



LEAGUE OF WOMEN VOTERS®

SC Voter

Post Office Box 8453 • Columbia, SC 29202 • Phone & Fax: (803) 251-2726

Website: www.lwvsc.org

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SOUTH CAROLINA LEAGUE PIONEER

Passes Away

By Sally McGarry, LWV/Hilton Head Island

Harriet Keyserling, known and treasured by so many of us in the League of Women Voters, died December 10 in Beaufort, her home since she arrived there from New York in 1944 as a new bride. She helped start the Beaufort League of Women Voters and then volunteered to be an observer at Beaufort County Council meetings. Doing so, she observed the many areas that needed attention and decided to run for the office. She was elected to the Council in 1974 - its first woman member. Two years later, she was elected to the SC House of Representatives, where she served for 16 years. She was known there for her analytical abilities and her success in bringing people together around an issue. She devoted her efforts to public education reform, environmental protection, promotion of the arts, energy policy and more. After her retirement, Harriet wrote about her experiences in "Against the Tide: One Woman's Political Struggle."

On February 28, 2010, at LWV of Hilton Head Island's observance of the 90th birthday of the League of Women Voters, we honored Harriet Keyserling with the *Making Democracy Work Award* for her notable civic and legislative achievements. The wording of the award ended with "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."



Political trailblazer Harriet Keyserling was honored by LWV/HHI, Feb. 2010--Left to right: Barbara Zia, LWVSC President; Ginny Ghirardelli, LWV/HHI Co-President; Harriet; Barbara Swift, LWV/HHI Co-President; Pamela Craig, LWV/Columbia Area President.

You're Invited to

LEGISLATIVE ADVOCACY DAY 2011

Coming Together for South Carolina's Future: Our Children

WEDNESDAY, FEBRUARY 23, 2011 at Epworth Children's Home
2900 Millwood Avenue, Columbia, SC 29205

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Website: www.lwvsc.org

Join the League today!





Barbara Zia
President, LWVSC

As 2010 fades in the rearview mirror, our focus shifts to the challenges bearing down on our state in 2011. State and local governments are bracing for the worst fiscal year in memory, with tax revenues lagging and federal stimulus monies drying up. South Carolina communities are struggling with job losses, budget cuts, and loss of critical services. As Holley Ulbrich points out in this issue, rather than making Draconian cuts to critical state programs like public education, child welfare, health care, and environmental protection, the League is calling on our state's leaders to reform our tax system which over the decades has become riddled with loopholes and exemptions. But instead of tackling these challenges head on, some state leaders are recycling absurd, cost-ineffective ideas like tuition tax credits for private education and voter photo ID. Be assured that the League will be hard at work in the Statehouse advocating for the common good and common sense.

South Carolinians do have some reasons to cheer. Whatever your politics, share my pride in two historic milestones in 2010: Voters elected the first female and minority governor in our state's history and the first black Republican to Congress from the Deep South since Reconstruction.

Elatedly, South Carolina increased our 2010 Census response rate by 8 percent over 2000's rate--aided, I'm certain, by the complete count campaigns mounted by local Leagues. Be sure to read in this issue about redistricting in South

President's Perspectives:

Carolina. The process of drawing new district lines will engage state legislators in the coming session and will determine our state's electoral landscape for the next decade. In the months ahead, the League will educate the public about the redistricting process, as well as keep citizens informed of timelines and accessibilities of data, hearings, committees, to promote transparency and bipartisan redistricting. How these lines are drawn is of enormous consequence to all South Carolinians.

Continuing the theme of citizen education, let's take pride in jobs well done by Leagues across the state during 2010: We registered voters, provided nonpartisan information through the VOTE411.org Voters Guide, and organized candidate forums. We strove to bring openness, balance and civility to the



The time is right for South Carolina to make changes in our election system that will encourage the participation of citizens in government, from voting - citizens' most basic responsibility - to serving in elected or appointed office.



political process. Many thanks to all who helped us fulfill the League's mission to turn out an informed electorate.

I'm sure you share my concern that so many contests in the 2010 elections went uncontested, as reported in this SC VOTER. Sadly, some incumbents and frontrunners declined to participate in the League's Voters Guide and in candidate forums. Please join me in reminding them that it's not about them but about providing voters with opportunities to vet them. Let's applaud the candidates willing to face their opponents as well as their constituents.

So why, after a long, intensive campaign season, did only about half of our state's registered voters cast ballots last November? And why were so many races unopposed? The explanations raise important issues for the League's democracy agenda.

- Our research shows that many people don't vote if they feel they don't know enough about the issues or candidates to make informed choices. Despite a 24-hour news cycle, it's difficult for voters to learn where candidates stand on critical policy issues.
- Some voters expressed how turned off they were by negative politics, by hyper-partisanship, and by special interest money flooding into campaigns.
- Others told us they left without voting because of long lines at polling places.
- And there's the issue of confidence that votes cast on South Carolina's electronic voting machines will be counted accurately and fairly.

The time is right for South Carolina to make changes in our election system that will encourage the participation of citizens in government, from voting – citizens' most basic responsibility – to serving in elected or appointed office. Let's reduce voting barriers, make it easier for all to vote and ensure that all votes are counted as the voters intended.

And finally, I am thrilled to announce that the national League will extend funding until August 2012 for the South Carolina League's campaign to ensure diversity and independence in our state courts. This offers a tremendous opportunity to inform citizens about the importance of a fair and impartial court system and to work for improvements in the judicial selection system. Huge thanks are due to state and local League leadership teams who are working so hard on the judicial initiative. Be looking for some exciting events in your communities connected with the project.

As president, I want to thank you for your membership and generous support. Both are essential if the League is going to have impact and effectively serve our members and the state's voters. And thanks for joining me in a New Years resolution to work together to make 2011 an exciting and productive one for South Carolina and the League of Women Voters.

