



# DELAWARE VOTER

The League of Women Voters of Delaware

Summer 2013

President: Charlotte F. King

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[www.lwvdelaware.org](http://www.lwvdelaware.org)

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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.

## The League of Women Voters of Delaware invites you to a BOARD ORIENTATION

**WHO SHOULD ATTEND?** All state and local board members as well as committee members at all levels of the League, and members interested in learning more about the LWV.

- **When:** Saturday, August 24, 12 noon to 4 pm
- **Where:** Barclay Farms Clubhouse, 1 Paynter's Way, Camden, DE 19934. Directions at <http://barclay-farms.com/location.html>
- **Bring a bag lunch.** Drinks/snacks will be provided
- Please RSVP at [lwvde@comcast.net](mailto:lwvde@comcast.net) or call the office at 302-571-8948 by Wednesday, August 14.

*The Board Orientation is a great opportunity for local and state board members to meet together and **share their respective and common interests.** For those who are new to the Board it will offer the essential information that we all need to be effective board members/leaders. We will review the roles and responsibilities of board participants.*

*We will be able to review and discuss together those elements that bind all Leagues together working towards a **shared Mission.** Some of the elements to be reviewed are the League's Diversity statement, "League Basics", suggested "Best Practices", nonpartisanship requirements for specific board officers and directors, Membership and Leadership strategies, Parliamentary Procedures and League Policy and Procedures. It promises to be comprehensive and I hope worthwhile to you. **We hope to make it both stimulating and relaxing.***

Please register as soon as possible, so that we can produce materials for those of you who will be attending.

**This event is free and all are welcome.**

## PRESIDENT'S MESSAGE



My involvement with the League's Advocacy Corps and State Board during the past two years gave me the privilege and opportunity to meet and work with a wonderful group of people whose passionate commitment to the mission of the League is indeed admirable and inspiring.

At both the state and local levels, League involvement was directed towards promoting good public policy and protecting the rights of the citizens of Delaware. This was so evident at the local level where county Leagues worked tirelessly to protect the voting rights of Delaware citizens through voter registration activities, candidate information availability through the Vote 411, candidate forum events and polling site monitoring on Election Day. Local Leagues also found time to offer public events that kept residents informed about other significant issues such as sea level rise, educational funding, health care, housing needs, open government concerns, land use and transportation. At the state level, League lobbyists worked to support legislation which would be translated into effective public policy and to oppose harmful legislation. These lobbyists joined coalitions, spoke directly with individual legislators and testified on important legislation such as repeal of the death penalty, same day voter registration, the formation of a redistricting commission, multiple gun control bills, marriage equality legislation and many other bills of great significance to the citizens of Delaware.

We need to applaud and honor those individuals who worked endlessly to "Move Democracy Forward".

Our state and local program priorities are ongoing and good outcomes are dependent on increased League membership and assistance. Encourage others to join the League. Help to increase the League's visibility throughout the state. Recruit and mentor the millennial generation who will

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inherit our legacy and who are needed to assure our sustainability.

I encourage us to view our connection to the broader vision of a better tomorrow for all Americans. We are members of an organization of 150,000 members in 400 leagues in all states. Imagine what all of us can do for our fellow citizens.

I look forward to working with you. I know that a healthy, trusting partnership between the National League, State League and our three County Leagues will guarantee maximum impact. My goal is to work towards that end to facilitate the success of our goals. I pledge my full support and assistance to the leadership and membership of the Delaware Leagues.

Charlotte

### **PUBLIC MEETINGS ON SEA-LEVEL RISE IN YOUR AREA**

#### ***The League Plans Four Programs for Sea-Level Rise Awareness Week***

The League of Women Voters of Delaware, in conjunction with other environmental organizations in the state, plans to co-sponsor four educational programs about sea-level rise

with Delaware Interfaith Power and Light (DeIPL) during the week of September 14 through 22. The Delaware Legislature has designated that week with a House Concurrent Resolution as Sea-Level Rise Awareness Week. Chad Tolman, Chairman of the Climate Change Committee, members Peggy Schultz, John Sykes representing DeIPL and Bill Swiatek of WILMAPCO announce the following schedule:

- ▶ All meetings will begin at 7:00 pm.
- ▶ Monday, September 16, Christ Episcopal Church, Dover
- ▶ Tuesday, September 17, Southbridge, Wilmington (**DATE IN PROCESS OF BEING CHANGED**)
- ▶ Wednesday, September 18, Limestone Presbyterian Church, Wilmington
- ▶ Friday, St. Peter's Episcopal Church, Lewes

MORE INFORMATION WILL FOLLOW IN YOUR LOCAL **VOTERS**

The Committee will need help at all four meetings. Please call Pat Todd at 302-545-5196 if you can offer your services by helping at the meeting closest to you or baking cookies.

Pat Todd

### **LWV of DELAWARE CONVENTION 2013**

The League of Women Voters of Delaware held its biennial convention on Saturday, May 18, 2013. Attendees from all three local Leagues had the opportunity to hear excellent, pertinent information from three invited speakers. Deborah Macmillan, LWVUS Board member and the MLD coach assigned to Delaware shared her knowledge and strategic suggestions about Membership/Leadership Development. Cheryl Carncross of Brandywine Accounting helped convention participants understand the financial reporting process used by our local and state Leagues. Keynote Speaker Ed Kee, Delaware Secretary of Agriculture, gave an excellent overview of the agricultural industry in our state. He also offered a perspective on current issues and future goals for Delaware's major industry.



