

LWVSC Council 2010

Making Democracy Work
IN SOUTH CAROLINA

CALLING ALL LEAGUERS! THE LEAGUE OF WOMEN VOTERS OF SOUTH CAROLINA IS PUTTING LAST-MINUTE TOUCHES ON COUNCIL 2010, AND YOU DON'T WANT TO MISS IT.

Saturday, April 24, 2010 - from 9 a.m. to 3:30 p.m.

Council 2010 will be held at St. Paul's Lutheran Church Fellowship Hall, 1715 Bull St., Columbia
(corner of Bull and Blanding Streets)

The official "business" of Council is the adoption of the 2010-2011 LWVSC budget, but Council is much more than that. It is an opportunity for members to become acquainted with other Leaguers and LWVSC Board members, and receive updates on League programs and issues.

Here are some of the topics to be presented:

- LWVSC Water Study – Hot Water Issues In South Carolina
- Go Green, Go Transit – You Can Get There From Here

- Getting To Great – Leadership Development & Membership Growth Initiative (Meet and hear from a LWVUS National Coach and our three State Trainers)
- LWVSC School District Study – We Elect School Boards...Don't We?
- How to Register & Turn Out Voters in the Schools
- The League In Action – Reports From LWVSC Policy Specialists
- LWVUS Convention Briefing

- Networking with League leaders
- Special guest Mary Klenz, LWVUS Board Director and Liaison to South Carolina

LWVSC COUNCIL 2010 *continued on page 3 –*

AND...



Senator John Courson speaks with LWV members (left to right) Brusi Alexander, Carole Cato, JoAnne Day, Opal Brown, Jan Crangle.



League members on Statehouse steps before meeting with state legislators for Conservation Lobby Day on March 23. Left to right: JoAnne Day, Barbara Zia, Carole Cato, Brusi Alexander, Opal Brown, Karen Utter.

Highlights:

- LWVSC Council 2010..... 1
- President's Perspectives 2
- Coastal Isolated Wetlands 3
- LWV - 90 Years Strong..... 3
- A Public School for Every Child 4
- Conservation Lobby Day..... 4
- SC Needs Jobs - At What Cost?..... 5
- LWVUS 49th Biennial Convention ... 5
- Independent Judiciary 6
- Honoring Harriet Keyserling 7
- Taps Run Dry? 8 & 9
- Brandi Parrish Honored.....9
- Tax-Deductible Donations 10
- Thanks for The Support..... 11
- Important League Dates..... 11
- Legislative Advocacy Day 12





Barbara Zia
President, LWVSC

Another Women's History Month has passed. Each March we celebrate and recognize women's historic contributions to our nation. This year's event had added significance: 2010 marks the 90th anniversary of the founding of the League of Women Voters and ratification of the 19th Amendment to the U.S. Constitution granting voting rights to women. Not coincidentally, they occurred within six months of each other.

After 90 years, the struggle for American women to become full participants in our nation's political life is not yet fully realized. Women make up only 17% of the members of Congress, but we've recently seen a number of remarkable national milestones for women. For the first time, a woman serves as Speaker of the House of Representatives, and two major contenders for the presidency and vice presidency in 2008 were women.

While the faces of power are changing nationally, South Carolina women are still underrepresented in elected office, including our judiciary, and in appointments to our state's Boards and Commissions. We rank 50th nationally in electing women to office. Does it matter that so few of our decision-makers are women?

Former Vermont Governor Madeleine Kunin argues in *Pearls, Politics and Power* that women make a difference on policy issues. She shows how women bring different life experience to policymaking--how they change the debate and its intensity and what gets to the top of the agenda.

Gov. Kunin's claim became real when I represented the LWVSC at Oxfam

President's Perspectives:

Does Gender Matter?

America's Sisters on the Planet Climate Leaders Summit on March 8-9. Oxfam brought almost 100 "Sisters on the Planet" Ambassadors from 33 states – and 3 international climate witnesses--to Washington for events to mark International Women's Day and to advocate for climate legislation that includes substantial investments in vulnerable communities around the world. The League, a partner with Oxfam on the Sisters project, was well represented. LUVUS President Mary Wilson was honored with a Climate Witness and Leader Award during the Summit. The events culminated in an impressive 125 visits to members of Congress and officials from the Obama Administration.

At the Summit, women like you and me told about the significant global economic and social impacts that climate change is having. I met Sharon Hanshaw whose house and beauty shop in Biloxi, MS, were destroyed by Hurricane Katrina. She described what it was like to see her house completely destroyed, and the hours she spent trying to sift through family photographs covered with mud, saving anything that remained of her family history.

And I met Constance Okollett, a farmer from Uganda, whose entire village was swept away by devastating floods only to be hit by unimaginable drought a couple years later. For five months they didn't have rain and she watched as her livelihood and food withered in the sun.

The tragedy Sharon and Constance personally experienced is multiplied on a daily basis around the world. And it's going to get worse. When natural disasters strike, they hit poor communities first and hardest. Since women make up an estimated 70% of those living below the poverty line, they are most likely to bear the heaviest burdens. But women are often left out of the conversation about adapting to climate change, even though they are sometimes in the best position to provide solutions. Like Sharon, who now leads a Gulf Coast women's group that works to help her community prepare for a future possible disaster, women can be a powerful force for social and political change.

