



SC Voter

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Website: www.lwvsc.org

Volume 62, Issue 4

Spring 2013

THE LEAGUE OF WOMEN VOTERS OF SOUTH CAROLINA

Invites You To

OUR 31ST BIENNIAL CONVENTION



Honoring Our Past as We Grow the League's Future

April 27 - 28, 2013

HAMPTON INN & SUITES

Greenville-Spartanburg

108 Spartangreen Blvd, Duncan

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

- Convention details (including final agenda, Proposed Program for Study and Action, and Nominating and Budget Committee Reports) will be posted at <http://lwvsc.org/convention2013.html>; or call 803.251.2726 to request postal mailing.
- Until April 3, double rooms at Hampton Inn are available at special convention rate of \$92+tax. After April 3, rates revert to regular rate.
- To book: Call 864-486-8100 & ask for League of Women Voters; OR book online at www.spartangreensuites.hampton.com with the code "ZIA."
- Rooms can also be booked online at www.hotels.com and www.priceline.com.
- Convention Coordinator: Susan Richards, LWVSC Community Relations Vice-President
Phone: 843.769.6159
Email: susan@srconcepts.org

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Website: www.lwvsc.org

Join the League today!





Barbara Zia
Co-President, LWVSC

I was honored to represent the LWVSC at the rally to support the Voting Rights Act at the U.S. Supreme Court.

Voting rights advocates from across the nation gathered in front of the steps of the U.S. Supreme Court as justices heard oral argument in the case of *Shelby County v. Holder*. Shelby County, a tiny, affluent, largely White suburb of Birmingham, AL, had gerrymandered election districts so as to make it difficult for minorities to win council seats. In April 2011 Shelby County filed suit in federal court in Washington, D.C., seeking to have key provisions of the Voting Rights Act of 1965 declared unconstitutional. Shelby County claims that Congress did not have the constitutional authority when it reauthorized Section 5 of the VRA in 2006.

As most of you know, the VRA is a



Voting rights advocates came from across the U.S. for the rally.

Co-President's Perspectives:

Protect the Voting Rights Act

February 27, 2013, was a day to remember.

landmark law that outlaws discriminatory voting practices that have been responsible for the widespread disenfranchisement of racial and ethnic minorities in the U.S. Congress has very strong constitutional authority under the 14th and 15th Amendments to protect voting rights, and the Supreme Court has consistently upheld challenges to the VRA.

In September 2011 in the Shelby County case, the U.S. District Court for the District of Columbia upheld the constitutionality of Sec. 5, holding that Congress acted appropriately in 2006 when it reauthorized the statute. In May 2012, the U.S. Court of Appeals for the District of Columbia Circuit affirmed the district court ruling. The court summarized its decision as follows:

Congress drew reasonable conclusions from the extensive evidence it gathered and acted pursuant to the Fourteenth and Fifteenth Amendments, which entrust Congress with ensuring that the right to vote--surely among the most important guarantees of political liberty in the Constitution--is not abridged on account of race. In this context, we owe much deference to the considered judgment of the People's elected representatives.

At stake in *Shelby County v. Holder* are provisions at the heart of the VRA: Section 5, that requires some voting jurisdictions with a history of racial discrimination in voting (including Shelby County and the state of South Carolina) to get preclearance from the federal government before voting procedures



Civil Rights icon Rep. John Lewis shared his story of marching over the bridge into Selma, Alabama in 1965.

can be changed in the jurisdiction; and Section 4, which sets the coverage formula. Lawyers on both sides presented their cases before the Court for one hour, beginning at 10 am. Urging the Court to strike down those provisions was Bert W. Rein of the Washington, D.C., lawfirm of Wiley Rein LLP. Defending the law were the U.S. Solicitor General, Donald B. Verrilli, Jr., and Debo P. Adebile, an attorney with the NAACP Legal Defense Fund, representing individual voters and other private defenders of the law.

LWVSC and LWVUS submitted amicus briefs to the Court in support of the VRA. LWVSC's brief was drafted pro bono by Sullivan & Cromwell, the NYC law firm that represented us in *South Carolina v. Holder*. Our brief used South Carolina's legislative and litigation experience with photo ID to show the continuing importance of Sec. 5 in ensuring election integrity and protecting the rights of voters (<http://lwvsc.org/votesc.html>).