LEGISLATIVE ADVOCACY DAY 2011

Coming Together for South Carolina's Future: Our Children

WEDNESDAY, FEBRUARY 23, 2011

Epworth Children's Home

2900 Millwood Avenue, Columbia, SC 29205 • 803-256-7394

9:00-9:40 am Check-in - NO ON-SITE REGISTRATION

9:45 am Greetings and Orientation

Morning Session - Option A or B (*See Below*)

1:00-2:00 pm Lunch with Legislators

Changing Face of Childcare in South Carolina -

Rev. John. Holler, Jr., *President, Epworth Children's Home*

2:00-3:15 pm Presentations

Comprehensive Tax Reform in South Carolina -

Dr. Mike Fanning, *Executive Director, Olde English Consortium, Education Advocate*

South Carolina Education Funding -

Bob Davis, *Chief Financial Officer, Richland District Two Schools*

Co-Sponsored By:

- South Carolina Conference United Methodist Women
- League of Women Voters of South Carolina
- American Association of University Women of South Carolina
- South Carolina School Improvement Council

Please invite your state legislators to attend. Indicate below if they plan to attend.

----- Cut & Return Bottom Portion -----

LEGISLATIVE ADVOCACY DAY REGISTRATION

REGISTRATION FEE: \$20.00 (Includes materials, lunch, parking & bus ride to & from Statehouse)

Postmark Deadline: February 11, 2011 *Space limited to 400 attendees.*

Make checks payable to LWVSC. Complete the form & mail with fee to:

JoAnne Day, LWVSC, PO Box 8453, Columbia, SC 29202

Questions? Email: jvday@yahoo.com, *Please print legibly.*

Name _____ Phone _____ Email _____

Street _____ City _____ Zip Code _____

Please complete all that apply to you. Members are encouraged to invite their state legislators. Please indicate their acceptance.

Your Local League _____

Special dietary needs _____

Childcare needed for preschooler ____ Child's age ____ (*Please bring lunch & snack for your child.*)

My state legislators: Senator _____ Plans to attend? _____

Representative _____ Plans to attend? _____

Please Circle Your Choice of Option A or Option B for the Morning Session

Option A: Advocating at the Statehouse

**** 10:10 - 12:15 ****

- _____ Check to register for optional Tour of Statehouse. Tour limited to first 30 requests.
- 12:30 Buses depart Statehouse for return to Epworth.

Option B: Work Sessions at Epworth

**** 10:10 - 12:45 ****

- **HIV/AIDS:** Vivian C. Armstead, SC HIV/AIDS Council
- **Advocacy 101 Workshop:** Jean Norman, LWV; Brenda Kneece, Christian Action Council
- **Growing Up at Epworth:** Rev. Ken Nelson, SCCUMC



Looking Out for South Carolina's Children

By Rita G. Paul, LWVSC Director, Early Care and Education/Child Welfare

Early Childhood Education

A special legislative committee, the Senate Select Committee on K-12 Funding, has been meeting for several months. An important part of their deliberation and possible legislation includes continuing 4-K funding for at-risk children in South Carolina. As you know the League has long held positions that support education and specifically early childhood education. Following is testimony given at the Senate committee meeting on December 15, 2010, on behalf of the League.

Thank you for the opportunity to address the committee with regard to the continuation and possible expansion of 4K programs for at-risk children in SC.

The League of Women Voters has long held positions that support education in general and specifically early childhood education. Through the League's studies we know education is the basis for democracy and the maintaining of productive lives for all citizens. Education benefits the public good. Everyone in the country and in our state gains from a better-educated people. Businesses gain from a better-educated workforce. We know also that education has an effect on our ability to adequately defend and protect our country. Our general position states: "Support of public state-supported education at all levels which is effective, equitable and accountable."

We empathize with the difficult decisions that face each of you in governing our state in these hard economic times. We certainly recognize that prioritizing the many needs of our state are before you. As you evaluate these priorities, we strongly encourage you to continue to keep funding for 4K high on this list. As the LWV sees it, education is not simply an expenditure; it is a long-term investment that prepares the next generation. Internationally, we see this investment being made every day in emerging world powers. We live in a knowledge-based, global society. The question looming before South Carolina officials and citizens is are we willing to make the necessary investments, financial and otherwise, that will give us a place in this society?

There is a critical need for all of us to look at the education of our children as our responsibility - we believe that we do not have failing schools, but a failing citizenry. The LWV will continue to share our positions, as we believe that we, as an organization, have a responsibility to keep our citizens informed, just as we believe that all of us have a responsibility to share in the education of our children.

To invest in our children and prepare them for further learning, preparation must begin at age zero and continue until they enter our public K-12 system. Education is not a service; it is an absolute necessity.

Child Welfare: Guardian ad Litem Program

I recently met with state Guardian ad Litem (GAL) staff in Columbia. As you are probably aware, the GAL program in South Carolina is a volunteer program that trains caring adults to be child advocates. These volunteers represent abused and neglected children in Family Court. South Carolina legislators mandated the use of volunteers in this capacity in 1984, and the program became one of the first to be state funded in the nation. S.C is one of only a very few states to be serving all the children entering into the Family Court system with a volunteer advocate. In November 2010 over 2100 volunteers attended 888 hearings to speak up for these vulnerable children. The program is seeking an additional 300 volunteers to join this effort. The free 30-hour training focuses on the skills needed for effective child advocacy, and explores a broad range of children's issues. Trainings are scheduled in many counties during January. If you or members of your local Leagues are interested in becoming a volunteer with this very important program, go to www.sccgal.org for more information. You may also call 1-800-277-0113. GAL staff members are also interested in meeting with local Leagues to share information. Please contact me at ritagpaul@hotmail.com if you are interested in having them present at an upcoming League board or member meeting.