The League has taken a strong stance on climate change legislation for a simple but important reason: Without immediate

action, the impacts on our planet and our state will be devastating. While some South Carolinians cannot see, feel or experience the impacts of climate change in the way that Constance or Sharon have, parts of our state are prone to extreme weather shocks--drought, hurricane force winds, flooding and sea-level rise being some of them.

I trod the marble halls of the House and Senate office buildings to convey messages about how women are disproportionately affected by climate change, and the critical need for strong climate change legislation. Staff members for South Carolina's congressional delegation were receptive. (Rep. Bob Inglis displays a wind turbine in his office. Rep. John Spratt's senior aide Ashley Palmer also covers women's issues and needed no convincing about the impact of climate change--globally and in the 5th District. Sen. Lindsey Graham, who was commended at the Summit for his role in moving climate change legislation forward, was meeting that day with President Obama to discuss legislative action on this very issue.)

During a debriefing for Sister Ambassadors I was struck by how female legislators – from Maine to California – “got it.” Women legislators understood not only the need to tackle climate change legislation, but also the importance of not forgetting the people who struggle to cope with the negative impacts of global warming. Many are Sister Ambassadors themselves and promised to push for language in Congressional Resolution 98 that includes acknowledgment of the disproportionate impact of climate change on women and to support adaptation language in climate legislation. Plus, these women play a significant role in educating and leading their male colleagues on these issues.

Now this is not to say that all male legislators don't “get it” on issues that impact women so powerfully. Many of them do and we are grateful for their leadership. At the same time, gender does matter and the voices of women need to be included in decision making on vital issues like climate change.

Major Victory for South Carolina's Coastal Isolated Wetlands

By Amy Armstrong, S.C. Environmental Law Project Attorney; LWV/Georgetown County Board Director

The League of Women Voters, along with the S.C. Wildlife Federation and the S.C. Coastal Conservation League, won a major victory for South Carolina's coastal isolated wetlands in February.

Represented by the S.C. Environmental Law Project (SCELP), the groups fought off an attempt to do away with protections for these coastal wetlands in a case heard by the South Carolina Supreme Court.

The Supreme Court rejected the developer's argument that the South Carolina Coastal Management Program (CMP) was not valid or enforceable and could not be used to regulate isolated coastal wetlands. The Court reaffirmed that the CMP is valid and applies to all wetlands in the coastal zone. In a unanimous opinion issued February 1, 2010, the Supreme Court overturned an Administrative Law Court ruling that the CMP was invalid and could not be used to regulate isolated coastal wetlands and rejected the developer's challenge to the Program.

The case was filed by a development

group, Spectre, LLC, as an appeal from a decision of the S.C. Department of Health & Environmental Control (DHEC) denying the developer's application for a stormwater permit for a 62.93-acre tract of land in Horry County. The developer proposed to fill 31.76 acres of wetlands as part of its preliminary development plan. DHEC denied the application because the wetland fill would violate the Coastal Management Program policies that are designed to protect wetlands. For commercial development like Spectre's, the CMP policies include this rule:

"Commercial proposals which require fill or other permanent alteration of salt, brackish or freshwater wetlands will be denied unless no feasible alternatives exist and the facility is water-dependent."

Administrative Law Judge John McLeod agreed with the developer, ruling that the CMP does not cover wetlands that are not within the jurisdiction of the federal Clean Water Act, and that the CMP is invalid because it was not

promulgated as a regulation under the state Administrative Procedures Act.

The Supreme Court reversed on both points in an opinion written by Justice Costa Pleicones. The Court pointed to provisions in the Program that provide protection to all wetlands in the coastal zone, regardless of federal jurisdiction. The Court also noted that the 1977 Coastal Zone Management Act specified as alternative, and more rigorous, procedure for approval of the CMP, and thus the Program did not need to be promulgated as a regulation.

"This ruling removes a legal cloud that's hung over the Coastal Management Program for nearly 10 years," said Jimmy Chandler, director of the South Carolina Environmental Law Project. SCELP represented the State, Georgetown County and Charleston Area Leagues in this significant victory that ensures protection for valuable wetlands and natural resources throughout the eight coastal counties.

LWVSC COUNCIL 2010

continued from page 1 -

Continental breakfast and lunch are included - Vegetarian meals must be requested by April 17. All this, plus a few more surprises and registration is still only \$25.

Voting delegates include: the president of each local League or an alternate, and two additional delegates from each local League; the chair of each Member-at-Large Unit or an alternate; members of the state League board. Any League member is welcome to attend as a nonvoting guest.

The Council agenda, proposed budget, and registration information are on the LWVSC website, www.lwvsc.org/whatsnew.html. Or contact Peggy Appler at 843-688-5171 or dappler@homesc.com.

You don't want to miss LWVSC Council 2010!

LWV - 90 Years Strong

In South Carolina we're observing the League's milestone 90th anniversary in many ways. Gov. Mark Sanford proclaimed February 14, the date of our founding, as *League of Women Voters 90th Anniversary Day*. The League was honored with a beautifully framed House Resolution for the 90th anniversary of our founding by the SC General Assembly Women's Caucus at its March 24th Jean Lanney Harris Luncheon in Columbia. Reps. Joan Brady and Vida Miller, Caucus Chair and Vice Chair, made the presentation. Several state and local League leaders were in attendance at the event that drew about 400 women leaders from across SC. We gratefully acknowledge the recognitions by the Women's Caucus and Gov. Sanford.

