majority vote in the Senate, was delayed until compromises could be reached on the appropriations bills. Once the "deal" was reached, Republicans supplied three votes to pass the bill at 11:51 p.m. on June 30. The Governor signed it a little later – on July 1. Peggy Schultz testified for the League, documenting how low Delaware's fee were compared with neighboring states.

SB 130 authorizes Complete Community Enterprise Districts characterized by a mix of land uses, efficient use of public infrastructure, public services and multiple modes of public transportation, biking and walking. The League worked closely with Bike Delaware and the Delaware office of the American Heart Association as the bill was being drafted and Peggy Schultz testified in favor in the Senate Energy and Transit Committee, which reported the bill out. However, it appeared there were insufficient votes to pass it, so it has not yet gone to the Senate floor.

HCR 38 establishes a Port of Wilmington Expansion Task Force to provide recommendations regarding expansion of the Port of Wilmington. It passed the House and Senate after being amended to add the Secretary of DNREC, as recommended in testimony presented by Peggy Schultz for the League.

➤ **Open Government.** HB 42 would apply FOIA to the UD and Del State, including their Boards of Trustees. The League testified in favor but the House Administration Committee tabled the bill.

HB 43 would add appointed members of the Cash Management Policy Board to the definition of "public officers" in order to subject them to annual

financial disclosure requirements. The League supported it but the bill did not get out of the House Administration Committee.

HB 61, like a bill introduced in the last Session, requires that all public meetings of boards of education of public school districts, vo-tech schools, and charter schools be digitally recorded and made available on-line within 7 business days. The League supported this bill to increase transparency. Although the House Education Committee reported it out on May 6, it never got to the House floor.

➤ **AC Legislative List.** The Advocacy Corps maintains a list of all bills we review on Google Drive. It provides a brief description, date of introduction, current status and AC action. If you are interested accessing this list, email sandyspence325@gmail.com to request being added to the "share" list.

➤ **Prison-based Gerrymandering.** In addition to our legislative activity, we prepared a response to the US Bureau of the Census urging them to count prisoners at their last address rather than at the prison in the 2020 Census. The Bureau had published a Federal Register request for recommendations on how they count "Group Quarters." Past practice has led to increasingly significant "prison-based gerrymandering" which results from undercounting in some urban areas, particularly in African American communities, due to the disproportionate incarceration of urban black men. Delaware law requires that prisoners be counted at their home address in the 2021 redistricting. Census Bureau counts at the home district would simplify the process for the state.

➤ **Delaware's Voter Registration Record.** Following our July Advocacy Corps meeting, seven members met with Elections Commissioner Elaine Manlove for an hour and a half to learn the current status of Delaware's exemplary voter registration system and to explore related issues.

Delaware's current system comes very close to the "universal registration" concept that Oregon and a few other states have initiated. Every eligible voter who applies for a driver's license or state ID is automatically registered unless they specify they do not wish to be registered. Delaware and Michigan lead the nation in adopting technology that enables DMV and some social service agencies to accept digital signatures. These are accepted by the Board of Elections enabling registration from these facilities.

The state also enables Delawareans to register online and teens under 18 who apply for a driver's license are registered and can vote when they reach 18 by the date of the next general election.

LWVDE Grows Social Media Communities

The League of Women Voters Delaware continues to build our Facebook and Twitter pages. Our Facebook community is up to 115 members comprising a state senator, policy director, a state representative, media members, a DOJ director, community partners such as Common Cause, and countless educators and citizens from all walks.

Our Twitter community was slower to build momentum than Facebook, but currently has 111 members.

find us on **facebook.**

follow us **twitter**

We have approximately 30 Leagues following us nationwide. In addition, we have legislators, candidates for political office, media members, as well as average citizens and community partners. The "Elect Hillary Campaign" is recently following us, too!

These online communities are a great way to stay current with the tons of information that bombard us every day. Twitter provides a quick digest of the nation's leading headlines, while Facebook gives us an open forum where we discuss the important issues of the day. All posts and points-of-view are welcome, as long as our nonpartisan and inclusive policies are being respected.