(L-R) Carole Jones, outgoing President, receiving gift of thanks for her two-year service to the LWV from Charlotte King, incoming President.

The following new Officers and Directors were approved by attendees for the 2013-2015 term.

- ▲ President: Charlotte King (LWVSC)
- ▲ First Vice President: Jill Fuchs (LWVKC)
- ▲ Second Vice President: Janet Kramer (LWVNCC)
- ▲ Secretary: Carole Walsh (LWVNCC)
- ▲ Treasurer: No candidate was found
- ▲ Directors:
  - Mary Kay Eggers (LWVKC)
  - Bill O'Connor (LWVSC)
  - Les Stillson (LWVKC)
  - Diane Maxwell (LWVNCC)
  - Sandy Spence (LWVSC)
  - Ellen Wasfi (LWVKC)

Other significant highlights of the Convention included the following:

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- ⤴ The LWVDE PMP will be raised to \$10.50 per member for 2014-2015.
- ⤴ The two-year budget was approved as submitted.
- ⤴ Attendees voted to continue the Justice System Study and the Revenue Sources Study. While the Justice System Study has been initiated and is continuing, the Revenue Sources Study has not been initiated since its' approval at our last convention. There is strong support for initiating this study as soon as possible given the revenue needs of our state agencies and programs.
- ⤴ A new study regarding Public Education in Delaware with special focus on financing, charter schools and transparency and accountability to citizens, was approved. The study will continue the discussion initiated during League Day in Dover, in March 2013. At this well-attended annual conference many educators, legislators, League members and administrators from several major organizations advocating for educational reform discussed the critical needs and future of Delaware's educational system.
- ⤴ Amendments to enhance the LWVDE fiscal infrastructure were incorporated into the bylaws after approval by the convention attendees.

For those of you who were unable to attend the 2013 Convention, I hope that you will have the opportunity to participate in subsequent Conventions. Your voice is important as we plan for the future.

Charlotte King

#### **LWVDE CONVENTION 2013 WORKSHOP PRESENTERS AND KEYNOTE SPEAKER**



**Cheryl Carncross of Brandywine Accounting, presented a workshop on How to Read and Understand a Financial Report.** Cheryl A. Carncross, CPA, MST, is currently the senior tax accountant at Brandywine Accounting, LLC



**Deborah Macmillan, LWVUS Board Member, presented a workshop on Leadership/Membership Development.** Deborah Macmillan is the national coach working with our local Leagues in Delaware's Membership and Leadership Development program.



**Keynote Speaker Ed Kee, Delaware Secretary of Agriculture,** presented information relevant to the premise of the LWVUS agriculture study and questions that will update the policy positions adopted in 1988. Local Leagues will be invited to participate in this important League study later in 2013. Secretary Kee has spent his entire career in Delaware agriculture and has headed the Department of Agriculture since 2009.

#### **LWV of the United States COUNCIL 2013 HIGHLIGHTS**

The League of Women Voters of the United States convened the National Council on June 14. Three Delaware League members, Jill Fuchs (LWVKC), Mary Eggers (LWVKC), and Charlotte King (LWVSC) attended the three-day conference which had as its major theme, *Power: Our Voices-----Our Votes*. Participants were reminded that our 93 year-old organization is one of the most respected organizations in the world because of our history of non-partisan advocacy and lobbying efforts to "Moving Democracy Forward" for our citizens. The League is more trusted by the public and politicians than any other national or state-based organization. It is seen as a powerful voice in the country. The League of which we are all members, along with the 150,000 members in the 400 nationwide leagues, has worked consistently and effectively to protect the constitutional rights of citizens and to assure the development of good public policy towards that end. We were reminded "the whole is greater than its parts" and if the three levels of the League work together we can be assured of maximum impact. We were encouraged to think **BIG** in all aspects of League development and sustainability.

Conference workshops offered excellent information, techniques and strategies for leadership development, membership drives, consistent visibility in local communities, increased use of social media and newspaper outlets, increased collaboration between all levels of the League and for engaging multiple generations to assure the ongoing work of the League.

**Fundraising:** Donors will contribute if they perceive our shared values. Fundraising will be more successful if we keep the donors' perspectives and vision for the future in  
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(Continued from page 4, **LWVUS Council**)

mind. Donors want to give back to the community and invest in the future. In reaching out to potential donors, point out the League's relevance to the community and provide reasons to support the League. Inform them of our history and achievements. Inform them how their money will be used.

**Inter-League Communication:** We are not just members of our local Leagues but also of our state and national Leagues. If all levels are working with respect and trust for each other, our legacy of accomplishments will be even greater. The leadership at all three levels was encouraged to enhance communication between the three levels and with our local/state membership.

**Visibility:** Constant visibility with a clear message regarding our Mission, our non-partisan stance, and our public policy advocacy should be known in the community. We should cultivate the media, compose regular letters or articles for local newspapers, and publicize personal stories to which others in the community can relate. We should reach out to increase our partnership with other community groups. We should increase our speaking opportunities outside of our sponsored events. Verbally and visibly sharing who we are with everyone we meet can only result in increased membership.

**Multi-Generational Membership:** Younger members must be recruited for the League's sustainability. Gen X, those born between 1963 and 1980, and the Millennials, born between 1981 and 2002, number over 120,000 million and are America's future leaders. They have a strong sense of social commitment, are uniquely interested in volunteering in their communities, have expert networking skills and are comfortable with technology and diversity. Recruitment from these two groups is a challenge--but possible.