LWVSC STATE BOARD NOMINEE RECOMMENDATION FORM

I nominate the following person for a position on the LWVSC Board of Directors or the LWVSC Nominating Committee: (self-nominations are welcome) Use additional paper or duplicate as needed.

POSTMARK DEADLINE: February 15, 2011

Name _____ League _____

Street Address _____ City/State _____ Zip _____

E-mail address _____ Home or cell phone _____ Business Phone _____

1. Please check (X) the qualities that this nominee possesses:
- | | | |
|--|---|---|
| <input type="checkbox"/> Flexibility, openness to change | <input type="checkbox"/> Enjoys challenges | <input type="checkbox"/> Interest in state and/or local League activities |
| <input type="checkbox"/> Critical thinking | <input type="checkbox"/> Visionary | <input type="checkbox"/> Commitment to League's financial health |
| <input type="checkbox"/> Strong people skills | <input type="checkbox"/> Active participation in development activities | <input type="checkbox"/> Experience in organizational budgeting |
| <input type="checkbox"/> Responsiveness | <input type="checkbox"/> Understanding of board-staff interactions | |
| <input type="checkbox"/> Good time management | <input type="checkbox"/> Effective communications (verbal, written) | |
| <input type="checkbox"/> Specialized skills (foreign languages, technology, etc. Please explain _____) | | |

2. Additional comments supporting this nomination, including the unique cultural perspective (geographic, age, gender, race, ethnicity) and/or exceptional leadership skills this nominee could bring to the LWVSC Board of Directors or Nominating Committee:

3. Summary of nominee's League, non-League and/or professional background (Optional: attach a brief biography, if available):

Nominated by:

Name _____ League _____

Address _____

E-mail _____ Phone _____

Signature _____

Return to: (Electronic submissions are encouraged.) Frances L. Elmore 4205 Byrnes Blvd Florence 29506 or e-mail: djmfle@aol.com



Website: www.lwvsc.org

Join the League today!

VOTE411 - Information Please - *How Did We Do?*

By JoAnne Day, LWVSC Vice President, Issues and Action; Karen Utter, LWV/Columbia Area Director

The League of Women Voters of South Carolina took part in the national League effort to launch a much improved VOTE411 website to provide a one-stop shop for voters looking information in this last election. Leagues in 27 states used VOTE411 in 2010. VOTE411 is unique in that it provides voters with any and all information needed to vote--from registration, to finding their polling place, to entering a home address and receiving a sample ballot with their legislative district's candidates, to locating information about those candidates.

The VOTE411 software is fully automated and enables mass candidate communication via email. The major challenge in launching a voter information website is getting candidates to respond. Obtaining good email addresses for candidates was another challenging and time consuming task. Follow-up emails and calls to encourage participation were also very time consuming.

So, How Did We Do?

First, let's look at some basic numbers for the South Carolina 2010 General Election. For this first effort at launching VOTE411, the state League focused on all federal and state constitutional and legislative offices, and also included amendments to the state Constitution. That resulted in a total of 224 candidates to be contacted. All 124 state House of Representative seats were up for election in 2010. Of the 124 House seats to be decided in this election, 75 (60%) were uncontested, and two of the state's constitutional offices were also uncontested (Treasurer and Adjutant General). Voter turnout for the 2010 General Election was 51.89%. Of the 49 contested state house races, only eight of these races had a ten point or less spread between the winning and losing candidates. So, the conclusion might be that we very few competitive elections for the SC Statehouse. The federal and constitutional office races were somewhat more competitive.

Intensive effort at contacting candidates

resulted in 58 candidates responding to the policy questions posed to them by LWVSC. In the initial contact of candidates approximately 50 of the initial 224 emails sent to candidates were verified, meaning they were opened. The other 174 emails were not opened, went to spam, bounced with mailbox full or bad email addresses. Phone calls were made to the candidates with unverified email to attempt to obtain good email address and invitations to participate were resent. After extensive effort to obtain good email addresses, approximately 100 candidates were verified as having opened the VOTE411 information. Ten candidates did not have emails or would not give an email address. Letters were sent to these candidates.

The 58 candidates who responded resulted in a 25% response rate. If we consider only contested races, the rate response rate improves to approximately 33%. By way of comparison, Delaware reported a response rate of 45-50%, and Maryland reported well over 75% response from candidates. There are probably many reasons for the low response rate in SC, but we can only speculate. One of the most obvious reasons is the lack of contested races. Candidates have little incentive to respond to questions if they have no competition or they have a weak challenger. There is also the fear factor for candidates that anything they say can be taken out of context and used against them. And as this was the first year we have used VOTE411, it is not a well known entity among either politicians or the public.

According to data from the national League from Google analytics, there were 13,238 visits from 124 cities to the voters' guide data related to South Carolina. These visitors reviewed 476,966 pages of information. These traffic numbers do not reflect the total number of visits and page views from all South Carolina visitors to VOTE411, only visits to the voters' guide information. It is difficult to know how to interpret this data, but it can certainly be used as a benchmark to gauge increase or decrease in traffic for VOTE411 for the

next election cycle. With 2,631,459 registered voters in South Carolina, there are lots of potential VOTE411 customers.

Where Do We Go From Here?

The League in SC will need to decide first of all whether to participate in VOTE411 for the 2012 general election. If we decide to do so there are opportunities and challenges that will need to be addressed by the state and local Leagues. In 2012 the primary as well as the general election will need to be covered. In a state like South Carolina that has numerous uncontested and non-competitive races, the primary election is in effectively the election in many districts. Also, coverage of local elections will increase the value of VOTE411. The down-ballot races frequently have less information available to the public. Starting early on election preparation will be one of the keys to success. Some suggestions are listed below.