Highlights of League of Women Voters of Delaware biennial CONVENTION, SATURDAY, JUNE 6, 2015 held at Dover Downs Hotel Dover, DE

THEME: *Civil Rights and Social Justice in Delaware.*

At convention, delegates voted on nominations of officers and directors, a program 2015-2017, bylaws changes, and budget(s) for 2015-16 and 2016-17. An exciting panel and speakers addressed the theme of *Civil Rights and Social Justice in Delaware.*

(Pictured at right:) *Outgoing president Charlotte King holding resolutions adopted on March 25, our League Day in Dover, by the Delaware House of Representatives and Senate commemorating the LWV's 95th Anniversary.*



(Pictured at left, L-R:)

Panelists: Eugene Young is the Delaware Center for Justice (DJC) Advocacy Director. He coordinates the agency's Stand Up for What's Right and Just (SURJ) at DCJ policy programming and legislative advocacy.

Darlene Battle is the Executive Director of Delaware Alliance for Community Advancement (DACA).

Dr. Yasser Arafat Payne is Associate Professor in the Department of Black American Studies at the University of Delaware.

Ellen Wasfi moderated the panel. Her introductory remarks framed the issues discussed by the panelists, speakers and delegates. Following are the views expressed by participants in Study Circles on Racism and Race Relations over fifteen years offered a background and a prelude to the panel discussion on Civil Rights and Social Justice in Delaware.

(Pictured at right:) *Keynote speaker at lunch: Kathleen MacRae, Executive Director of the ACLU of Delaware discussing Civil Rights and Social Justice in Delaware.*



INTRODUCTORY COMMENTS TO PANEL ON CIVIL RIGHTS AND SOCIAL JUSTICE IN DELAWARE

[The remarks below were excerpted from the original introduction.....Ellen Wasfi, moderator]

Between 1998 and 2013, I was privileged to be involved as an organizer, facilitator and participant in a project called "Study Circles on Racism and Race Relations," sponsored by the YWCA of New Castle County, the League of Women Voters of Delaware and Kent County and at times the Dover Human Relations Commission. Study Circles are small, highly participatory discussion groups that give people of different backgrounds the opportunity to share their views and experiences on the interactions they have had with diverse members and institutions in their community.

The aim of Study Circles is to sensitize participants to the impact of racism and stereotyping on daily lives and to determine how society can deal with these issues. Over twenty-five Study Circles were held in the Dover area, each with an average of 12 participants. During these sessions certain opinion patterns emerged and the following 15 observations and conclusions, among others, were reached through consensus of group members:

- 1) A pattern of racial stereotyping exists in American society and this dynamic has to be challenged on an individual, group and institutional level because of its negative and harmful psychological impact on successive generations.
- 2) Those in positions of economic and political power fear ceding some of that power to minorities who are demanding social justice and equitable treatment, whether in the workplace, health, educational and political institutions or in the criminal justice system.
- 3) Institutional racism is intended to maintain the superiority of the majority.
- 4) White people in the workplace fear minorities who speak up about discrimination because they fear affirmative action.
- 5) Those in the majority often do not realize or overlook the fact that racial prejudice affects their interactions with diverse members of society.
- 6) Talking about racism means talking about change.
- 7) The media have played a major role in defining racism with their emphasis on form and image over substantive interaction. Those who control the media are removed from the problems faced by minorities and project their biases on the public. There is little African-American influence on the cultural media in this country to present a consistent picture of slavery as holocaust.
- 8) There is a need for white society to admit guilt for past sins before we can confront racism.
- 9) Teaching history in schools should incorporate the contributions of different races to society within the context of American history as a whole, rather than setting aside only one month for the study of African-American history.
- 10) Schools do not teach or discuss race relations. There needs to be an active policy to recruit minority teachers.
- 11) Those who make decisions about publicly-funded programs in poor neighborhoods are not on the receiving end of these programs. There is a need for bottom-up initiation and implementation of projects, incorporating people from the community to make decisions on self-help. People who do not live in the ghetto have little credibility in the ghetto. Grassroots community interaction can, however, overcome politics in the solving of community problems.
- 12) Minorities are targeted by the legal system through profiling and react differently to police conduct than whites. A person conditioned to be frightened of the police will run, regardless of guilt or innocence. There is no common ground of understanding between those who feel victimized by the police and the law enforcement community. Paranoia and conditioned perceptions affect attitudes. Perceptions reinforce images on both sides of the criminal justice system, which is viewed by minorities as an oppressor, not a partner.
- 13) Emotional pain is passed from generation to generation
- 14) A sense of hopelessness often leads to explosion resulting from a lack of communication or dialogue which exacerbates the fear that something will be taken away.
- 15) Local empowerment and community involvement in decision-making is seen as a means to overcome the communications gap.