*Charlotte King, President*

### **LWV OF DELAWARE STATE REVENUE STUDY TO BE KICKED OFF SOON**



LWVDE is preparing to kick off a study of state revenue sources and their relative importance to the state budget that had been approved at convention in 2011 and was reapproved at this year's convention.

The study was initiated because of concern that Delaware may depend too much on outside sources of revenue that may be unreliable and/or unsustainable. In addition to reliability and sustainability, where relevant, the study may consider such criteria as elasticity/natural growth, equity/fairness, adequate yield, compatibility with state

social and environmental policy, cost effective administration, simplicity, and public acceptance. It will also address the process used by Delaware to estimate future revenues for budgeting purposes by the Delaware Economic and Financial Advisory Council (DEFAC) and evaluate possibilities for enhancing Delaware's revenue profile.

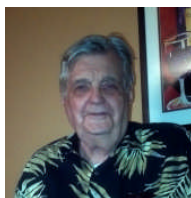
This ambitious study will be broken into categories and volunteers are sought to address one or more of these, including an overview and glossary. Volunteers have already agreed to study personal income taxes, the largest source of state revenues, and escheats (unclaimed property), the third largest source.

Other categories include the state franchise tax that is the second largest source, the corporate income tax and the separate bank franchise tax, as well as some smaller sources such as the tax on lotteries.

If you are interested in assisting with this study in any large or small way, or if you know anyone who might be interested, whether a League member or not, please contact Sandy Spence at [sandyspence325@gmail.com](mailto:sandyspence325@gmail.com) or 302-645-9559.

*Sandy Spence, Chair*

### **Are you concerned about public education in Delaware? Join the new LWVDE Education Study Committee**



The results of inquiries made into education issues at League Day and at a Sussex LWV workshop on education funding, provided the foundation for the LWVDE 2013 Convention resolution to conduct a formal study of public K-12 education. The resolution defined the

scope of the effort as: **A study of the public education system in Delaware with special focus on financing, charter schools, and transparency and accountability to citizens.**

The Board appointed two co-chairs for the Education Study Committee, Charlotte King and Bill O'Connor. Given the scope of the task, they want to form an Education Study Committee that will include at least two or three members from each of our three county Leagues. The study committee will begin its work by refining the areas to be studied, setting timelines, researching and writing background information about the different areas contained in the scope, and preparing consensus questions and other materials to help direct discussions to consensus. Members interested in serving should please contact Charlotte King (302 645-7074, [charlotteking@aol.com](mailto:charlotteking@aol.com)) or Bill O'Connor (302 644-1143, [wfoconnor@verizon.net](mailto:wfoconnor@verizon.net)).

*Bill O'Connor, Chair*



## Public Education Trends and Issues – Summary of 2013 League Day Workshops on Education

The 2013 LWV of Delaware League Day was dedicated to exploring selected issues in primary and secondary public education within the state. The meeting focused on three priority areas, namely: educational funding mechanisms and formulas; transparency in the policy setting and administration of educational programs; and criteria for evaluating charter school programs. There were between twenty and thirty attendees at each workshop.

The purpose of the meeting was to explore and define educational matters that might warrant the League's development of policy positions. Toward that end the format of the meeting was centered on three workshops each dedicated to one of the three priority areas. The workshops featured a lead discussant with expertise in the area, with one LWVDE member serving as the discussion leader, and acting as a recorder.

The summaries here were based on the notes of the workshop recorders. This report does not describe each workshop proceedings, but summarizes issues that the LWVDE may wish to explore and study further.

**Workshop A, Charter Schools:** John Carwell, who heads the Charter School Office for the State of Delaware, was asked to serve as the expert discussant for the Charter workshop, with a focus on evaluation criteria that the Delaware Department of Education (DOE) uses in assessing charter school programs. Carwell stressed that the charter application process was very rigorous, with only 10 of 27 applications (37 %) being approved during the CY 2008 to 2012 period. According to statute, charters are approved for five years with final approval for initial applications or renewals resting with the Delaware State Board of Education, consisting of appointees of the Governor.

While he stated that his office's plan was to monitor educational outcomes and student performance, when asked for examples he cited anecdotes from his unstructured site visits to selected charter schools. In a discussion regarding monitoring of charter schools recruitment, one LWV member presented data on the large variation between charter schools with respect to students receiving free or subsidized lunches. While this is not something the Charter School Office monitors now, Carwell said he would look into using this as a metric for assessing whether charters are meeting their obligations to function as schools for the all of the public.

Once a charter is granted the Charter Office evaluation criteria appear to be limited to financial stability. Educational outcomes and the degree to which there is equal opportunity to access the charter facility are not systematically assessed. We were left with the impression that the monitoring and evaluation processes are not very structured or effective. It was also evident to this listener that the Charter Schools are given much autonomy and the DOE does not intervene in issues of school compliance, academic issues or other areas that fall within the purview

of a regulatory agency with supervisory and enforcement obligations.

**Workshop B, Educational Funding:** This meeting started with a detailed presentation by a Delaware district Assistant Superintendent on the highly complex morass of education funding and equalization processes and issues in Delaware. The state has a constitutional responsibility to provide an equal education for all students. The state has an equalization board but its formula rests in large part on how much effort the local district is making. It does not take into account poverty level of the community.