CO-PRESIDENT'S PERSPECTIVE

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CO-PRESIDENT'S PERSPECTIVE

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A large rally to support the Voting Rights Act was held in front of the U.S. Supreme Court on Feb. 27 as Justices heard oral argument in *Shelby County v. Holder*. Barbara Zia speaks the crowd on behalf of LWVSC. LWVUS President Elisabeth MacNamara who also spoke stands behind her.

Here's what the day was like

While the Justices were hearing oral argument, just across the street from the Court towers the U.S. Capitol, where the President and Congressional leaders gathered that morning to unveil a statue of Rosa Parks, a woman whose refusal to give up her seat on a Montgomery bus



On Feb. 26, LWV and voting rights partners rallied in the Statehouse to support the Voting Rights Act. Peggy Brown addressed a crowd gathered in the Rotunda.

in 1955 is widely credited with sparking the modern Civil Rights Movement. That irony wasn't lost on everyone who rallied to support the VRA. Represented at the rally were 62 organizations, many of them long-time voting rights partners of the LWVSC in our state, including NAACP (Dr. Lonnie Randolph, NAACP SC President was there), ACLU, National Association of Social Workers, Brennan Center for Justice, Lawyers Committee for Civil Rights under Law, and Leadership Conference on Civil and Human Rights.

Feb. 27 dawned cold and cloudy in Washington, DC, but the sun shone around 9 am and by 10:00 we were shedding our coats. The rally took place in front of the Supreme Court from 8:30-1 pm. It is hard to estimate rally attendance, though it had to be in the upper hundreds. The crowd built as the morning wore on as busloads of supporters from across the nation arrived. Media were everywhere. Long lines of people waited for a chance to sit in the Supreme Court gallery for a few minutes to observe the hearing. Attorneys admitted to practice before the Court were able to attend the hearing; those numbers were so great that lawyers also filled the gallery where they watched on video.

LWVUS President Elisabeth MacNamara, an attorney, observed the hearing from the gallery. An attorney with extensive Supreme Court experience shared that he hadn't seen such large turnout since the *Citizens United* case.

LWV was well represented at the rally as well as in the planning for this enormous undertaking. LWVUS staff and League volunteers from the DC area arrived at dawn to help prepare and stood with signs behind the speaker platform throughout the rally.

A press conference for members of Congress launched the program at 8:30. This was followed by remarks from elected officials and representatives of dozens of organizations that support the VRA. A dramatic moment was the arrival of participants in the 2013 Freedom

Rides for Voting Rights bus caravan; they marched down the sidewalk with banners, singing songs from the Civil Rights movement. After the rally the caravan departed for a trip that culminated on March 8 with a rally at the Alabama State Capitol, after several stops along the route, including Greenville.

Elisabeth MacNamara and I delivered remarks on behalf of the League calling on the Court to uphold the VRA. You can read our comments at <http://www.lwv.org/content/protect-voting-rights-act-rally>. Elisabeth's blog posting gives her take on what it was like during the hearing and rally (<http://www.lwv.org/blog/vra-arguments-inside-supreme-court>). Photos from the rally are at <https://www.facebook.com/pages/League-of-Women-Voters-of-South-Carolina/251544131543145>.



Voting rights advocates came from across the U.S. for the rally.

Where do we go from here?

A decision in *Shelby County v. Holder* is expected this summer. Voting rights attorneys and partners who were in the Court during the hearing caution that initial media reports that the Justices will overturn Section 5 are overblown. It's not possible to predict the outcome. It was clear from the questions asked that the Justices were informed and highly engaged. The Justices acknowledged universally that voting discrimination still exists, though progress has been made.

That being said, the Court is split as to who has the power to decide when discrimination no longer exists: Congress, the Courts or Shelby County? At one end

CO-PRESIDENT'S PERSPECTIVE

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CO-PRESIDENT'S PERSPECTIVE

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of the Court's ideological continuum, we have Justice Scalia's position about "perpetuation of racial entitlement" and his view that Congress shouldn't decide. At the other end, Justice Sotomayor was wrestling with the question of who gets to decide these matters. Justice Kennedy, often the "swing vote" on the court, doesn't appear to have pre-judged the case. He seems to be struggling with the

question of whether Shelby County has standing in this case to overturn Sec. 5, given the history of discrimination in their election process.