OTHER HIGHLIGHTS OF THE 2015 GENERAL ASSEMBLY SESSION

Health Care Policy Happenings - Joann Hasse

Most of the recent health care policy “happenings” in Delaware do not involve legislation.

- One notable exception was the passage of HB 64, the DMOST bill (Delaware Medical Order for Scope of Treatment) which the League strongly supported. We believe DMOST is a logical, much needed, extension of a patient’s right to consent to or refuse medical treatment.

Advance healthcare directives (or living wills), which many people have, are useful but limited and not legally binding documents. Additionally they are not always available when needed *or, rather frequently, are ignored by families whose members disagree with the patient’s stated wishes for end of life care. A medical order is just that—a signed order which is to be carried out wherever the patient happens to be—hospital, nursing home, hospice, ambulance .etc.*

Across the country, programs like DMOST (called POLST Paradigm Programs) promote the use of a state-wide, standardized medical order for end of life care, which transfers with a patient from one setting to another. The form allows patients to request or refuse treatments like resuscitation, feeding tubes, and antibiotics. The options on DMOST range from "Full Treatment" to "Comfort Care Only". DMOST is signed by a health care practitioner and a patient (or a patient's surrogate, if the patient is unable to sign). It functions as a medical order AND an informed consent form. OST programs are always voluntary. To quote from the bill it “means a clinical process to facilitate communication between health-care professionals and patients living with serious illness or frailty whose health-care practitioner would not be surprised if they died within the next year or, if the patient lacks decision making capacity, the patient’s authorized representative.”

- Two bills addressing dental care for Medicaid recipients were introduced in June. We will support both in the next session

SB 142 would provide urgent and preventative care to all Medicaid recipients; there would be yearly \$\$ limits on care and co-pays would be required.

SB 148 would provide urgent and preventative care for eligible Medicaid recipients who are pregnant or become pregnant while receiving assistance.

- Two concurrent resolutions were introduced and passed in the last week of the session.

SCR 29 establishes a Behavioral and Mental Health Task Force to examine mental health in the State of Delaware and makes recommendations for the improvement of services and the mental healthcare system.

SCR 34 establishes the Complex Chronic Disease Task Force to examine complex chronic disease management in Delaware and make recommendations for the improvement of services and access to high quality care.

- **The Delaware State Health Care Innovation Plan**

Delaware is in the beginning stage of a long term plan to change the way health care is delivered and paid for in this state. The **Delaware State Health Care Innovation Plan**, developed under the general direction of the Delaware Health Care Commission, is the result of many months of meetings with participation by a diverse group of stakeholders including consumers (including me), providers, payers, community organizations and state agencies. This work was partially funded by a federal planning grant and further funding from the Center for Medicare and Medicaid Services to support implementation of the Plan has now been received. This will be supplemented by additional investments by purchasers, payers and providers of care. The overall goal is for Delaware to be a leader in the national effort to accomplish health care’s Triple Aim—better health, improved health care quality and patient experience, and lower growth in per capita health care costs.

A public private partnership, the Delaware Center for Health Innovation, has been created to implement the plan. A board has been appointed and a search for an executive director is underway. Several committees are hard at work: Clinical (on which LWVKC member Dr. JoAnn Fields serves), Workforce and Education, Patient and Consumer Advisory (on which I serve, representing LWVDE), Payment Model Monitoring, Technical Advisory, Population Health and Advancing Primary Care. A website is being developed and the plan itself (all 134 pages!!) is available on the Health Care Commission’s website:

<http://dhss.delaware.gov/dhss/dhcc/cmimi/files/choosehealthplan.pdf>
Keep tuned!

(Continued on page 8 Other Highlights of the 2015 General Assembly Session)

For Sale! LWV of Kent County has the perfect pen for \$2. Contact Crystal at cborangespider@gmail.com

2015 Justice Report, 148th Assembly – Janet Kramer

The 148th Delaware Legislative Assembly produced a number of Justice related bills which were reviewed by the LWVDE Advocacy Committee. Here decisions were made to advocate for or against, monitor, and/or to provide other LWVDE action such as educational articles in publications, reports made in the legislative committees of LWVDE support or non support and presentations of the LWVDE position made to the General Assembly on specific legislation.