H4491 Resolution, By Brady, Funderburk, Allison, Knight, Horne, Erickson, Miller and Parks

A House Resolution to recognize the League of Women Voters for its many years of positive impact on American government through citizen education and advocacy, and to congratulate the League upon the occasion of its ninetieth anniversary.

Read the entire Resolution at <http://www.scstatehouse.gov>.



LEAGUE OF
WOMEN VOTERS®



A Great Public School for Every Child

By Sheila Gallagher, LWVSC Board Director, K-12 Education

LWVSC supports public state-supported education at all levels which is effective, equitable and accountable. If every child in South Carolina is to have a great public school, changing our tax structure is priority one. Closely following is changing the outdated formulas of the Education Finance Act (EFA) and the Education Improvement Act (EIA). This year South Carolina will have a Base Student Cost (BSC) of \$1,623, unchanged since 1994-1995. The most recent BSC is around \$2400, amounting to an \$800 deficit per student for the upcoming year.

In order to recruit and retain quality teachers in our classrooms we must have the necessary resources to provide not only salary and benefits, but also smaller class sizes, updated materials, etc. Student achievement cannot be tied to any particular educator. There are just too many factors--or lack of positive factors--to make any true connection. All across our state, public schools welcome new students into classrooms every day--students who bring with them greater personal and academic needs than ever before. On the other hand, rapidly advancing technology has made our students savvier than ever.

The bottom line is that our teachers are educating to an ever-widening range of abilities while class sizes are growing. Therefore, closing the achievement gap and lowering the dropout rate, as well as addressing poverty issues, requires that everyone be engaged. It is important to find ways to partner more effectively with people in our communities who want public schools to be successful. We must build coalitions that will advance a plan that brings real support to all, does not harm anyone and includes an overall tax plan with long-term sustainability.

Our General Assembly cannot continue to cut needed funds for our public schools (and other public services) with no plans to provide a revenue path. They must be held accountable for the failure of Act 388 (property tax swap for sales tax) and this year's funding of dollars outside the traditional public schools. The League must continue to focus attention on the need for not only equitable school funding, but full funding.

Shifting the topic slightly, public charter school legislation comes before the General Assembly the week of April 12th. Realistically, there is likely not

enough time left in this session to complete work on the legislation. However, the real problem is the lack of funding with local dollars, and that funding in the original bill was specifically left out. So now the statewide public charter schools are requesting those local dollars. Considering the financial situation of our traditional public schools, this request should have been rejected before the words were on the paper. Added to this egregious request is the \$5000 per student that virtual schools are requesting. Virtual schools, good as they might be, do not have the same needs as 'brick-and-mortar' schools. Innovation is great, so why not allow it in traditional public schools?

In order for South Carolina to provide affordable and accessible public education, everyone must be engaged. The goals and aspirations for public education must be heard and understood by policy makers, especially the General Assembly. It's a great opportunity for us to make a positive difference, so write those letters and make those phone calls to support our investment in the future--our public schools.

Conservation Lobby Day – All League Members Encouraged To Attend

Join us for the **7th Annual Conservation Lobby Day on May 4, 2010**. LWVSC is a proud co-sponsor. Conservationists from around the state will travel to the Statehouse to meet, greet and encourage elected leaders to support the Common Agenda priorities. The day begins at 9:30 with a briefing at the Columbia Museum of Art, after which the group walks to the State House to speak to legislators about conservation bills. During the afternoon, participants attend committee meetings and enjoy free

time to watch green films, participate in a happy hour or tour Columbia, the art museum and the Statehouse grounds. In the evening participants will attend an informal oyster roast under the stars at 701 Whaley. Come enjoy the live music and local food with legislative guests. If you only go to the Statehouse once this year to speak to your legislator, this is the occasion! Details can be found at www.lwvsc.org/whatsnew.html or by contacting Brusi Alexander at 803-776-3578 or cricketwm@aol.com.

REMINDER FROM LWVUS

Don't Forget to Update Your League's Officers!

With annual meeting season upon us, we remind you to make sure new leaders do not miss communications from your state and the LWVUS. Please update your new officers' information in the LWVUS database. As requested by you, more titles are now available to denote what your members do as officers for your League. If you need assistance in doing this, please email membership@lwv.org or review the online database manual available www.lwv.org/formembers.

South Carolina Needs Jobs – But At What Cost?

By Peggy Brown, LWVSC Director, Natural Resources

Will we sell out our state's environment for jobs at any cost in the name of progress? Once again South Carolina is faced with polluting industries wanting to locate here because of our lack of protective regulations or the willingness of some legislators who lack knowledge or who let employment take precedence over public health.

FLORENCE

The LWVSC has joined Coastal Conservation League and Sierra in a request to SCDHEC for Board Review of a battery recycling center that Johnson Controls, Inc. (JCI) wants to build on the banks of the Great Pee Dee River. Not to be misunderstood, the League would like the battery facility to be located in Florence but we feel JCI must use the Best Available Control Technology (BACT) for pollution control, for the following reasons:

- Required controls for air toxics should be as stringent as those already installed at some existing secondary lead facilities to protect human health.
- DHEC should require installation of a closed system to return captured particulate matter from the bag houses to the smelter.
- Permitting for Resource Conservation and Recovery Act (RCRA Part B) a

Hazardous Waste Post Closure Permit and Air Permit should be coordinated. The EPA is requiring Johnson Controls to have a RCRA Part B permit for hazardous waste. This permitting process will take at least a year and require significant public input.