The Justices asked tough questions, but attorneys on our side gave strong responses. Clearly, discrimination is real and affects real voters. In overwhelmingly reauthorizing the VRA In 2006, Congress recognized that Section 5 addresses real problems.

We in South Carolina understand the importance of Section 5 and how it worked to protect our state's voters on the issue of

photo ID. We believe that the court will decide in our favor. The Constitution and the facts are all on our side.

For more information about the Shelby County case and its importance, please visit: <http://protectthevra.org/> and <http://www.scotusblog.com/category/special-features/the-court-and-the-voting-rights-act/>.

Barbara

BIENNIAL CONVENTION:

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- Convention Coordinator: Susan Richards, LWVSC Community Relations Vice-President
Phone: 843.769.6159
Email: susan@srconcepts.org

We cordially invite you to join us at the LWVSC's Biennial Convention on Saturday and Sunday, April 27-28, 2013, in Spartanburg County (Duncan), SC. After all of our terrific efforts to engage citizens in the 2012 elections, we now focus on advocating for our issues and helping our League and democracy thrive in South Carolina.

Our host, LWV of Spartanburg County, is planning an exciting time for us in

Revolutionary Spartanburg County.

Come early or stay late to take in all that the Spartanburg area offers – art, history, culture, scenic beauty, outdoor activities and, above all, its warm, hospitable people.

LWVSC Convention is an excellent time to share the exhilaration of League leadership with your peers from across the state. It's also a chance to participate in grassroots democracy in the governance of the League. Since our founding in 1920 the League has stood for increasing the active and informed participation of citizens in their government. Exercise your democratic right as a League member by shaping the organization's future in South Carolina. There will also be ample time for networking, learning and fun!

What makes any League Convention really great are the participants: from delegates to board members, visitors and presenters.

All LWV members from South Carolina are welcome to attend. Local Leagues may send voting delegates according to their membership size and an unlimited number of members to participate as observers. Emerging and experienced League leaders would all benefit from the training and networking opportunities that Convention offers.

Along with the LWVSC Board of Directors and LWV of Spartanburg County we look forward to welcoming you to Convention 2013.

Venue and Accommodations

Daytime convention activities will be held at the **Hampton Inn & Suites, Greenville-Spartanburg, 108 Spartangreen Blvd., Duncan.** Our Convention hotel is conveniently located 15 minutes from Spartanburg, just off I-85. Enjoy complementary parking, hot breakfast bar, in-room wireless Internet access, heated pool, fitness facility.



To make hotel reservations directly:

1. Call Hampton at 864-486-8100 and ask for the League of Women Voters with the date.
2. Book online at https://secure3.hilton.com/en_US/hp/reservation/book.htm?execution=e2s1. Enter the code "ZIA." Through April 3, the special LWV rate is \$92.00, plus tax, for single/double rooms.

Rooms can also be booked online at www.hotels.com and www.priceline.com.

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Lunches at Hampton Inn will be catered by DeMetre's, an outstanding Duncan restaurant and caterer.

The Convention Banquet will be held on Saturday evening, at 7:00, at DeMetre's Gourmet Grille, 1384 E. Main St., Duncan (Located near Hampton Inn; hotel shuttle bus and carpooling will be available). There will be a pre-banquet reception from 6-7 pm on the Hampton Inn Patio.

Convention Highlights

We will be offering dynamic presentations and workshops. Here is a sampling:

- **The Three Legged Stool--Engaging Members & Developing League Leaders:** This workshop on sustaining the League for the future will be led by Kelly McFarland Stratman, LWVUS Field Support Dir., and Janie Shipley, LWVSC Membership VP.
- **Issues to Action:** JoAnne Day, Issues & Action VP, will lead an update with LWVSC policy specialists on League study and action priorities.
- **Achieving Access to Health Care for All in South Carolina:** LWVSC Health Care Director Marty Hucks will facilitate a discussion with Dr. Paul DeMarco, Coordinator for Advancing Rural Communities Health Program at Francis Marion University, and Sue Berkowitz, Director, SC Appleseed Legal Justice Center.
- **Growing Sustainable Communities:** LWVSC VP Susan Richards will explore Upcountry innovations with panelists Dean Hbyl, Exec. Dir., Ten at the Top, Nancy Fitzer, Education Dir., Upstate Forever, and S.C. Rep. Harold Mitchell (Dist. 31, Spartanburg Cty.--invited).
- **Campaign Finance & Ethics Reform—Will South Carolina Take the High Road or Low Road on Government Integrity & Transparency?** LWVSC Advocacy Dir. Lynn Teague leads a discussion with leaders on the issue: S.C. Senator Robert Wes Hayes, Jr., (District 15, York Cty.), S.C. Rep. Bill Taylor (Dist. 86, Aiken Cty.), and Henry McMaster, Co-Chair, Governor's Commission

on Ethics Reform, and former S.C. Attorney General (invited).