Between January 2015 and June 30, 2015, twenty nine justice related bills were reviewed by the Advocacy Committee and the justice bills which relate to current League interests are:

Juvenile Statutes/Legislation supported by LWVDE program- *support for State and local efforts to improve the general well-being of children, youth and families through utilizing evidence approaches to reduce economic, safety, health, educational stress and encouraging human services expansion and service access.*

- **HB 116** recommended by the Re-Entry Education Task Force on how to best serve youth educationally as they leave juvenile justice facilities. Passed House 6/9, Senate 6/24, both unanimously. Signed by the Governor 6/30.
- **HB 126** adopts the ABA standard for juvenile delinquency by establishing the age of 10 as the minimum age of responsibility in juvenile prosecution. Currently, at least 11 other states (including Pennsylvania) have adopted the ABA standard. (Since 2009, approximately 90 children between the ages of 7-9 have been arrested and prosecuted in Delaware’s Family Court. Most of the charges brought against these children were minor, low-level misdemeanor offenses, and the vast majority of all charges against children in this age range were dismissed or otherwise terminated in favor of the child.) This act offers alternative evaluation, treatment and, if necessary, adjudication more appropriate to the youngest defendants. Passed House 6/18; passed Sen. 6/25; signed by Gov. 7/10..
- **HB 211** limits the use of shackles and other physical restraints on children in juvenile delinquency proceedings unless the court determines that the use of restraints is necessary and there are no less restrictive alternatives to prevent flight or physical harm to the child or other courtroom participants. In

House Judiciary Committee at end of first 148th Assembly.

- **HB 132** clarifies that regardless of whether parental rights have been terminated, a petition for protection from abuse may be filed on behalf of a child against a former parent whose conduct constitutes abuse. Passed House 6/11; out of Sen Judiciary 6/24.
- **SB 56 SA1 HA1** authorizes the Department of Children, Youth and Families to petition Family Court to compel an uncooperative parent or guardian to complete a drug or alcohol evaluation or mental health evaluation or to get a developmental screen for the child, if the child protection investigation reveals that substance abuse, mental health, or developmental delays may be placing the child at risk. HA1 gives indigent parent the right to a court-appointed attorney. Passed Sen. 5/6/15; House passed w/HA 1 6/24; Sen passed with HA1 on 6/30; signed by Gov. 7/15..

Adult Statutes /Legislation evaluated by review of the LWVDE program- *support for State and local efforts to improve the general well-being of children, youth and families through utilizing evidence approaches to reduce economic, safety, health, educational stress and encouraging human services expansion and service access.*

- **HB 39** decriminalizes the possession or private use of a personal use of one ounce or less of marijuana. The offender shall be assessed a civil penalty that will not become part of a criminal record. Passed House 6/2; passed Senate 6/18; Signed by Gov. 6/18. Supported by LWVDE.
- **SB 12 SA1 PWB** adds a definition for “convicted” or “conviction” to include adjudications of delinquency on or after his/her 16th birthday, requires mandatory minimum sentences for adults who possess firearms & were convicted of a violent crime when they were 16 or 17. Current DE law excludes those adjudicated delinquent of violent felonies from mandatory minimum sentencing if they are later convicted of illegal possession of a firearm as adults. 2) Requires mandatory minimum sentences for those who repeatedly violate DE’s illegal possession law. Currently, a person prohibited from possessing a firearm for reasons other than the commission of a violent felony (e.g. a person who has committed a misdemeanor act of domestic violence) can be convicted of illegal possession repeatedly without facing a mandatory minimum sentence. Senate Judiciary hearing 5/27 . LWVDE opposed due to LWVDE positions on minimum mandatory & judicial discretion.

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Death Penalty Repeal-supported by LWVDE as part of LWVUS Death Penalty Repeal program

- **Just SB 40 SA1 - 5** 3/18/1 repeals death penalty, except for those convicted of first-degree murder before the effective date of this Act. Passed Sen. 4/2. defeated SA1-5. House Judicial Committee killed it 5/13. LWVDE supports bill by being active in Repeal Coalition, writing editorial in News Journal, distributing Time magazine article to all Reps 6/10 in addition to providing testimony at the hearings.