- DHEC has insufficient basis to give the proposed facility a "minor source" designation. Johnson Controls says they will keep the emission of certain pollutants just under the major source threshold of 100 tons per year, 97.5, and 96 tons. The BACT, which is not being required by DHEC, could effectively control PM, PM2.5, PM10, SO2, NOx, CO.

The request for review was granted and scheduled for April 8 at 10 a.m. at SCDHEC on Bull Street in Columbia.

CHESTER COUNTY

Legislators have introduced Senate Bill S. 1325 that would allow Covanta to build a "waste-to-energy" incinerator in Chester County that would take out-of-state waste in excess of the state's current 600 tons per day burn limit for trash incinerators. It may sound green, but it's not. Large trash incinerators actually burn recyclables and emit dangerous dioxins and more mercury per unit of electricity than coal-fired power plants.

The proposed Covanta facility wants

to exceed the current 600 tons of burning trash per day limit by 1000 tons a day, and purchase unused capacity from existing landfills. However, the net effect would be to swap South Carolina's future capacity with more trash from northeastern states. Covanta would burn over half a million tons of trash per year and leave behind almost 100,000 tons of dangerous toxic ash waste. At present S.1325 is in the Senate Medical Affairs Committee. Please contact your legislators let them know you oppose S.1325 and support a healthier South Carolina, by creating more jobs, saving more energy through recycling than through incineration.

When life-cycle comparisons are made of incineration, recycling and land filling, studies show that recycling has a net energy gain from avoided energy expenditure of creating new product. Incinerators typically rely on "put or pay" long-term contracts that would actually undermine efforts to grow South Carolina's recycling industry. South Carolina has better options for promoting energy alternatives than burning out-of-state garbage such as fostering energy efficiency and investing in innovative solar, offshore wind and biomass technologies.

We want jobs for our South Carolina but not at the cost of public health risk and environmental degradation.

LWVUS 49th Biennial Convention in Atlanta - 90 Years of Making Democracy Work

Join fellow Leaguers from 50 states, the Virgin Islands, Puerto Rico and Hong Kong to celebrate 90 remarkable years of League achievements and chart the course for the next biennium of League programs.

All League members are invited to attend Convention in **Atlanta, GA from June 11-15, 2010**. The Convention site, the Marriott Atlanta Marquis, is located in the downtown area known as Atlanta's heartbeat.

LWVSC is allotted 3 voting delegates. Each local League's delegate allowance

is based on membership count on Feb. 1, 2010 (1 delegate for up to the first 99 members; 1 delegate for each 100 members thereafter; thus, each local League receives at least 1 delegate). A League not sending its full allotment of delegates can designate a member from another League to represent it. Any member can attend as a non-voting observer.

Be part of the excitement--convention caucuses, workshops and networking, debate and adoption of the 2010-2012 National Program, the LWVUS Budget,

and amendments to the LWVUS Bylaws, and choosing the LWVUS Board officers, directors and nominating committee for the next biennium.

Convention details, including registration and hotel information, can be found by clicking For Members at <http://www.lwv.org/>. Please contact Barbara Zia at 803-251-2726 or ziab1@comcast.net if you are interested in joining us. We will have a briefing at the close of Council for members who plan to attend Convention. Ride- and room-sharing opportunities are available.



Ensuring an Independent Judiciary

By Constance Anastopoulou, Charleston School of Law Professor; LWV/Charleston Area Director

Judicial independence does not just happen all by itself. It is tremendously hard to create, and easier than most people imagine to destroy.

– Retired U.S. Supreme Court Justice Sandra Day O'Connor

On March 2, 2010, the South Carolina Supreme Court heard arguments in the case of *Segars-Andrews v. Judicial Merit Selection Commission, et al.* The League of Women Voters of South Carolina filed an Amicus Curiae Brief in the case, written by League member Prof. Constance Anastopoulou of the Charleston School of Law. The case involves current sitting Family Court Judge Francis P. Segars-Andrews, who is up for re-appointment to her seat, which she has held for the past 16 years. Pursuant to the Constitutional Amendment adopted by voters in 1996, all judicial candidates must be qualified by the Judicial Merit Selection Commission (JMSC) prior to being presented to the General Assembly for a vote by the full legislature. The complaint filed by Segars-Andrews addressed: first, her individual claims regarding the use of specific evidence contemplated by the JMSC in consideration of her qualification that resulted in a “not qualified” vote by the Commission, and second, the constitutionality of the membership of the Commission.