- *Publicity and Partners* - Focus early in the election cycle on finding media partners and organizations willing to publicize VOTE411 on websites, newsletters, etc. In 2010 WISTV in the Midlands and WYFF in the Upstate put the VOTE411 logo on their websites. The more name recognition we have, the better the response from candidates.
- *Manpower-VOTE411 Standing committees*. State and local leagues will need a committee dedicated to these elections efforts: identifying races to be covered, developing question sets for candidates, gathering emails for candidates, contacting candidates, contacting media.
- *Candidate contact and contested races*. Contact candidates earlier in the election cycle with calls to candidates educating them on VOTE411 and alerting them that questions will be coming to them. When time is tight focus on contested races. The bulk of the effort with VOTE411 is candidate contact and response.



Fighting the Good Fight for Education Funding

By Holley Ulbrich, PhD, LWVSC Director, State and Local Taxation

While legislators are bracing to chop spending, we need to remind them that the revenue shortfall isn't just the economy – it's the damage done to our revenue system over the last 15 years and the failure to bring it up to speed for the 21st century. We're not talking about raising rates: We're talking about closing loopholes and eliminating exemptions. There are two important areas where we could improve state revenue and make the tax system fairer, and a third that could help cash-strapped local governments. All three of these ideas for generating more revenue are consistent with our state League positions on state and local taxation and education finance.

1 The first one is to pay close attention to the TRAC recommendations, especially those that call for broadening the base of the sales tax. The Tax Realignment Commission did some hard and thoughtful work and it deserves a fair hearing, especially the extension of the sales tax to some personal services and the elimination of the \$300 tax cap on cars, boats and airplanes. The state also needs to collaborate with other states in getting Congress to lift the ban on Internet taxation, which creates unfair competition for our in-state retailers. The sales tax is particularly important to education. The first four cents goes to the General Fund, a large chunk of which goes to funding the Education Finance Act and state grants for education. The fifth penny goes to the Education Improvement Act (EIA) fund, distributed to school districts on a per pupil basis. The sixth penny goes to the

Property Tax Relief Fund to reimburse school districts for the loss of property tax revenue from owner-occupied homes (Act 388). So sales taxes are very important in funding education. In 29 counties, the local option sales tax is an important source of city and county revenue. All of these uses of the sales tax would gain revenue from a broader tax base.

2 The second thing we can support is to look more closely at the income tax. The income tax yield as a percentage of state personal income is low compared to other states with similar tax rates. Over the years, special provisions have crept in for everything from an extra child credit to a credit for pre-marital counseling. There are now 53 credits available against your state income tax liability. Credits cost more than deductions, because a credit reduces your taxes dollar for dollar, while a deduction reduces your taxable income and saves you at most seven cents on the dollar. So urge your legislators to bring the income tax out into the sunshine and give it a good dose of fresh air and spring cleaning.

3 Finally, we need to protect the property tax base against erosion by converting 6% residential property (rental, second homes, nonresident, business owned, etc.) to 4% property. When property is converted, it not only costs all local governments money because of the lower assessment rate but also removes that property from the tax base for school operations. The state can help with stricter standards, evidence, and support in enforcement.

We have also been fighting to fix the problems in the index of taxing ability that came about with Act 388. While we would like to see Act 388 done away with entirely, **S. 310** offers the kind of repair we have been recommending: S. 310 would estimate the value of owner-occupied property as the equivalent of the capitalized value of the property tax relief provided under Act 388. Since owner-occupied residential property is no longer subject to taxes for school operations, leaving it in the index gives an inaccurate picture of a district's ability to raise funds locally for education.

We ask you to support **S. 206**, which was brought to our attention by the LWV/Hilton Head Island. This bill would tighten up on giving tax incentives for business development without adequate scrutiny or accountability. Tax incentives must be granted in separate bills as forgivable loans subject to fulfillment of commitments by the receiving firm and evaluation of such incentives by the Board of Economic Advisors and the Department of Commerce. We support this bill under our state and local taxation position that calls for greater oversight of business incentives.

Please urge your legislators to support these important revenue changes as a way to protect education and other vital state services from more draconian cuts.

Be sure to visit SC Legislature Online (www.scstatehouse.gov) to follow the progress of these or any other bills you are interested in. You can set up a tracking system that will automatically notify you of the progress of any bill you include on your list.

THE BASICS OF ADVOCATING WITH YOUR LEGISLATORS

2011 Regional Advocacy Workshops • Sponsored by LWVSC, S.C. School Improvement Council & AAUW SC

- Midlands--Saturday, Jan. 22, 9 a.m. to 12:15 p.m. Heyward Career and Technology Ctr., Teleconference Ctr., 3560 Lynhaven Dr., Columbia (Registration deadline: Jan. 14)
- Upstate--Saturday, Jan. 29, 9 a.m. to 12:15 p.m. Mauldin HS Auditorium, 701 E. Butler Rd., Mauldin (Registration deadline: Jan. 21)

Through this training you'll learn about South Carolina's legislative process, how bills become laws, ways to effectively advocate with your elected officials, and hear from some South Carolina legislators. Participation will be limited to the first 200 advance registrations. For additional information, contact SC-SIC at 1-800-868-2232.

Registration Fee: \$10.00

- * **Make checks payable to SC-SIC**
- * **Mail to:** SC-SIC, USC College of Education, 820 Main St., Suite 001, Columbia, SC 29208

Indicate the workshop you want to attend (1/22 or 1/29) & that you are a LWV member.