Support for Improvement in Public Safety –LWVDE program- *review Policies and Practices of Peer Review and Critical Incident Review for correctional and law enforcement staff who harm the public or those in custody in Delaware Correction and Law Enforcement Divisions and compare to other state peer and critical incident reviews for other Delaware professionals and LWVUS program-* *support violence prevention programs and support regulation of firearms for consumer safety.*

- **HCR 46** strongly encourages the DE Police Chiefs' Council, in consultation with the Office of the AG & Dept of Safety & Homeland Security, to develop & adopt a uniform policy re implementation of body cameras. Passed House 6/23/15; passed Senate 6/24
- **HJR 5 HA1** authorizes the House Corrections Committee and Department of Correction to commission an expert to study and make findings and recommendations concerning the use of restrictive housing (solitary confinement) in Delaware prisons. Funding needed - \$75,000. Passed House 6/23; passed Sen. 6/30. Supported by LWVDE statement for HRJ5 and HB 36 in addition to advocacy with specific legislators.
- **HB 201** authorizes county governments to pass ordinances regulating and establishing penalties for violation relating to the possession of firearms, ammunition, etc in county buildings and police stations subject to specific requirements. Rules suspended and passed House 6/23/15; passed Senate 7/1/15.
- **SB 83 SS1** prohibits persons subject to a Family Court protection from abuse order from owning a gun; includes people with substantive dating relationships and people who have cohabited at the time of the offense or within 5 years prior to the offense. SS1 passed Sen. 6/17; passed House 6/23. Support included an Action Alert 6/8; LWVDE testified in Senate hearing.

- **SB 147** adds possession of a deadly weapon by a person prohibited to the list of violent felonies. Passed Sen. 6/25; in House Judiciary. LWVDE supports.

Please note that not all the bills we supported are listed and some bills pertinent to LWVDE justice issues have not been reviewed and evaluated by the Advocacy Committee due to time constraints or presentation late in the first part of the 148th Assembly.

Submitted June 8, 2015 by Janet Kramer, LWVDE Justice Portfolio Chair

A Delaware Price on Carbon Study - Chad Tolman

At the LWVUS Convention 2014 the LWVDE held a well-attended caucus and led a successful effort to pass a resolution with a large majority of delegates, to support an increasing price on carbon emissions – fast enough to avoid serious damage to the climate system. The focus is on emissions that are most responsible for climate change – particularly carbon dioxide (CO2) from the burning of fossil fuels (coal, oil and natural gas). The idea is to reduce waste by improving energy efficiency, and to replace fossil fuels by renewable energy sources - like wind and solar - that do not add greenhouse gases to the atmosphere.

Those who attended the caucus got a list of [Recommended Reading](#), including a summary titled **Curbing Greenhouse Gas Emissions – Two Approaches**, written by LWVUS Climate Change Task Force leader Eleanor Revelle (LWVIL). The two most common policy approaches are a direct carbon tax or fee (usually in dollars per ton of CO2 emitted) on a schedule that increases with time, or a cap-and-trade system in which a decreasing cap (usually tons of CO2 per year) is scheduled, and the price is determined by market trading. Delaware and eight other Mid-Atlantic and New England states are already involved in such a system, called the Regional Greenhouse Gas Initiative ([RGGI](#)), in operation since 2009. It caps carbon emissions from power plants in the region and requires plant operators to purchase emission allowances to cover the number of tons of their CO2 emissions in a given year.

In the most recent quarterly RGGI auction in 2015, emission allowances sold for [\\$5.50 per ton of CO2](#). [British Columbia](#) has a direct carbon emissions tax, starting at \$10 Canadian per metric ton (mt) in 2008 and rising to C\$30/mt in 2012, while California and Quebec

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have a joint cap-and-trade system that includes both power plants and transportation fuels. In the most recent auction of May, 2015 emission allowances sold for a minimum price of about [\\$12 per mt](#) in U.S. dollars. Delaware's per capita CO2 emissions were [157% of California's](#) in 2011.

At the LWVDE Convention 2015 the LWVDE approved the Delaware Price on Carbon (DEPOC) Study. A study group of eight has been formed. It includes Chad Tolman, Pat Todd and Peggy Schultz from the Delaware League, Diz (Linda) Swift from the LWVCA, Gary Witt from Temple University, Lance Noel from UD, Dick Bingham from the Delaware Nature Society, and Elizabeth Siftar from Delaware Interfaith Power and Light. We have had two virtual monthly meetings so far (July 2015). Chad proposed that the study address the following questions:

- What have other states, provinces and countries done to put a price on carbon, and what have been the results?
- What are the pros and cons of cap-and-trade vs. a carbon tax or fee for Delaware?
- How should the funds raised in Delaware be used?
- What would be the economic effects of the increasing price?
- Who are the key people we should contact for advice and support? (e.g., Dept. of Natural Resources and Environmental Control ([DNREC](#)) staff, faculty at the University of Delaware, members of the state legislature, Delaware's Congressional delegation, leaders of environmental organizations, leaders of carbon price action in other states and provinces, others?)
- What other organizations would we want to collaborate with? Delaware Interfaith Power and Light ([DeIPL](#)), [Delaware Chapter of the Sierra Club](#), [Delaware Audubon](#), Delaware Nature Society ([DNS](#)), others?)
- Could the study provide an opportunity to involve young people in working on an important environmental issue?
- What should we do to inform and educate members of the League, other environmental organizations, the public, and members of government?

Diz Swift has already developed a [Price on Carbon \(<http://priceoncarbon.org>\)](#) website, which has been endorsed by the LWVUS. It has a lot of valuable information for those interested in learning more about this important policy option for addressing climate change.

LWV LAND USE/TRANSPORTATION ACTIVITIES DURING THE PAST TWO YEARS

For the past two years the Land Use/Transportation Committee has focused its efforts on the Coastal Zone Act (CZA). We have talked with those in DNREC who supervise its implementation and who interpret its policy, and with those in the community familiar with its historic origins. We conclude that DNREC is implementing the Act unevenly and is in noncompliance with the Act's regulations in that it has never implemented the Goals and Indicators. The Department also has an unfortunate history of not including carbon dioxide emissions among the pollutants for which it requires offsets. The Committee has developed and presented testimony in four cases in which Coastal Zone permits were requested, repeatedly asking for implementation of the Goals and Indicators, and for inclusion of CO2 as a pollutant requiring offsets CO2 as a pollutant requiring offsets.

In recent weeks DNREC has publicly stated its interest in pursuing a goals and indicators program for the entire state, perhaps at least partially because of the League's repeated testimony indicating a lack in this area so far as the implementation of CZA regulations is concerned.

In September, 2014, the Committee organized a Coastal Zone bus tour of significant Coastal Zone sites in New Castle County.

We are partnering with Bike Delaware in support of a Complete Community Enterprise District bill which will try to encourage communities to apply for this status in order to receive preferential consideration by DelDOT. In exchange for special consideration the communities would agree to allow density sufficient to support public transit.

The Committee has also offered testimony several times in support of land acquisition under the Open Space Program and conservation easements under the Farmland Preservation Program. We gave verbal testimony recently in support of HB 124, a bill to amend the State Constitution so that the General Assembly is required to take \$10 million annual from realty transfer taxes for the Farmland Preservation Program.

Local League activities

At the June 30, 2015 Sussex County Council meeting, LWVSC Land Use Committee Chair Sue Claire Harper presented a summary of Sussex County residents' land use concerns gleaned during five district wide Comprehensive Land Use Workshops/Forums held in the Spring of 2015. LWVSC members Leslie Ledogar and Paulette Rappa moderated these Workshop/Forums. Following each session, members Marti Austin and Carol Somers reviewed the public's recorded concerns,



collated the findings and synthesized the results into the well received overview which was presented to the five County Council representatives.

That same day during both the 4 PM and 6 PM televised news reports, WBOC-TV featured a brief clip of reporter Evan Koslof interviewing Sue Claire on land use concerns. The goal of these workshop forums is to educate the public on the significant responsibility they have to inform their elected representatives regarding their land use concerns in preparation for the drafting of Sussex County's 2018 Comprehensive Plan.

In 2015-16, the LWVSC Land Use Committee will continue to hold land use forums. The 9/16/15 "Kick-Off" forum will be held at 7:30 PM in Sussex County Council Chambers, 2 The Circle, Georgetown. The speaker for this event will be Bethany resident Leon G. Billings. Mr. Billings was staff director of the U.S. Senate Subcommittee on Environmental Pollution from 1966 to 1978 and was principal majority staff author of the 1970 Clean Air Act (CAA) and the 1972 Clean Water Act (CWA). He also served as chief of staff to Senator and Secretary of State Edmund S. Muskie. Mr. Billings will discuss the CWA landmark legislation, followed by a 45 minute public Q & A session. In responding to our invitation to speak, Mr. Billings wrote "*I have been a fan of the LWV for decades. They were a*

key element of the public interest coalition on which we relied when we wrote the CAA and the CWA."