- **Women in South Carolina History & Politics, from the Grimke Sisters to Tomorrow:** Alice Henderson and Linda Bilanchone, LWV/Spartanburg County leaders, perform for us about Angelina and Sarah Grimke, remarkable South Carolina 19th century fighters for women's rights and abolition.
- **Women's Influence on Politics In South Carolina:** An address by former Congresswoman Liz Patterson
- **Delegates will set our course for 2013-2015** at Convention plenary sessions, as we elect LWVSC officers and directors, approve a budget, adopt a program of study and action, and consider a new position from our 2-year member study, *Evaluating and Retaining Effective Teachers in Our Public Schools.*

The **Saturday Evening Banquet** features a performance by nationally acclaimed storyteller **Ellouise Schoettler**. An original member of NOW and LWV's Equal Rights Amendment campaign director, Ellouise will perform *Pushing Boundaries*, how a 1960s housewife morphs into a 1970s ERA activist.

At the Saturday luncheon we will present **Spirit of Democracy Awards** to two South Carolinians 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 our state. Thanks to everyone who submitted nominations. Recipients of the 2013 Convention Spirit of Democracy Awards are:

- **Elizabeth Johnston Patterson, former Congresswoman from South Carolina's 4th District.** Liz's distinguished career in

public service includes positions with the Head Start and VISTA programs. She served as a member of the Spartanburg County Council, S.C. Senate, and U.S. House of Representatives for three terms. After leaving Congress, Liz continued to be actively engaged in the political arena running for the lieutenant governorship of South Carolina in 1994. While she won the closely contested Democratic primary, she lost in the general election. Liz teaches political science at Spartanburg Methodist College and is a long-time LWV member.

- **Linda Bilanchone, current LWV of Spartanburg County President.** Linda served as President of the LWVSC from 1983-1985, and as President of the LWV of Spartanburg County for six terms. Especially noteworthy is her leadership in a



tremendous variety of public service organizations that have as their goal bringing about "active and informed participation of citizens in their government." Her leadership roles have brought together for discussion and action citizens of different backgrounds and life styles. She has taught them how to cooperate to make democracy work. Linda is a communications instructor at Wofford College.

A **Membership Growth Award** will be given to the local League with the greatest increase in membership since Convention 2011.

Spartanburg County. . . So Much to See & Do

Spartanburg and the Upcountry communities around it are steeped in natural beauty, history and art & bustle with adventure. Spartanburg boasts a well-earned reputation for Southern hospitality and charm, as well as economic vitality.

There's something for everyone's taste in the Spartanburg area. Possibilities for enjoyment include:

- ✓ **Hatcher Garden & Woodland Preserve** – a 10-acre garden features ponds, walking trails, perennials, shrubs, mixed hardwoods and wildlife. It was developed by LWV leader Alice Henderson's family and donated to the community.

- ✓ **Chapman Cultural Center** – Offers science and history exhibits, art and dance, theater, local and regional art.
- ✓ **BMW Zentrum** – Located next to the only BMW manufacturing plant in the U.S. The Zentrum is a museum, a cafe, a gallery and a history lesson. Tours available weekdays. For tour reservations call 1-888-Tour-BMW.
- ✓ **Cowpens National Battlefield (Gaffney)** – A key victory here in 1781 gave Patriots the boost to win the Revolutionary War 9 months later.
- ✓ **Downtown Spartanburg** – Commemorates Daniel Morgan, who helped turn the tide of the

Revolutionary War. Along the Square with its signature bell tower, are shops, restaurants, bars, and public art on a big city scale.

Members of LWV of Spartanburg County, our Convention host, will be on hand to suggest activities that guests may want to enjoy during free time on Saturday afternoon.

For information about all that the Spartanburg area offers to visitors, go to:

Spartanburg Convention and Visitor's Bureau, <http://www.visitspartanburg.com/See-and-do/see-and-do.html>, or call 1-800-374-8326. The website offers a free downloadable visitor guide to area attractions, as well as itineraries, an event calendar, agri-tourism, local arts, shopping, food and music.