The Brief filed by LWVSC was not

intended to and did not address the individual qualifications of Judge Segars-Andrews; rather it addressed the issues of the constitutionality of the process of judicial selection in South Carolina and the importance of judicial independence. Specifically, LWVSC argued that by enacting the statute mandating the membership of the JMSC be dominated by a majority of current legislators, the General Assembly violated both the “dual office holding” ban of the Constitution and frustrated the intent of the voters of South Carolina when they adopted the Constitutional Amendment creating the Judicial Merit Selection Commission. The Brief reflected on the historical purpose of the creation of the Commission to act as a “check and balance” on the unrestrained power of legislators to fill judicial vacancies. Adopting S.C. Code § 2-19-10(B), which mandated that a majority of current legislators comprise the membership of the Commission, permitted legislators to serve as both the “qualifiers” and the “selectors” of candidates for judicial vacancies and vested all power of judicial appointment back in the legislature. By doing so, the

General Assembly frustrated the purpose and intent of adopting the Constitutional Amendment in the first place. Additionally, the Brief addressed the threat to judicial independence, a cornerstone of our democracy.

During the oral arguments, the Justices peppered the attorneys for both sides with questions for over two hours. A number of the questions centered on the intent and purpose of the Constitutional Amendment creating the JMSC and the potential threat to judicial independence. At one point, Justice John Kittredge specifically recognized the issues raised in the LWVSC Amicus Brief when he queried how the Court would answer the concerns advanced by LWVSC, particularly with regard to judicial independence. The Brief has received much attention around the country, including being quoted by legal scholars in the area of judicial selection and judicial reform advocates.

The issues raised in this case cannot be addressed by any other court, as the Supreme Court accepted the case in its original jurisdiction, meaning the case involves matters of state constitutional law and does not raise issues for other courts including any federal courts of review.

Case Update--On March 23, the S.C. Supreme Court dismissed the challenge to the process of selection and re-appointment of judges in S.C. The LWVSC is disappointed at the decision but, at the same time, appreciates the Court's willingness to hear this significant case.

The League's Brief supported the petition that challenged the constitutionality of the way in which judges are selected in South Carolina. LWVSC sought to address the constitutionality of the screening process for state judges by a commission comprised of members the majority of whom must be currently serving state

legislators. The Brief did not address the particular qualifications of the judge in this case. Rather, LWVSC is concerned that the process of judicial selection in South Carolina frustrates the intent of voters when they voted to establish a commission to diffuse exclusive control by the legislature.

The process of selecting judges is a key component in ensuring a fair and impartial judiciary. The League's concern reflects a national movement for reform of state judicial systems. As James Madison put it, an independent judiciary is “an impenetrable bulwark against every assumption of power in the Legislative or Executive.” The

League agrees that the courts are important guardians of constitutionally guaranteed freedoms in our system, and that the system breaks down without judicial independence.

The League believes South Carolina has a good system of judicial selection, but would like to see it refined. In our view, the insertion of legislative domination in selection of state judges defies the separation of powers and is not in the best interest of judicial independence or diversity. Because this issue is so vital to our democracy, we will continue our citizen education and advocacy efforts to achieve fairness, independence and diversity on the bench.

Honoring Harriet Keyserling:

Legislator, League Leader and Community Activist

By Flo Rosse, LWV/Hilton Head Island

This year the League of Women Voters is celebrating its 90th anniversary focusing on the theme Making Democracy Work. It is an appropriate theme for the League as through the years it has been instrumental in helping to expand access to our democracy to everyone through championing voter rights, literacy, and information on legislative issues at all levels of government. It is fitting that on this anniversary the League honor one of our own members who has through her courage and commitment helped to make democracy work here in Beaufort County and the state of South Carolina.

Harriet Keyserling began her political life in SC in 1972 working on voter registration. Like many other voter registration offices across our country at this time the Beaufort office was open for limited hours during the week, never during lunch hour, and never on weekends. There were no volunteer registrars sitting at tables in various public places to encourage and enlist people to register to vote. She and a friend decided they needed to find a way to open up the voter registration system and begin a voter education program – that is how and why the Beaufort League was started. While Harriet would not be the first president of the league, she would volunteer to “observe” county government for the League of Women Voters. She was amazed, as a city girl from New York, to learn how county government impacted our lives.

Week after week, she observed the Beaufort county council realizing little by little how differently she would have voted on some issues. That seemed to be all it took for Harriet to realize that if she wanted to see things done differently and if she was committed to the League’s priority items-education reform, day care, environmental, consumer protection, mandatory deposits for bottles and cans and a waiting period

for purchasing handguns to start, she would have to do more than observe. So as a founding member of the League in Beaufort and at the age of 55, Harriet became the first woman to run for the Beaufort County Council.

Because of her active life and her marriage to Dr. Keyserling who no doubt delivered half the babies in Beaufort County, Harriet won her first election handily.

Her political career culminated in her service in the SC House of Representatives where she served with distinction from 1977 to 1993. She was only the second non-lawyer to serve on the House Judiciary Committee. She also served on the Education, Public Works, and Ways and Means committees, the Joint Legislative Committee on Energy and chaired the Joint Legislative Committee on Cultural Affairs from its inception until 1991. She served Governor Riley as an advisor on energy issues and from 1979 to 1982 was a member of Congress’ Advisory Panel on Nuclear Waste Disposal.

Major legislation with which she is associated is wide-ranging. She was instrumental in the passage of the comprehensive Education Improvement Act (EIA) that addressed such issues as academic standards, teacher evaluation and salaries, student testing, and programs for special education and advanced placement.