Resources for education are derived from state, local and federal funds, with the State of Delaware providing about two-thirds of the dollars. Additional complexities are involved with special education programs that require the student to attend a school outside of their home district. Charter schools are introducing new equity issues.

Reassessment is long overdue in all three counties. While local funds account for at most 30%, this failure to reassess, coupled with the flaws in the state's equalization program, which ignores the local ability to raise funds, makes the state quite vulnerable to litigation. The state's equalization program fails in its goal of achieving an equality of education across the state.

**Workshop C, Education Transparency & Accountability:** This workshop was dedicated to issues of transparency and accountability at the school, district and state levels. A number of parties were dissatisfied with the accuracy of data which can undermine parental decision-making. Accuracy of data was a particular issue for special education programs. Parents and educators were in agreement concerning this gap in Delaware education, but there was the feeling that parental engagement was not actively sought at the district level. Seeming indifference to parents without computers is seen in some schools that don't print report cards, posting them on the internet only. At the state level the Delaware PTA was seen as effective in educating parents, especially in dispelling the myth that the core standards, a program led and directed by the Governor, is a federal initiative.

Absent or weak PTAs at the school and district levels was seen as a serious handicap with respect to accountability and transparency. Apparently, Delaware school boards and educational administrators need to be incentivized to share information with parents and the public.

*Bill O'Connor*

**Attention: LWV of Delaware's new email address is [lrvde@comcast.net](mailto:lrvde@comcast.net)**

## IN MEMORIAM - UD Library Exhibits Memorial to June MacArtor, 50-Year LWV Member



The UD Library is exhibiting "In Memoriam: June D. MacArtor, Environmental Guardian". June, a 50-year LWV member, passed away on June 13, 2013. The one-case memorial exhibit will be displayed in the Information Room of Morris Library through July 30, 2013. According to an article in the University of

Delaware's *UDaily*, "the exhibit contains a selection of speeches, reference clippings, environmental reports and policy research materials from June's legacy of ardent environmental stewardship."

After volunteering in a number of environment-related causes, June obtained her law degree from Villanova University and was admitted to the Delaware Bar in 1974. She continued her advocacy for environmental causes throughout the remainder of her life. She was a Deputy Attorney General in charge of the environmental group of Delaware's Department of Natural Resources and vigorously defended the new Coastal Zone Act. She also taught environmental courses at Widener University. Please click [here](#) to view the entire article.



June MacArtor, Esq. (left), receiving Carrie Chapman Catt Award in 2012, with fellow awardees Michael Kalmbach (center) and Rashmi Rangan, Esq. (right).

*Thank you to the League members and friends who made contributions to the LWV of Delaware and the LWV of NCC in loving memory of June MacArtor.*

*Barbara Crowell, Mary Kay Eggers, Jane & Robert Frelick, Joann Hasse, June R. Kleban, Janet and Brian Kramer, Joyce Johnson, Elizabeth B. Pertzoff, Sue W. Soltys, Christine M. Waisanen, Carole & Bill Walsh, and Nancy E. Weldin.*

## ADVOCACY CORPS REPORT



The members of the Advocacy Corps have experienced an active and successful year as lobbyists, advocates and participants in community groups and statewide coalitions.

The first session of the 147<sup>th</sup> General Assembly introduced 373 Bills. Many of them, such as HB 75, Marriage Equality, HB 35, HB 36, HB 37, HB 58, HB 67, HB 73, HB 88, and 4 Senate Bills dealing with Gun Control, SB 19, Death Penalty Repeal and 9 Bills dealing with Manufactured Housing issues were controversial and warranted close attention and monitoring. The Advocacy Corps worked diligently in support of or in opposition to at least 90 Bills. Bills, such as SB 33 dealing with Rent Justification, SB 48 proposing the creation of a Redistricting

Commission and several Voter Reform and Education Reform Bills, related to local and state League priorities and policy positions. Members of the AC joined other coalitions in reinforcing their advocacy efforts. The coalitions include:

- ▲ Equality Delaware
- ▲ Common Cause of Delaware
- ▲ Delaware Center for Justice
- ▲ Americans for Democratic Action
- ▲ Delaware Alliance for Community Advancement
- ▲ Delaware Repeal Project
- ▲ American Civil Liberties Union

Members also participated in community-based and/or department-focused committees dealing with health, education, natural resources and environmental issues regarding program, administration or infrastructure. In short, the League was an ongoing and effective presence throughout Delaware in influencing the development of public policy.

The coalitions will continue to work during the summer on specific bills that were not passed during this first session of the 147<sup>th</sup> General Assembly. These highly controversial bills, HB 105, Same Day Registration, SB 19, Repeal of the Death Penalty and SB 48, Redistricting Commission, will be introduced again in the second half of the 147<sup>th</sup> General Assembly.

*Charlotte King, Advocacy Corps Chair (Sandy Spence will assume the Chair in September)*

## JUSTICE REPORT



The first half of the 147<sup>th</sup> General Assembly ended June 30, 2013 after passage of many of the bills in the Justice Portfolio. Below is a discussion of the bills the League of Women Voters Advocacy Committee followed and actively supported in the legislature.

**HB 10, Support for the Hazel D. Plant Voter Restoration Act.** Second leg of Constitutional Amendment to Article V, Sec 2 eliminates the 5-year waiting period for eligible felons to vote. Passed House, passed Senate, June 28, 2012; passed both House and Senate, 2013 and enacted 5/28/13. Note that this bill had to pass both House and Senate in 2 different legislative sessions. Bills which support a Constitutional Amendment do not require the signature of the Governor and become law after passage in both the House and the Senate in the second legislative session.