LWVSC CONVENTION 2013

Honoring Our Past as We Grow the League's Future

APRIL 27-28, HAMPTON INN & SUITES GREENVILLE-SPARTANBURG, DUNCAN, SC

– REGISTRATION FORM –

- Please make checks payable to "LWVSC."
- Mail your registration form with payment to: LWVSC Treasurer, 119 Tant St., Clemson, SC 29631.
- Form may be photocopied for additional registrations.
- Registration is due by April 15, 2013. A \$20 late fee will be assessed on registrations received after April 15.
- FULL Registration Fee (2 days) – \$80 per person. Includes meals as scheduled (banquet, lunch, snacks; plenary sessions); presentations; training opportunities; printed materials.
- Registration fees are the same for delegates and non-delegates.
- Saturday or Sunday ONLY Registration Fee (includes daytime activities & lunch) – \$40 per day
- Saturday banquet ONLY – \$30
- Luncheon ONLY per day – \$25
- Indicate vegetarian meal requests.
- Hot Breakfast Bar is complementary for Hampton Inn overnight guests.

YES! Please register the following:

Name: _____ Email: _____ Delegate (yes/no) _____
 Name: _____ Email: _____ Delegate (yes/no) _____
 Name: _____ Email: _____ Delegate (yes/no) _____
 Name: _____ Email: _____ Delegate (yes/no) _____

Local League/Member-At-Large: _____

Contact information for person making reservation:

Name: _____
 Postal Address: _____
 Email Address: _____ Phone: _____

	NUMBER:	TOTAL:
FULL REGISTRATION:	_____ x \$80	_____
ONE DAY REGISTRATION (Sat. or Sun.)	_____ x \$40	_____
Saturday Banquet at DeMetre's Gourmet Grille ONLY	_____ x \$30	_____
LUNCH & AND LUNCHTIME PRESENTATION (per day)	_____ x \$25	_____



Website: www.lwvsc.org

Join the League today!

League Members Meet with SC State Election Commission Staff

By Eleanor Hare, PhD, LWVSC Director, Election Technology

League members met with the South Carolina State Election Commission (SEC) on January 29, 2013, to discuss implementation of the Photo ID Law and other concerns. Barbara Zia, Lynn Teague, JoAnne Day, Duncan Buell, Ellen Magee and Eleanor Hare represented the League. Marci Andino (Executive Director), Howard Snider (Director of Voter Service) and Chris Whitmire (Director of Public Information and Training) represented the SEC.

Mr. Whitmire provided League members with a packet of information on the Photo ID Law which included PowerPoint slides and text, copies of Voter Registration cards, the Provisional Voter Envelope with the Reasonable Impediment Affidavit printed on the back of the envelope and other posters and handouts.

Informing the Public of New Photo ID Requirement

Each county is required to hold at least two public events to educate the public about the new requirement.

Each county has been supplied with at least one high quality webcam, blue backdrops and desktop tripods, which enable the counties to print a paper ID with photo, county of residence, voter's name, address and voting precinct, and other information. Counties can take their camera (webcam) and a laptop to public events. SEC also has a bus that can be used upon request.

The voter's photo will be stored in the voter registration system and sent to the queue for printing at the SEC, which will print a plastic ID card with photo, registration number, signature and bar code unique to this voter. This card does not contain the voter's address, county of residence or precinct information. SEC has two dedicated printers and is currently processing about 50 Photo IDs per week. Photo IDs issued by the SEC do not have holograms or other security measures to prevent counterfeiting.

Director Andino expressed reservations about some of the web sites provided by the counties. She cited a lack of uniformity across counties and infrequent upgrades of content.

Other Administrative Problems

Some poll managers were not aware that they could rebalance alphabetic divisions of poll books on Election Day.

Director Andino stated that "A-K, L-Z can be changed during the day" in order to improve queue management.

Director Andino stated that SEC received 1300 calls on their main line on Election Day. She said, "We've never had an election that was as intense as this one."

The SEC mailed information to approximately 200,000 registered voters who do not have DMV photo IDs. A large percent were returned. These names are moved from the active to inactive list. The SEC sends a confirmation mailing to voters who have not voted in two general elections or any intervening election. If the voter does not respond, their name is moved to the inactive list.