With Governor Riley’s support, Ms. Keyserling helped to create a Task Force on the Arts which laid the foundation for building an infrastructure for the arts in SC. In 1985 the Joint Legislative Committee on Cultural Affairs, an entity created by legislation and at Harriet Keyserling’s urging was created and dedicated to enhancing cultural activities in SC like the Spoleto Festival and Penn Center.

True to her training as a League member, and according to former SC



The LWV/Hilton Head Island hosted a party on Feb. 28 to celebrate the League’s 90th anniversary. The guest of honor was retired SC Rep. Harriet Keyserling, who was presented with the LWVHHI *Making Democracy Work* Award for her notable civic and legislative achievements.

Left to right: Barbara Zia, LWVSC president; Ginny Ghirardelli, LWVHHI co-president; Rep. Keyserling; Barbara Swift, LWVHHI co-president; Pam Craig, LWV/Columbia Area president.

Governor Dick Riley, Harriet was “more given to quiet research, serious conversation, and careful organization – and less to the smoke-filled room politics of much big talk and little listening.”

Harriet retired from the House of Representatives in 1993 and has remained active on the Spoleto Festival Board of Directors, the South Carolina Coastal Conservation League, the Beaufort Arts Council, and the Palmetto Project. She is the author of *Against the Tide, One Woman’s Political Struggle*. Numerous papers known as the *Harriet Keyserling Papers, 1965-1998*, document her service.

Over the years, Ms. Keyserling has been the recipient of numerous awards. Among them is the prestigious Order of the Palmetto, SC’s highest civilian award from Governor Jim Hodges. In 2009 the Conservation Voters of SC gave Harriet the Green Tie Award, and in 2008 Ms. Keyserling received the Women of Achievement Award and the Pioneer Award.

On February 28, 2010, the LWV of Hilton Head Island presented to Harriet Keyserling the *Making Democracy Work* award for her notable civic and legislative achievements. She is an inspiration to all of us who hope to make a difference through our participation in the work of the League. Thank you Harriet – from all of us.

Could South Carolina's Taps Run Dry?

By Joan Kinne-Shulman, Co-Chair, LWVSC Water Study Committee

This is the second in a series of background papers related to the two-year LWVSC Study on Water Resource Management in South Carolina. The first paper, "Where Does South Carolina's Water Come From?" can be found in the Winter 2010 SC VOTER.

Would it be possible for the people of South Carolina to run out of freshwater – water for drinking, cooking, bathing, growing food? It is unlikely that the supply would dry up completely, but it is possible that the amount of available freshwater could become limited. According to the National Wildlife Federation, demand for water in South Carolina increased about 1,000 percent between 1960 and 2000. During the same period, the population increased 60 percent.

Freshwater in South Carolina comes from surface water (rivers, streams, lakes) and groundwater, or aquifers. A very small portion is created by reverse osmosis plants. Surface water accounts for about 1 percent of South Carolina freshwater.¹

As described in our earlier paper, South Carolina has eight major river basins that are also grouped into four major watersheds by the Department of Natural Resources (DNR). Several of the rivers originate in North Carolina. The Savannah River is shared with Georgia.

The major aquifers are located mainly near the Atlantic coastal area of the state. The Upper Floridan Aquifer also serves residents of Georgia. Wells tap the underground water to bring it to the surface for use. About 40 percent of the population of South Carolina depends on groundwater for its freshwater needs.

Lakes, or reservoirs, are sources of water mainly for industries and power-producing plants. (South Carolina has more than 1,600 lakes with areas of 10 acres or more.) Major lakes are Hartwell, Thurmond, Murray, Marion, and Moultrie.

The amount of precipitation that falls each year affects the supply of water. On average, South Carolina receives about 50 inches of precipitation annually. The greatest

amount falls in the mountainous areas of the state. If rivers receive the average annual amount of precipitation they stay at an optimal level for personal, agricultural and industrial use, and to maintain the natural habitat for plants and animals.

In times of drought, such as the state experienced in the early 2000s, the supply of water is diminished. Less is available for normal usage needs. People become fearful that "we will run out of water." Recall the situation Atlanta was in during 2007 – 2008 when the city's main source of freshwater, Lake Lanier, nearly dried up before rains reduced the threat.

Large, open bodies of water, such as the state's lakes and reservoirs, lose a percentage of their water supply through evapotranspiration. (About 34 inches are lost on average each year.) This loss can affect the amount of water available for use. At times, the amount of water lost through evapotranspiration is greater than the amount of water that flows into the reservoir. Water is also lost through evaporation in the cooling towers, at nuclear and fossil-fueled thermoelectric power generating facilities – some tens of millions of gallons per day. This is about 1 to 2 percent of the total amount of water used by these facilities.²

The average flow of the more than 11,000 miles of flowing streams in the state is about 33 billion gallons of water per day.³

Dams, of course, restrict the flow of water in rivers and streams. They cause water to collect behind them. The challenge to those who manage the dams is to maintain a regular and even flow of water downstream. According to legal permits or licenses, managers of reservoirs must "release a minimum flow volume" over, usually, a period of a week. Because the releases relate to

hydroelectric power needs, they may be carried out in only a short period of time, such as a couple of days. During the rest of the week, the flow may be less than needed downstream. (p. 30, DNR) Reservoirs connected to the Savannah River are operated by the Army Corps of Engineers (COE). The rest are regulated by or licensed by the Federal Regulatory Commission (FERC).