**SB 19, Elimination of the Death Penalty in Delaware.** This act, which amended Title 11 of Delaware Code, eliminates capital punishment and provides that those sentenced to death will serve life in prison without parole or other

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reduction. LWVDE became a founding member of the Delaware Death Penalty Repeal Coalition in 2012 to work toward the repeal of the death sentence in Delaware, wrote a letter of support of this Bill to the Legislature in the Spring of 2013 and testified on behalf of the LWVDE when the Bill was being considered by the Senate. The Senate passed SB 19 on March 26, 2013 and the bill was tabled March 28, 2013 in the House Judiciary Committee. The LWVDE Advocacy Committee and the Death Penalty Repeal Coalition hope to have the bill reported out of the House Judiciary Committee and brought to the House floor for vote when the legislature returns in January 2014.

**HB 182, An act to amend Titles 10 and 11 of DE Code related to Juvenile Offenders who are sex offenders.**

This act gives Family Court Judiciary discretion in listing those under 14 years and those over 14 with less serious offenses on sex offender watch list. Passed by House and Senate; signed by the Governor on July 18, 2013.

**SB 9, An act to amend Title 11 of DE. Code, to eliminate mandatory life sentences for juveniles.** The bill also adds judicial option for modification of sentence after 25 years for juveniles sentenced for first degree murder and for those with multiple felony convictions where consecutive sentences have been applied which total life in prison. In the later case, consecutive sentences may be modified to concurrent sentences by the sentencing judge. Passed both Senate and House and signed by Governor on June 4, 2013.

**HB 75, Marriage Equality Act.** This act repeals the prohibition on same-gender marriage that was enacted in 1996. Passed by both House and Senate and signed by Governor on June 7, 2013.

**SB 97, Gender Identity Protection Act.** This act adds the term "gender identity" to the already-existing list of prohibited practices of discrimination and hate crimes. Passed by both House and Senate and signed by Governor on June 19, 2013.

This was a particularly successful legislative session for laws which impact Justice Issues and I want to thank my colleagues on the LWVDE Advocacy Committee for their impressive work in support of the Justice legislative priorities.

*Janet Kramer, Justice Chair*

**MINORITY STATEMENT BY THE LEAGUE OF WOMEN  
VOTERS OF DELAWARE FOR THE SEA LEVEL RISE  
ADVISORY COMMITTEE ADAPTATION REPORT**

July 18, 2013

By Pat Todd, Peggy Schultz and Chad Tolman

As with the earlier Vulnerability Assessment Report, the staff of DNREC's Coastal Programs did a good job of leading the Sea Level Rise Advisory Committee in its work to develop the Adaptation Report, incorporating many of the comments and suggestions suggested by members of the Committee and the public. There was, however, one important issue on which we were not able to get the agreement of a majority of the Committee. That issue is disclosure. The League's alternate recommendation follows:

Require disclosure of the risks of sea level rise and storm surge in the sale of all real property, as well as the cost and availability of federal flood insurance.

The committee has agreed that homebuyers' access to information about future sea levels should be improved through development of a comprehensive website that illustrates current flooding and future sea level rise inundation risks. The League would add storm surge to "information about future sea levels."

The League would greatly strengthen the force of the Committee's recommendation by requiring disclosure of the risks of sea level rise (and storm surge), as well as cost and availability of flood insurance, rather than simply making the information available if a potential buyer searches for it. We recognize that disclosure of location in a flood plain is currently required. We further recognize that because of the risk of property loss in the event of sea level rise and storm surge and greatly increased premiums for flood insurance, not to disclose these risks could lead to great economic loss to buyers. To fail to require disclosure is to fail to provide what may be the low-lying fruit in Delaware's adaptation strategies; "avoidance." Without such disclosure a family could unwittingly purchase a home today in a quintessentially vulnerable community, such as Prime Hook, thereby not only putting that family at risk but possibly also putting the citizens of Delaware at risk to pay for damages when the next storm comes.

## ENVIRONMENTAL LEGISLATION DEALT WITH IN THE 2013 SESSION



It seems that after the 2012 legislative year with hardly any environmental legislative bills introduced or passed, there was a flurry of bills introduced in 2013.

IMPORTANT BILLS SIGNED BY THE GOVERNOR and supported by the League:

**HB 32** – Longhurst & Poore - This legislation updates and streamlines the State's Oil Pollution Act by eliminating a monetary cap on liability for damages, and requires that a Certificate of Financial Responsibility (COFR) be issued by the U.S. Coast Guard.

**HB 41** – Jaques & Venables - This bill forbids the possession, sale, offer for sale, and distribution of shark fins in the State of Delaware. By prohibiting shark finning, (whereby a shark is caught, its fins cut off and the carcass dumped back in the water while the shark is still alive), Delaware will eliminate the local market for shark fins and shark fin products, and hence contribute to ending this barbaric practice throughout the region and the world. Commercial fishermen will continue their current practices of possessing and distributing shark fins of legally-landed species.

**HB 95** – Heffernan & McDowell - This Act provides the Department of Natural Resources and Environmental Control with the authority to impose environmental liens on real property in an effort to recover taxpayer money expended by the State in order to investigate and clean up

contaminated properties in circumstances where the property owners who caused the contamination have failed to do so.