Judicial Independence and Diversity: *Why Does It Matter?*

By Barbara Zia, PhD, LWVSC President, and Constance Anastopoulo, Assistant Professor of Law, Charleston School of Law; VP, LWV/Charleston Area

Published as an invited guest column by *The Nerve*, SC Policy Council's online journal (www.thenerve.org)

The American Bar Association's *Presidential Diversity Commission Report* observed recently how "lack of diversity can malign the legitimacy of not only lawyers, but the law itself." According to the Brennan Center's 2010 *Improving Judicial Diversity* report, most judiciaries do not reflect their states' diversity. South Carolina is no exception: As of June 2010, 56 out of 186 judges were women, and women represented only 6 out of 46 judges at the Circuit Court level; South Carolina had only 17 African-American and no Latino or Asian state judges. Such imbalance in the composition of the judiciary, as well as any actual or perceived lack of independence, may erode public confidence that judges will treat them fairly and impartially, and undermine the legitimacy of the courts in the community. As stated in a recent S.C. Supreme Court decision in *Segars-Andrews v. Judicial Merit Selection Commission, et al.*, judicial independence is "the elephant in the room."

This fall the League of Women Voters of South Carolina (LWVSC) launched a statewide initiative to educate citizens about the importance of a fair and impartial judiciary and determine the changes that are needed in the judicial selection process in South Carolina in order to ensure independence and increase diversity on the state's courts.

The League in South Carolina has a longstanding concern over exclusive legislative control in the selection of our state's judges. This concern culminated in 2010 in the LWVSC filing an Amicus Curiae Brief in the case of *Segars-*

Andrews v. Judicial Merit Selection, et al.

The purpose of the Brief was not to advocate for any particular judge, but rather to address constitutional concerns about the judicial selection process in South Carolina and the perceived lack of a check and balance on the legislature's power in the implementation of the selection process. South Carolina and Virginia are the only states that utilize a judicial selection system in which the legislature serves as both the qualifying commission and the selecting entity.

The LWVSC does not advocate for a system of popular election of judges. Rather, we are attempting through community education forums and discussions with state and national judicial experts to determine and recommend changes to the judicial selection process.

We take pride in the high quality of South Carolina's courts, including our judges and merit selection system. At the same time, it is our belief that demographic imbalance in the composition of the judiciary, as well as any actual or perceived lack of independence, may erode citizens' confidence that judges will treat them fairly and impartially, and undermine the legitimacy of the courts in the community.

South Carolina's merit selection system utilizes a qualifying commission. The Judicial Merit Selection Commission [JMSC] was created in 1997 due to concerns about the influence of legislators over judicial selection and questions about the level of judicial independence. South Carolina voters approved an amendment to the state constitution that created this separate body to exercise a portion of the power of selecting judges and justices. The Commission's purpose is to consider the

qualifications and fitness of candidates for South Carolina courts. Ten members, all appointed by the legislature, comprise the JMSC. By statute, six of the commissioners must be sitting state legislators. The mission of the JMSC is to screen candidates for judicial office and report the findings to the General Assembly. The Senate and House of Representatives are charged with electing justices to the Supreme Court and judges to the Court of Appeals, Administrative Law Court, Circuit Court and Family Court.

In the months ahead the South Carolina state and eleven local Leagues, in partnership with a diverse coalition of community groups, will focus on informing citizens about our state courts' importance in their lives, and on ensuring independence and diversity at all levels of the state judiciary.

Results of our work thus far concur with the Brennan Center's findings regarding factors that impede independence and diversity on the bench. In South Carolina these include: lack of provisions that prohibit discrimination in the nominating process; lack of diversity on the nominating commission; judicial compensation that lags far behind comparable private sector salaries; a lengthy, convoluted judicial selection process that can put off strong female and minority candidates; and inadequate outreach to attract the best candidates.

The League believes that who sits on the bench in our state's courtrooms and the process for selecting that person is of critical importance for ensuring the legitimacy of our system of justice in the eyes of an increasingly diverse public.

SPIRIT OF DEMOCRACY AWARD NOMINATIONS

Nominations are being accepted for the 2011 Spirit of Democracy award that will be presented at the LWVSC Convention on May 14-15. This biennial award has been bestowed at Conventions since 2007. In 2009 we had two recipients: League environmental leader Mary Kelly and education advocate Steve Morrison.

The Spirit of Democracy award honors individuals who have made significant contributions to the active and informed participation of citizens in their government, and who demonstrate a commitment to democracy and democratic processes in South Carolina.

Award nominees may include non-League members. Any League member is welcome to submit a nomination. Please include a brief explanation of why this person deserves the Spirit of Democracy award. The LWVSC Executive Committee will decide whom to honor, based on nominations received. Send your nominations to Barbara Zia (ziab1@comcast.net, email; or 2028 Azimuth Ct., Mt. Pleasant, SC 29466, postal mail). Postmark deadline for nominations is March 5.



Redrawing South Carolina's District Lines

By Sarah Leverette and Suzanne Rhodes, LWVSC Redistricting Co-Directors

The League of Women Voters has been dedicated to increasing the national response rate in the 2010 Census over previous Census response rates. Leagues in South Carolina and other state leaders worked hard to achieve the same goal here. Thanks are owed to Senator Hugh Leatherman for coordination with the SC Budget and Control Board Office of Research and Statistics to obtain funds for additional Census training and outreach. In South Carolina, an increased Census response rate of approximately 8% over year 2000, along with population growth, will enable a larger distribution of federal funds in the next decade for economic development, education, health care and housing.

According to Census data released in December, eight southeastern and western

states will gain at least one congressional seat as a result of their population growth since 2000. In South Carolina a new 7th South Carolina congressional district will be established. Rep. Jim Clyburn, whose district was substantially affected by the Census and population growth, told a McClatchy newspaper reporter, "Since the population gains are most prevalent on the coast, and the General Assembly is heavily Republican, I fully expect the additional seat to be a coastal district that leans Republican".

Redistricting involves redrawing district lines to achieve "one person, one vote" districts. The South Carolina House and Senate will start drafting redistricting plans in judiciary subcommittees, then move to full committees, compare and

develop a benchmark plan, and work until there is a plan that goes to Governor Nikki Haley for approval.