Water use also affects supply. The heaviest use of water is by power plants and industries. Agricultural needs require the next largest amount of water. Interestingly, golf courses also use large amounts of water, especially in the coastal area. Courses in Horry County, for instance, use 19.4 million gallons per day. (Use of recycled water can mitigate the amount of water consumed by golf courses.) The amount of water used by individuals is comparatively small.

South Carolina has given the International Paper Company the right to take from the Great Pee Dee River 100 cubic feet of water per second every day. The water is used to operate its plant in Georgetown. Individuals, businesses and local governments were also given the same rights to divert water as those given to the International Paper Company.

For the year 2000, the estimated water use in South Carolina, in millions of gallons per day, was: Hydro-electric: 36,176; Thermo-electric: 5,840; Industry: 566; Public Supply (water distribution for sale by a public or private utility): 542; Irrigation: 253; Golf Courses: 97; Domestic: 64.4

According to the Coastal Conservation League, "Thermo-electric power generation accounts for 80 percent of the fresh water usage in South Carolina. Reducing electricity

continued on page 9 –



TAPS RUN DRY?:

continued from page 8 –

consumption can save water as well as make [S.C.] more energy efficient.”⁴

If water is drawn out of groundwater sources close to the ocean faster than it can be replenished, there is a danger that saltwater will intrude into the source. As of 2003, for example, major wells in the Upper Floridan aquifer had been rendered useless because of the intrusion of saltwater. The increase in development and population of the coastal area is a major cause of the intrusion. According to a public service district on Hilton Head Island, saltwater intrusion is accelerating by at least 250 feet per year. In the not too far distant future, all freshwater wells on Hilton Head Island will be unusable.

Several of the major rivers in South Carolina arise in North Carolina. Water from them supplies communities in North Carolina before the flow reaches South Carolina. South Carolina is seeking to reach an agreement with North Carolina to make sure that enough of the river water flow reaches the communities in South Carolina to meet their needs.

Water management in South Carolina is also affected by common law riparian rights. This means that a person who owns land that is bounded by or is crossed by a natural stream has the protected legal right to access and use the stream. The person does not own the water but can use it as long as the use does not cause harm to other riparian owners. One limit is “reasonable use,” which is difficult to define. Another restriction is that the water can only be used on the land adjacent to the stream. It is not supposed to be used on property elsewhere. In actual practice, the water is often transported by public utilities for use elsewhere. Currently, the state can only regulate reported withdrawn amounts of water exceeding 3,000,000 gallons per month. A recommendation would require a permit to withdraw an amount equal to or greater than 3,000,000 gallons per month.

South Carolina has in place a system for groundwater use permits. A user must obtain a permit to withdraw 3,000,000 gallons or more per month in capacity use areas.

Under the Interbasin Transfer Act of 1985, DHEC can regulate and permit

interbasin transfer of water. (This is moving water from one water basin with an excess of water to another with less.) The Act requires a permit for all withdrawals of water greater than 1,000,000 gallons per day, or 5 percent of the 7-day, 10-year low flow, whichever is less, when any part of the withdrawal is transferred from one river basin into another.

The South Carolina Drought Response Act allows the restriction of water use during a severe drought.

FOOTNOTES:

¹ South Carolina Water Plan, 2nd Edition, SC DNR, p. 4.

² Ibid., p. 15.

³ Ibid., p. 22.

⁴ Ibid., table, p. 18.

SOURCES:

The Governor’s Water Law Report, 2004

South Carolina Water Plan, Second Edition, 2004, by A.W. Badr, Andrew Wachob, Joseph A. Gellici. South Carolina Department of Natural Resources, Land, Water and Conservation Division

League Newsmaker in South Carolina *Brandi Parrish Honored in 20 Under 40*



Brandi Parrish, LWV/Columbia Area Board Director, was named to The State newspaper’s 2010 class of young Midlands professionals on the path to success. Honorees are area residents who have made their mark before age 40 and who look like they will continue their contributions for years to come.

Brandi is Associate Director for New Morning Foundation where she works to get those younger than 30 access to sexual health information as well as counseling and clinical services. She also lobbies lawmakers on these issues

and has co-authored a primer on advocacy work. She proudly puts her League leadership role first in her long list of community services. Brandi will take time from her busy professional and community activities to wed fiancé Will Ellison this spring. Congratulations, Brandi!

Read more at:
<http://www.thestate.com/850/story/1121601.html>.

Your Tax-Deductible Donations to LWVSC at Work!

By Dianne Haselton, LWVSC Treasurer

Thanks to **YOUR** generosity over the years, tax-exempt donations to the LWVSC Education Fund account held for us by the national League have grown. State Board members have responded by applying for and using these monies in some exciting and creative ways. First, you have to understand that to be able to use Ed Fund dollars, the project must be intended for the purpose of **citizen education or voters service activities**, informing the public in a fair and objective manner, and cannot advocate or urge action on a particular position. Projects must serve the general public, not League members exclusively. If your project meets these criteria, you submit a request for the funds, documenting what you intend to do with them and, usually, you receive a check in the mail drawn from your funds in the LWV Education Fund! Very simple!