In view of the EPA's recent updated rulings on the CWA, and Delaware's woefully inadequate water quality, we anticipate substantial public attendance. Last semester, Mr. Billings taught a course on the CWA at Columbia University, and in the fall will be teaching a similar course both at Yale and the University of Maine School of Law.

How to Make Your Gift to the League Grow

By donating to the LWVDE Endowment Fund at the Delaware Community Foundation (DCF) you can make a gift that continues to give and grow. Our Endowment Fund, with a current balance of \$12,435, has achieved full status as a permanent fund by reaching DCF's \$10,000 minimum. This means that we can receive income each year to support our educational activities. Currently, DCF funds pay out 5% of the average fund balance over the previous twelve quarters. Endowment funds at DCF are professionally managed to ensure the funds remain strong over time.

The Board established our fund to ensure long-term financial stability and a permanent source of funding. It also enables members to donate not only cash, but non-cash assets such as stock and real estate, insurance benefits, gifts through your will or trust, gifts that pay you income for life, or gifts of retirement plan assets.

Because our Fund is part of our 501(c)(3) Education Fund, all donations are tax deductible. One League member donates stock that she inherited years ago. As a result, the current value is so much higher than the original value that most proceeds would be taxed, were she to sell the stock. Instead, she can take a charitable deduction for the current market value.

If you'd like to write a check, just make it out to the Delaware Community Foundation and write League of Women Voters Endowment Fund in the memo field. You could mail it directly to the League office where it will be recorded and forwarded to the DCF. For information on how to contribute stock or other kinds of assets, add the Fund to your will or trust, or donate other forms of gifts, contact David Fleming, Senior VP for Development, at 302.504.5224 or dfleming@delcf.org.

Give a gift that keeps on giving! Donate to the League's Endowment Fund.



Be prepared for the next rain storm! And consider how carrying this umbrella around will add visibility to the League of Women Voters.

The high quality umbrella features a nifty push button to both open *and* close and has the League *logo* and text reading “*Be informed & VOTE*” on a blue background. They are for sale for \$18.

Contact: Sandy Spence 302-841-2882 cell or sandyspence325@gmail.com to buy yours with funds going to the state League.

Thank YOU to all our VOLUNTEERS who spend their time and money advocating and educating for the issues we all care about. There are no reimbursements for mileage, gas or food. A HUGE THANK YOU.

CALENDAR

Monday, August 10, 2015 6:30 pm-8:30 pm	Kirkwood Library Conference Room, 6000 Kirkwood Hwy Wilmington, DE 19808	LWV of NCC Board Meeting.. Monthly meeting of the NCC board of directors.
Wednesday, August 12, 2015 9:30 am-12:00 pm	Legislative Hall 411 Legislative Ave. Dover DE 19901	LWVDE Advocacy Corps meeting. Deputy Attorney General Allison Reardon, head of the new Civil Rights Office in the Justice Department will be present to explain the role and responsibilities of the office and League attendees will begin planning strategy for legislative action in 2016 and for League Day in Dover 2016. The AC meets on the second Wednesday of each month except December. Call Sandy Spence for details at 302-841-2882.
Monday, August 24, 2015 11:30 am + 1:00 pm	Michael's Restaurant 1000 Churchman's Rd Newark, DE 19713 (302) 368-4230 http://michaelsde.com/directions/	LWVNCC Hot Topic Lunch August 2015: Discussion about passing a constitutional amendment or convening a constitutional convention to address the issue of money in politics. Guest speaker Judy Butler, state coordinator for Wolfpack, will bring her perspective to this discussion. RSVP at lwwde@comcast.net or 302-571-8948 by Saturday, August 23, so the restaurant knows how many to expect. Please feel free to come even if you did not call in. If you need a ride, leave a message on the League Office phone or e-mail when you RSVP. FOR CAR POOLING- CALL 302-571-8948 AND LEAVE A MESSAGE.
Thursday, September 17, 2015 6-8:30 pm	Roma Restaurant, 3 President Drive, Dover DE 19901	State Board Meeting. Monthly meeting of the state board of directors
Sunday, October 11 th at 3 pm	Milton Theatre, 110 Union St, Milton, DE 19968	LWVDE Fundraiser. It's a showing of the film "1776" at the newly renovated Milton Theatre. Proceeds will go toward funding our proposed Civics Education Program for Adults.

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