On the local level, municipal officials will receive their counts in March 2011. Officials in municipalities with single-member districts or a combination of single-member and at-large districts will need to decide if they will undertake a redistricting process. Federal law does not mandate redistricting.

Because of the state's long history involving racial politics, the U.S. Justice Department must also clear any changes to the map pursuant to the Voting Rights Act of 1965. For more information please visit <http://lwwsc.org/Redistricting.html>.

LWVSC Conservation Lobby Day, March 22

By Brusi Alexander, LWVSC Co-Director, Natural Resources

In 2010-2011 the LWVSC is again partnering with other South Carolina nonprofit organizations in the Conservation Common Agenda Coalition. As part of the Common Agenda process, we participate in setting the coalition's legislative priorities each fall (see below*) and host an official Lobby Day with our members at the Statehouse during the legislative session.

We invite you to join LWV members at the Statehouse on March 22 to share with legislators why you feel it's important to protect South Carolina's clean land, air,

energy and water.

Volunteers are NOT expected to be experts on all these issues. We will review the top legislative issues with you beforehand, and conservation lobbyists are available to answer any questions you may have. The main purpose of the day is to build better relationships with legislators. As a participant you are expected to engage in more "small talk" and polite conversation about why a clean environment is important to you, rather than give your legislators detailed explanations about a bill. Business attire is suggested.

We will meet at the Nickelodeon Theatre in Columbia at 11 a.m. Lobby teams typically last until 3:00 p.m. The Nickelodeon Theatre is located at 937 Main St., on the corner of S. Main and Pendleton streets behind the Statehouse. (Parking is available on the street at green or blue meters, or in the parking garage on Lady and Assembly streets.) Please RSVP to Brusi Alexander at crickeetwm@aol.com (email) or 803-251-2726 (phone) if you can attend.

* 2011 CONSERVATION COMMON AGENDA PRIORITIES

- Recycling package (creation of Solid Waste Trust Fund, ABC recycling mandate)
- Conservation Bank (protect funding, extend Sunset provision, eliminate death clause)
- Clean Energy Standard (require SC to meet defined targets for renewables and energy efficiency)
- Natural Resource Agency Funding (support these agencies in their budget requests)
- Chronic Sewage Polluter Bill (require facilities with repeated spills to fix their operations)



South Carolina's Voting Machines: A Post-Election Status Report

By Eleanor Hare, PhD, LWVSC Director; Duncan Buell, PhD, LWVSC Election Technology Specialist

"Recounting" Ballots

When citizens vote using South Carolina's iVotronic voting machines, any "recount" of the ballots is an illusion. Only paper absentee ballots are available for a recount, but even these are scanned a second time instead of examining them by hand. Since optical scanners do not always correctly interpret the intent of the voter, best practice requires that there be a recount of paper ballots by hand examination.

In the case of votes cast on the voting machines, the ballot seen by the voter no longer exists, so a recount of the original ballots is not possible. The "recount" is performed by finding the sum of the totals from the precincts a second time.

How Colleton County Ballot Boxes Got "Stuffed"

In the November 2010 election Colleton County reported 13,045 votes for statewide offices, even though only 11,656 ballots were cast.ⁱ The discrepancy came to light only after the State Election Commission (SEC) certified the results. The Charleston *Post and Courier* reported that the ballots of 1389 voters were counted twice. The Colleton County elections director has assured the public that "the problem was a minor one" and "did not affect the results of the elections."

The possibility of double counting of precincts is a known problem. When Barbara Zia, Duncan Buell and Eleanor Hare met with Marci Andino, SEC Executive Director, she explained that recounts of the vote were accomplished by summing the totals from the precincts a second time.ⁱⁱ When asked if the totals were always the same, she replied that they were not. When asked why, she responded that sometimes a precinct was left out or counted twice.

Lancaster County Problems

Lancaster County replied to a Freedom of Information Act (FOIA) request that the usual digital files resulting from an election do not in fact exist for the November 2010 election. Totaling of votes in the election was done manually. Apparently there was a discrepancy between the "database" at county

headquarters and the "databases" in the individual machines and their controlling PEB devices. Due to the discrepancy, the automatic aggregation of votes from individual machines was not possible.

Incorrect Information at State Election Commission

On September 22, 2010, Duncan Buell presented the findings of the Ohio EVEREST (Evaluation and Validation of Election-Related Equipment, Standards & Testing) study to the SEC. A reporter's transcript of this meeting shows SEC Chairman John Hudgens stating (and Director Andino confirming) that the EVEREST study was conducted on an older version of the software. However, a FOIA response to Duncan Buell's request for version numbers indicates otherwise.

South Carolina is running exactly the same system tested in the EVEREST report; the software modules in EVEREST are line by line identical in version number to what South Carolina currently uses. The EVEREST experts declared that system to be irredeemable by mere policy and procedure. South Carolina relies entirely on its policy and procedure manual, a document that is not subject to FOIA requests.

Election Audit Logs Reveal Vulnerabilities of Voting Machines

Other problems with our elections are being disclosed. Frank Heindel, a Mount Pleasant voter, made several FOIA requests, which he shared with the LWVSC. These audit logsⁱⁱⁱ indicate extensive problems, including failure of some voting machines to be operational on Election Day.

Voting Machine Expenses Continue to Mount

Although South Carolina voting machines have already been purchased, fees must be paid annually to the manufacturer in order to continue to use the machines. These fees, including firmware licenses and break/fix contracts exceeded \$ 800,000 last year. Also, it has been necessary to replace the batteries in the 12,000 voting machines. Battery costs for counties vary, but SC State Elections

Commission paid \$69.95 each for their replacement batteries. These costs do not include the many other services, capital equipment (such as electronic poll books) and supplies required to hold elections. All equipment, including batteries, must be purchased from the manufacturer.