House Concurrent Resolution 17 – Q. Johnson & Ennis – Proclaiming the week of Sept. 14-22 as Sea-Level Rise Awareness Week

**SB 93** – Bushweller & Scott - This bill creates a process for Kent County to establish a stormwater maintenance district and for the collection and use of stormwater maintenance fees.

**SB 117** – McBride & Paradee – Delaware joined the Interstate Wildlife Violator Compact, a nationwide law enforcement network aimed at preventing lawbreakers who have lost their hunting, fishing, and/or trapping privileges in one state due to egregious crimes, from carrying out those activities in other states.

TWO OTHER BILLS supported by the League which will hopefully be acted upon next year:

**HB 160** – Schwartzkopf & Blevins - Commercial shellfish farmers would be permitted to lease one to five-acre tracts of shellfish grounds in Delaware's Inland Bays. Farmers could lease up to five acres in Rehoboth and Indian River Bays combined and could lease one to five additional acres in Little Assawoman Bay. Leases would be renewable annually for 15 years.

**HB 279** – Scott – This bill amends the Energy Efficiency Resource Standards and the Renewable Energy Portfolio Standards.

*Pat Todd*

## Report from the Delaware Coalition Against Gun Violence

**The LWV of Delaware is a member of the coalition.**

The 2013 session of the Delaware General Assembly has ended as of June 30, 2013. Supporters of common sense gun legislation can be proud of several legislative accomplishments and community outreach efforts that will make Delaware safer from gun violence, but there is still much work to be done.

### Legislative Accomplishments:

**Requiring Reporting of Lost & Stolen Guns ([Senate Bill 16](#)) – PASSED & SIGNED INTO LAW.** This bill requires lost or stolen guns to be reported within a week of discovery and will help reduce "straw purchases" that traffic guns to those who otherwise would not pass a background check. SB 16 gives law enforcement officers investigating gun crimes an important tool and eliminates the ready-made excuse that a gun has been stolen that often hampers criminal investigations.

**Expanding Background Checks to Private Sales of Firearms ([House Bill 35](#)) – PASSED & SIGNED INTO LAW.**

This bill will require background checks for almost all sales of guns in Delaware and help keep guns out of the wrong hands, closing the loophole that existed for sales between private individuals.

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(Continued from page 8, *Against Gun Violence*)

Delawareans committed to reducing gun violence were able to achieve at the state level what was defeated in the U.S. Senate. **Please thank your legislators** who supported these bills:

Voting Record for S.B. 16: [Senate House](#)

Voting Record for H.B 35: [Senate House](#)

#### **Unfinished Business – Bills that will carry over into the 2014 Legislative Session:**

**Expansion of “Persons Prohibited” from Possessing Firearms** ([House Bill 88](#)) – This bill, as originally drafted, would have empowered mental health professionals to fairly and appropriately keep guns out of the hands of dangerous individuals. Opponents of common sense gun laws, however, were able to amend the bill, watering it down to allow guns to be kept in the homes of such dangerous individuals or given to a designee of the dangerous individual, rather than to law enforcement. These changes rendered the bill almost completely ineffective towards achieving its initial objective. The Delaware Coalition Against Gun Violence supports legislation like HB 88, before it was amended and watered down by opponents of common sense gun measures, and will continue to work to strengthen our laws to keep guns away from dangerous individuals.

**Ban on High-Capacity Magazines** ([House Bill 58](#)) – This legislation was not fully considered by the Delaware General Assembly this year. The Delaware Coalition Against Gun Violence will continue to work toward the enactment of this important measure to reduce gun violence and make Delaware a safer place for all families and children. Nicole Hockley, whose six-year-old son Dylan was murdered during the Sandy Hook Elementary School shooting last December, visited Delaware with other Sandy Hook families to advocate for common sense gun laws. When discussing HB 58, *she reminded us that eleven children were able to escape to safety when the Sandy Hook shooter had to reload.* A ban on high capacity magazines may be the single most effective law we can pass to reduce deaths and injuries during mass shootings.

**Ban on Military-Style Assault Weapons** – Legislation that would ban military style assault weapons was not considered by the Delaware General Assembly this year. The Delaware Coalition Against Gun Violence will continue to work toward the enactment of this and other important measures to reduce gun violence and make Delaware a safer place for all families and children.

#### **VOTING AND ELECTION REPORT**



The League bases its support or opposition to legislation on the LWV position, A *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 oppose ID and documentary proof of citizenship, we guard against undue restrictions on voter registration, and work to simplify the absentee voting process, and support early voting option.*

Among the many bills introduced this legislative session dealing with elections, the following bills, supported by the League, stand out.

**HB 105** (Viola & Henry) provides for election-day registration for Presidential primary, primary, special, and general elections. **Same day registration** at polling places will be permitted with submission of valid government-issued identification or other generally accepted proof of identification. The Bill was voted out of the House Administration Committee but did not make it for a vote on the House floor because its supporters, including the LWV, wanted to make sure that same day registration for

primaries remains part of the bill. We are working to pass the bill in its current form in the next session.

**HB 20** (Jaques & Kowalko) This is the first leg of a constitutional amendment that would eliminate from the Delaware Constitution requirements regarding when a person may vote by absentee ballot. This amendment to the Delaware Constitution provides that the General Assembly shall enact general laws providing the circumstances, rules and procedures for absentee voting. The bill was defeated. This bill needs to pass in order to make major changes to absentee voting requirements.