Transportation: Ed Fund dollars were used for an educational campaign targeting state legislators, local public officials and the general public with messages about the benefits of public transportation. The campaign consisted of a series of four postcards, which featured photos of actual transit customers and employees.

Ed Funds also were used to organize and implement **two statewide Community Transportation Day events**. The first in 2008 included a press conference at the State Museum in Columbia after which participants traveled to the State House and invited Legislators to join them for "Lunch on the Bus." The second was held in 2009 at the University of South Carolina and included a full-day training session conducted by Easter Seals Project ACTION. The State League partnered with the Transportation Association of South Carolina, the American Public Transportation Association, the University of South Carolina and Easter Seals Project ACTION on the events.

Know Your State: Last published in 1994, the updated *5th edition of Know*

Your State was published using Ed Fund dollars. This 75-page booklet documents all areas of State government and is a useful tool for civic education both in and out of schools. *Know Your State* describes the structure and functions of South Carolina State Government. *KYS* includes information about the legislative, executive and judicial branches of government, the function and administration of government, education, finance and taxation and local government. *KYS* is the only publication of its kind. The information was researched and written by League members and is ideal for students from secondary schools through college. It has proven to be a useful tool for teachers at all levels and for educating the general public. It is now available to the public (\$10) and to League members (\$5). Please email Peggy Appler at dappler@homesc.com. These are great speaker gifts.

Advocacy Workshop and Manuals: The *Advocacy 101 Handbook* is an essential tool for citizens who want to understand and influence the legislative process. It is in use by League members, local Leagues and organizations throughout South Carolina. Both print and downloadable copies from www.lwvsc.org are available. The Handbook was designed for the day-long Advocacy Workshop in 2008.

Judicial Forum with SC Women Lawyers Association: The 2008 "Judicial Selection in South Carolina: Ensuring Quality, Independence and Diversity on the Bench" forum was sponsored by the LWVSC and the S.C. Women Lawyers Association. The event was in celebration of Constitution Day and was attended by about 200.

Energy to Efficiency Forum: Purpose of this 2009 forum in Florence was to educate citizens and public officials about energy efficiency opportunities. Promotion of the forum included outreach to community, university, and conservation members.

LWVSC History Research: Sheila

Haney has been traveling back and forth from Hartsville to Columbia once a week for a couple of years now gathering her research for a book on the history of the LWVSC. We have been able to use some of the Ed Fund monies to help with expenses of this research. Sheila is now in the process of drafting chapters. This will continue into the summer. She hopes to get a draft chapter to the editor sometime this spring! How exciting!

Judicial Reception: LWVSC helped sponsor a reception to honor Supreme Court Justice Sandra Day O'Connor who spoke at the reception last September. Other jurists were honored at the reception. The event's main sponsor was the SC Women Lawyers Association, LWVSC's partner on the 2008 judicial selection forum.

Edgewood Documentary: A donation was made from Ed Funds to support the production of the documentary film, "Edgewood: Stage of Southern History" by USC/Aiken. The film tells the story of influential women who lived in the "Edgewood" house on the campus. The story of Eulalie Salley, suffragist and LWVSC founder who owned the house for a time, is featured.

PMP for MALs: Of course, LWVSC always uses Ed Fund monies to pay for one-half of the Per-Member-Payment for our Member-at-Large folks.

REMINDER FROM LWVUS

*Fair Judiciary:
Law Day Is May 1, 2010*

The League of Women Voters is an official alliance member of the American Bar Association's Law Day, May 1, 2010, "Law in the 21st Century: Enduring Traditions, Emerging Challenges." If your League is interested in participating, please visit the ABA's website for more details. Also please let the League's Specialist on the Judiciary and the Courts David Ward (dward@lwv.org) know if your League is planning an event.

THANKS FOR THE SUPPORT:

Our 2009-2010 Member Contributors

Thanks to all who make the League's work possible through their generous donations in 2009-2010. We depend on the gifts of those people who support the League beyond their membership dues. Gifts of all sizes are very much appreciated. We will spend your money wisely.

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IMPORTANT LEAGUE DATES:

April

15th Thursday, *Tax Deadline*

19th-25th

National Volunteer Week

22nd Thursday, *Earth Day*

24th Saturday, *LWVSC Council*, St. Paul's Lutheran Church Fellowship Hall, 1715 Bull St., Columbia

May

1st Saturday, *Law Day*

4th Tuesday, 9:30 a.m. - 9:00 p.m.,
Annual Conservation Lobby Day, Columbia

May (cont'd)

8th Saturday, *Last day to register to vote in June 8 primary election*

June

3rd Tuesday, *Second regular session of the 118th South Carolina General Assembly adjourns*

8th Tuesday, *SC Primary Election Day*

11th-15th

LWVUS Convention, Atlanta, GA



LEAGUE OF
WOMEN VOTERS®



LWV SC Voter

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The SC Voter

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Established in 1951, the League of Women Voters of South Carolina is a nonpartisan, political organization that encourages citizens to play an informed and active role in government. At the local, state, and national levels, the League works to influence public policy through education and advocacy. Any citizen of voting age, male or female, may become a League member. All members receive the National Voter, the SC Voter, and a newsletter from their local League.

President: Barbara Zia

Editor: Laurel Suggs

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Phone & Fax:
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SC League Leaders Attend LEGISLATIVE ADVOCACY DAY February 23, 2010