Our voting machines are reported to be nearing the end of their life cycle. Along with other states, South Carolina will probably soon be considering how to replace the current machines. A recent study commissioned by the state of Maryland^{iv} has found that optical-scan paper-ballot systems are less expensive to use than electronic touch-screen (DRE) systems^v, which are used in South Carolina. As in South Carolina, the Maryland machines are approaching the end of their useful life span. Using these systems becomes increasingly risky as the machines age and additional maintenance costs are to be expected. This study finds that "Maryland would save as much as \$9.5 million over eight years by switching to an optical-scan voting machine." A study in Florida^{vi} also found that optical scan systems are less expensive to operate than DRE systems.

i "County Vote Totals Topped Ballots Cast,"

<http://www.postandcourier.com/news/2010/dec/19/county-vote-totals-topped-ballots-cast/>

ii "SC Voting Machines: LWVSC Interviews Election Officials", SC *VOTER*, Fall 2008, http://lwwsc.org/files/lwwsc2008_4fall.pdf

iii <http://www.scvotinginfo.com/>

iv Maryland Voting Systems Study, December 2, 2010, <http://mlis.state.md.us/2010rs/misc/2010VotingSystemsStudyReport.pdf>

v "Report: Scanners Cost Less Than Touch-screen Machines," http://www.gazette.net/stories/12242010/polinew172811_32537.php

vi "Cost Savings for the Taxpayer," Colin Lynch, May 2, 2006, <http://www.cs.pitt.edu/~collin>



Member Consensus Questions: *LWVSC Study on School Governance*

By Holley Ulbrich, LWVSC Study Chair

It can happen to you. It has happened to Pickens, to Sumter, to Fairfield. It has failed to happen in Dillon County for decades, despite citizen requests and an advisory referendum. *What is "it?" Local legislation.* Legislators representing some part of a county make decisions for the school district about the composition of the board, consolidation or redistricting, and fiscal autonomy. Local legislation (legislation affecting only one or two local government entities) is supposedly unconstitutional, but it happens all the time in the case of school districts. The argument that legislators make is that they provide a lot of the funding so they should exercise control. That may be true about fiscal home rule, but there is some question about whether it should apply to **structural** home rule. Citizens got to make those structural choices (size and composition of the governing bodies) for cities and counties. Why not schools?

When the one person, one vote decision by the U.S. Supreme Court forced South Carolina to draw legislative districts that crossed county lines in the 1970s, that appeared to end the role of county legislative delegations (Senator and Representatives from a particular county) in managing local affairs. Counties no longer had distinctive delegations. A senator might represent part of a county, or parts of two or three counties. Representatives had districts that crossed county lines. So when these legislators voted on local legislation, they would be often voting on legislation affecting counties (or school districts) that they didn't even live in. Someone representing five percent of a county had the same say as someone

representing 80 percent.

A constitutional revision provided for referenda in both counties and municipalities to choose among several alternative forms of government. Citizens got to decide between managers, administrators and supervisors, how many council members, single-member or at-large or some of each. Newly created county councils would get to draw up their own budgets and set their own mill rates instead of having them passed as a supply bill in the General Assembly. And then, except for some powers of appointment, legislative delegations gave up their role in managing local governments. Except for school districts.

School districts in each of the 46 counties are each governed by their own legislation, passed by the General Assembly with only legislators from that county casting votes. The legislative delegation still gets to decide about the size and makeup of school boards. They have the power to consolidate, split, or redraw district lines. And in many cases, they also get to approve of the mill rate.

In some counties, including many of the 29 single-district counties, this works okay. In others, not so much. There have been problems in recent years in Sumter, Pickens, Dillon and Fairfield Counties related to the use of this power of the legislative delegation. In Sumter it was consolidation of the two districts. In Dillon, it's the fact that the county board of education and the three district boards are all appointed, not elected. In Pickens, the legislative delegation stripped the three at-large members from the school board, reducing it

from nine to six members. In Fairfield, additional members were added to the school board and a separate finance committee appointed by the legislative delegation.

What the League has tackled is a small part of the larger picture. We would like to develop a position on who should choose the size and composition of the school board and the method of selection, and who decides whether to split, consolidate, or realign school districts. Size and composition includes the issue of at-large or designated areas seats or some of each, and method of selection includes partisan/nonpartisan and/or elected/appointed (thus covering the situations in Dillon and Fairfield a few other places, where some or all board members are appointed). Included among those options is a decision to keep things the way they are, with the legislative delegation. Limiting the question in this way leaves a lot of other questions that we might address in the next two years, like fiscal autonomy (school boards controlling their own budgets) and who should intervene when there are problems in a school district. Or how to encourage sharing of services and resources across districts.

There are just three questions right now about governance. The first two ask who should decide. Right now the answer to both of these questions is the legislative delegation with the normal unanimous consent of their fellow members of the General Assembly. The third question asks about uniformity.

CONSENSUS REPORT ON SCHOOL GOVERNANCE

Please fill out this form and return it to Holley Ulbrich. You may email to holleyu@nctv.com or postal mail to 106 Highland Drive, Clemson, SC 29631. Postmark deadline is March 1, 2011. *Thank you very much for participating in this member consensus!*

Person(s) responding _____ Local League _____

Question #1.

Who should have the authority to make changes in the composition of the school board?

- voters of the district (referendum)
- county board of education if there is one
- county council
- legislative delegation and the General Assembly
- some other entity (_____)
- some combination of the above (specify)

Comments:

Question #2.

Who should have the authority to make changes in school districts by consolidation, splitting, or redistricting?

- voters of the district (referendum)
- county board of education if there is one
- county council
- legislative delegation and the General Assembly
- some other entity (_____)
- some combination of the above (specify)

Comments:

Question #3.

Should all school districts be subject to the same rules on the authority to make such changes, or should it be decided on a county-by-county basis?