**HB 159** (Jaques) prohibits a person from running as a candidate for more than one state, county or municipal office in the same election. Passed the House June 27; in Senate Elections Committee on July 9. LWV support was based on our good-government position.

**HB 191** (D.E. Williams, Jaques, Kowalko, Sokola) expands the business or occupation category of permissible absentee voters to include those unable to appear at the polling place “because of the nature of such person’s business occupation, including the business or occupation of providing care to his or her parent, spouse, or child who may require care due to illness, disability, or injury, or may

(Continued on page 10 *Elections*)

(Continued from page 9 **Elections**) require such person to travel or work such hours which might preclude them from appearing at their regular polling location.” The bill also eliminates the requirement to have any affidavit requesting an absentee ballot notarized. The bill was assigned to House Administration on June 12.

*Letty Diswood, Elections*

## HOUSING REPORT



Although the Advocacy Committee monitored, supported or opposed a total of 14 bills affecting housing in 2013, the most significant one was the manufactured home rent justification bill. LWVDE has presented testimony on bills requiring manufactured home park landowners to justify land rent increases exceeding inflation in each legislative session since 2007 when

then-President Rashmi Rangan first testified at a hearing in Sussex County.

Senate Substitute # 1 for Senate Bill 33 with Senate Amendment 1 and House Amendment 2, having gone through several iterations, was enacted by the General Assembly on June 25 and signed by the Governor in a special ceremony in his Legislative Hall office on Sunday, June 30. Primary sponsors were Rep. Paul Baumbach and Sen. Bruce Ennis. LWVDE Vice President Jill Fuchs, who lives in a manufactured home park in Kent County, testified on the bill in both the House and Senate.

The bill provides that if a community owner desires to raise

the rents charged to homeowners in a manufactured home community more than the average annual increase in the Consumer Price Index For All Urban Consumers (CPI-U) for the preceding thirty-six month period, and if the homeowners do not agree, the matter will be resolved through mediation and, failing that, non-binding arbitration, appealable to the Superior Court. Rent increases exceeding the CPI-U for the preceding 36 month period may be justified with evidence regarding increases in the cost of operating, maintaining and improving the affected community. The bill also provides for penalties to community owners who increase rent beyond the CPI-U without submitting to the justification process.

Looking toward 2014, we expect some additional “smaller” manufactured home bills to come to the fore but other housing issues are also likely to attract our attention. HB 196, introduced on June 19 by Rep. Quinn Johnson and Sen. Harris McDowell, would make “source of income,” including housing vouchers, a protected fair housing class in the state. Another bill, expected to be introduced in 2014, that we will examine is a “homeless persons’ bill of rights” that would prohibit discrimination against people based on “housing status” in housing, accommodations, and employment.”

If you would be interested in working with the Advocacy Corps on these challenging issues, please contact Jill Fuchs at [jillandkenny@verizon.net](mailto:jillandkenny@verizon.net) or Sandy Spence [sandyspence325@gmail.com](mailto:sandyspence325@gmail.com).

*Sandy Spence and Jill Fuchs*

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Article below taken from the *Kaiser Health News*, submitted by Joann Hasse

## FAQ: What Workers And Employers Need To Know About The Postponed Employer Mandate

### HEALTH REFORM, MEDICAID, INSURANCE

By KHN STAFF, JUL 03, 2013

Surprising both friends and foes of the health law, the Obama administration on Tuesday announced the delay of a key provision: the requirement that all but the smallest employers offer medical coverage or pay a fine.

Companies with at least 50 workers now have until 2015 to provide coverage if they don't offer it already, giving them and Washington an extra year to work through the complex details of the legislation. The administration will deliver more guidance next week.

Meanwhile other parts of the law remain on track for implementation next year, according to officials. Here's what the change means — and doesn't mean — for workers and employers.

**Q. The government has delayed the requirement for large employers to offer health plans. Am I still obligated to obtain coverage next year?**

Yes. The requirement that individuals obtain health insurance or pay a penalty — which starts at \$95 next year, or 1 percent of household income, whichever is higher, and rises to \$695 or 2.5 percent of household income in 2016 —

has not changed. But for workers whose employers delay plans to offer coverage, buying a health plan in the subsidized marketplaces known as exchanges might actually be a better deal than what they would have been offered.

**Q. My employer already has a health plan. Does this increase chances the company will drop coverage next year?**

A. Probably not. The [large majority of employers provide insurance](#) even without a government requirement — to recruit and retain good, healthy workers, analysts say. The administration's decision doesn't change that.

"For people whose employers already offer coverage, they're doing it for a reason, and that reason still exists," said Paul Ginsburg, president of the Center for Studying Health System Change.

**Q: If my employer already offers insurance, will this decision mean my coverage will be less generous in 2014?**

That's unlikely. The law requires all employer-sponsored insurance to cover at least 60 percent of medical costs. Coverage that costs more than 9.5 percent of [household income](#) is deemed to be unaffordable and those workers may qualify for premium subsidies on the online health marketplaces — putting the employer at risk of incurring a federal penalty. In addition, employers that buy policies rather than self-insure [must provide a minimum set of benefits](#).

Sandy Ageloff, a benefits consultant with Towers Watson, says the administration's announcement appears to lift the threat of financial penalties for companies that don't meet these thresholds in 2014, though "those finer points will come out in next week's guidance" from the administration. It may be an academic point for most companies already offering insurance, because as Paul Fronstin of the Employee Benefit Research Institute notes, most existing employer policies already meet the law's 2014 requirements.