- Same rules for all
- Different rules for different counties
- Same rules for single district counties; may have different
- rules for multi-district counties
- Other

Comments:

IMPORTANT LEAGUE DATES:

January 2011

- 11th** Tuesday, *First regular session of the 119th South Carolina General Assembly convenes.* Statehouse, Columbia
- 12th** Wednesday, *95th South Carolina Inaugural Ceremony (for governor and other constitutional officers),* Statehouse steps, Columbia
- 13th** Thursday, 10 a.m., "*Conversations with Conservationists*" Senate Briefing, Gressette 105, Statehouse grounds
- 17th** Monday, *Martin Luther King, Jr., Day*
- 22nd** Saturday, 9 a.m.-12:15 p.m., *Regional Advocacy Workshop,* Heyward Career and Technology Center, Teleconference Center 3560 Lynhave Dr., Columbia
- 25th** Tuesday, 10 a.m., "*Conversations with Conservationists*" House Briefing, Blatt 108, Statehouse grounds
- 22nd** Saturday, 12:30 p.m.-4:30 p.m., *LWVSC Board Meeting,* 1600 St. Julian Place, Columbia*
- 29th** Saturday, 9 a.m.-12:15 p.m., *Regional Advocacy Workshop,* Mauldin HS Auditorium, 701 E. Butler Rd., Mauldin
- 31st** Monday, *LWVUS Membership Count deadline*

February 2011

Black History Month & Youth Voter Month

- 14th** Monday, *91st Anniversary of LWV's founding*
- 21st** Monday, *Presidents Day*

February continued....

- 23rd** Wednesday, 9 a.m.-3:15 p.m., *LWVSC Legislative Advocacy Workshop: Coming Together for South Carolina's Future – Our Children.* Epworth Children's Home, 2900 Millwood Ave., Columbia. Co-sponsored with AAUW SC, United Methodist Women, & SC School Improvement Council.

March 2011

Women's History Month

- 1st** Tuesday, *LWVSC Program Planning Responses due from Local Leagues*
- 8th** Tuesday, *International Women's Day*
- 12th** Saturday, 10 a.m.-3 p.m., *LWVSC Board Meeting,* 1600 St. Julian Place, Columbia*
- 13th-19th** *Sunshine Week,* a national initiative to foster dialogue about the importance of open government and freedom of information
- 15th** Tuesday, *Filing opens for SC party primary candidates*
- 22nd** Tuesday, 11 a.m.-3 p.m., *LWVSC Conservation Lobby Day,* Statehouse, Columbia
- 30th** Tuesday, *SC party primary candidate filing closes*

April 2011

- 7th** *World Health Day*
- 10th-16th** *National Volunteer Week*
- 22nd** Friday, *Earth Day*



LEAGUE OF
WOMEN VOTERS®
www.lwv.org

* All members of the League of Women Voters of South Carolina are welcome to attend LWVSC board meetings.

LWVSC 2011 BIENNIAL CONVENTION: *Staying True To Our Mission Make Your Plans To Attend Now!*

- WHEN:** Saturday and Sunday, May 14-15
- WHERE:** Quality Inn, 2390 Broad St., Sumter, South Carolina
- WHAT:** Be part of grassroots democracy and help frame the League's future in South Carolina. There'll be excitement galore: setting issue and action priorities, receiving reports from League leaders and study committees, electing a new state board, membership growth awards for local Leagues, guest speakers, workshops, panel discussions.
- WHO:** All LWVSC Members

Join our Convention host, LWV of Sumter County, and League members from across the state for a fun, action-packed spring weekend in beautiful Sumter.

Details will be sent to local League presidents in February and in the Spring SC VOTER.

Website: www.lwvsc.org

Join the League today!



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LWV SC Voter

Post Office Box 8453
Columbia, SC 29202

The SC Voter

Winter 2011
Volume 62 Issue 3

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.

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Editor: Laurel Suggs

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The League Storybank

By *Janie Shipley, LWVSC VP Member Services*

The art of storytelling has been a part of almost every culture throughout history. Corporations and organizations are recognizing the value of storytelling as a powerful marketing tool. The [Membership Recruitment Initiative](#) is encouraging South Carolina League members to tell their personal story about League membership. This can easily be done by accessing the League website at www.lwv.org/Storybank. Below is an account of Dianne Haselton's introduction to the League and later experiences which were influenced by the League. Go to the LWVUS website to see other stories from Paula Appling - Clemson, Linda Bilanchone - Spartanburg, Mary Lynn Conway - Spartanburg, Lilla Hoefer - Columbia, Shayna Howell - Charleston, Karen Mitchell - Spartanburg, Alicia Wilson - Spartanburg.



Dianne Haselton
LWV of the Clemson Area, SC

When we moved to Clemson, SC, I learned of the new Provisional League and joined in 1969. In the early days, a League had to go through a "provisional" period, during which they studied the positions, researched and produced a Know Your County, and more. Since then, League has played a big part in my life and the development of my life!

When we gained full League status in 1970, members asked me to serve as president, for which I did NOT feel qualified. But, they must have seen talent in me that I did not realize, so I agreed. I

served for two terms, or four years. This was really eye-opening. I met so many state and local elected officials, stopped shaking while speaking in public, and even forced myself to visit the president of our university and ask for a donation for League. Because of League experience, I felt confident enough to run for public office and served 12 years on the Clemson City Council. Over the years, I have served as Voter editor, treasurer, and again as president. Currently, I am in my 7th year as treasurer of the LWV of South Carolina.

When I joined League, I had two young

children, two years of college and was the typical southern wife, mother, churchgoer. League welcomed me with open arms. We learned so much at our meetings about an array of topics. Quite an education! We helped each other, took turns baby-sitting, and friendships developed that are still in place 43 years later. When my husband left in 1980, it was League members who gave support, when I had to go back to work it was a League member who helped me. Not only are these League women intelligent and knowledgeable, they are caring and concerned friends!