**Q. What kinds of companies are likely to delay offering insurance to employees?**

A. Large employers with lower-wage or variable-hour workers such as retailers, farms, food processors, restaurant chains, casinos and hotels are most likely to delay offering or upgrading coverage, analysts say.

But even well-paying companies such as Wall Street banks might employ uninsured call-center workers whose coverage could be delayed, said Steve Wojcik, vice president of public policy at the National Business Group on Health, an employer group.

"This could be far-reaching into all kinds of companies that you might not think of," he said.

**Q. What does the delay of the employer mandate mean for lower-wage workers?**

A. Many low-wage workers already are employed by firms that don't offer coverage, and, absent a mandate, that may not change next year, says Sabrina Corlette of the Center on Health Insurance Reforms at Georgetown University. Workers who don't get coverage through their jobs can enroll in an insurance plan through online [marketplaces](#), or exchanges, set to open Oct. 1.

Uninsured people earning less than 400 percent of the federal poverty level, about \$45,960 for an individual or \$94,200 for a family of four, would be eligible for a [sliding scale](#) federal subsidy to help offset the premium cost.

The lowest wage workers — those earning up to about 200 percent of the poverty level — may actually be better off if their employer does not offer coverage and they go onto the exchange. That's because the subsidies in that income range are larger, and coverage may actually be more affordable than that offered by an employer, particularly for family policies. Some of those workers may also qualify for Medicaid, particularly in the 23 states and the District of Columbia, which have expanded eligibility for the federal-state program. "This is going to be a boon" for some people, said Ginsburg.

**Q. Will Tuesday's announcement mean that more Americans will be eligible for subsidies to purchase coverage?**

The Obama administration said its decisions won't affect employees' access to the premium tax credits. In fact, the delay in the employer mandate may result in more low-to-moderate income Americans seeking coverage — many of them eligible for federal assistance. So that could push up the amount the government is expected to pay out in

premium and cost-sharing subsidies, which before Tuesday's announcement was [estimated at about \\$23 billion next year](#).

Tracking who is eligible for such tax credits or subsidies may be more complex. The subsidies are available only to people who meet the income requirements and don't have job-based coverage that meets minimum affordability and adequacy requirements. With the one-year delay for employers to report such coverage, "it would be impossible for Treasury to determine whether someone had access to affordable health insurance," said Joseph Antos at the American Enterprise Institute. Proposed rules, expected to be finalized soon, allow people applying for subsidies through the new market to simply attest that they don't have access to job-based coverage, said Timothy Jost, a law professor at Washington and Lee University, in an analysis on the website of policy journal [Health Affairs](#).

The Obama administration also hopes that employers will voluntarily provide the information, starting next year, [according to a post by Mark J. Mazur](#), assistant secretary for tax policy at Treasury.

KHN reporters Julie Appleby, Mary Agnes Carey, Jay Hancock and Jordan Rau contributed.

**We want to hear from you: [Contact Kaiser Health News](#)**

## CALENDAR

Wednesday, August 7	9:30 am -12 pm	Dover/ Kent County Metropolitan Planning Office	Advocacy Corps Meeting – planning and strategy for next legislative session  <b>CANCELLED</b>
Saturday, August 24	12 to 4 pm	Barclay Farms (55+ community) Clubhouse 1 Paynter's Way, Camden DE	<b>BOARD ORIENTATION:</b> All new state and local board members, committee members at all levels and interested league members.
Monday, August 26			Women's Equality Day. This day is proclaimed each year by the President of the U.S. to commemorate the granting of the right to vote to women on August 26, 1920, when the 19th Amendment to the United States Constitution was certified. The amendment was first introduced in 1878. Every president has published a proclamation for Women's Equality Day since 1971 when legislation introduced in Congress by Bella Abzug was enacted designating August 26 of each year as Women's Equality Day
Wednesday, September 4	9:30 am – 12 pm	Place to be confirmed	Advocacy Corps Meeting – part of meeting will be invited speaker on rules that apply to lobbyists
Monday, September 16	7-8:30 pm	Christ Episcopal Church, Dover	Sea-Level Rise Awareness Week Event, co-sponsored with Delaware Interfaith Power and Light.
Tuesday, September 17	7-8:30 pm	Southbridge, Wilmington <b>DATE IN PROCESS OF BEING CHANGED</b>	Sea-Level Rise Awareness Week Event, co-sponsored with Delaware Interfaith Power and Light.
Wednesday, September 18,	7-8:30 pm	Limestone Presbyterian Church, Wilmington	Sea-Level Rise Awareness Week Event. This event is for New Castle County, co-sponsored with Delaware Interfaith Power and Light.
Thursday, September 19	6 – 8:30 pm	Roma Restaurant Dover	State Board meeting, call to RSVP 302-571-8948
Friday, September 20	7-8:30 pm	St. Peter's Episcopal Church, Lewes	Sea-Level Rise Awareness Week Event. co-sponsored with Delaware Interfaith Power and Light
Tuesday, September 24,		In the planning stages	National Voter Registration Day. National Voter Registration Day will be celebrated.. Stay tuned for details of the event.

**League of Women Voters of Delaware**  
**2400 W 17<sup>th</sup> Street, Clash Wing**  
**Room 1, Lower Level**  
**Wilmington, DE 19806**