Alternatives to Cited Photo ID Not Obvious on Handouts and Flyers

League members expressed concern that information for the voter without Photo ID was not prominently displayed on the first page of handouts and flyers. If the voter does not know that alternatives exist to presenting one of the listed photo IDs, how would they know to look for this information on the second page?

League members also expressed concern that poll workers were not adequately trained in the new Reasonable Impediment Affidavit and that some poll workers were giving incorrect information to voters.

Problems with Curbside Voting

Procedures for curbside voting are not consistent. Some precincts require a handicap placard to park in the curbside area. The caregiver who drives the handicapped voter was allowed to vote curbside in some precincts and not in others. In some cases the driver was required to stand in line with other voters (possibly for 45 minutes or more).

Some prospective curbside voters could not vote because parking lots totally filled and the vehicle could not get into the parking lot.

Dr. Buell commented that poll worker training in Richland County appeared to be seriously inadequate.

Strategies to Promote Voter Registration

League members proposed issuance of standard cards that could be placed on or

near public computers in libraries, colleges and literacy centers, encouraging citizens to register to vote online.

Voting Equipment

Based on his experience with searching algorithms, Dr. Buell stated that the search mechanism in the electronic poll books in Richland County seemed slow. He stated that a slow search mechanism in the electronic poll books might have caused problems, although it is not clear whether the sign-in process or the shortage of machines contributed more to the long lines.

Dr. Buell has used electronic data records to estimate the time required to cast a vote in Richland County. Additional analysis of data and comparison with other large counties, such as Greenville, can be used to recommend the maximum number of voters per machine. It is clear from the numerical data, however, that it was not only the shortage of machines that contributed to long lines. One precinct (Springville) had a large number of votes and a very large number of voters per iVotronic, but no votes after closing. This was also true county-wide in Greenville. Dr. Buell is continuing to analyze the data. It does not appear that machine failures in Richland were substantially greater than were failures elsewhere in the state, although Director Andino said that other counties did not experience the same rate of power supply problems as did Richland.

Dr. Hare expressed concern that the voting technology demonstrated by Elections Systems & Software (the ExpressVote) contains serious problems.

Director Andino said that the process of selecting the next voting machines for the state has not started. When asked if there were any legislators or others currently involved in the process of selecting voting machines, Director Andino replied that there are not. She stated that there is no search for new voting equipment right now and that "The search for a new system will not begin until the U.S. Election Assistance Commission approves the next iteration of voting system standards and manufacturers build systems to meet or exceed the new standards." *

**Currently all EAC commissioner positions are vacant.*

Money, Power and Politics in South Carolina in 2013

By Lynn S. Teague, LWVSC Advocacy Director

Ethics reform is a very high priority for League advocacy this year. Opportunities for sweeping ethics reform occur rarely in South Carolina, and it may be decades before an equally promising legislative focus occurs again. The need for change has come to the attention of the public more than at any time since 1991 and the Lost Trust scandal, through a series of individual cases in which the minimal requirements and poor enforcement of our laws has become all too apparent.

Ethics laws should insure that our public officials are working for all of us. South Carolina's laws are not doing that job. Ethics reform must be a central issue for anyone who cares about South Carolina's environment, education, infrastructure or any of the other ways that government affects our lives. Our state's future depends upon it.

The problems that must be addressed include:

- Undisclosed donors and expenditures by "independent" political action committees (PACs), and "blackout periods" before elections when campaign donors are undisclosed until after the election;
- "Leadership PACs" that subvert limits on donations to individual candidates and prevent adequate disclosure;
- Undisclosed sources of compensation that lead to conflicts of interest;
- Poor citizen access to information about government activities; and
- Poor enforcement of ethics laws.

Bills introduced by Senator Robert W. (Wes) Hayes, Senator Luke Rankin, Representative Bill Taylor, Representative Beth Bernstein, and Senator Paul Thurmond would address many of these problems. S.338 clarifies the definition of a "committee" so we can require disclosure of donors and expenditures by PACs that are not affiliated with any candidate or party. S.338, S.13, and H.3407 would end "leadership PACs."

S. 412 would eliminate the blackout period before elections. H.3163 would make important improvements in the accessibility of information from government agencies. H.3772, introduced by Representative Kenny Bingham and others, covers some of the same ground as these other bills but is weaker in important respects. A full exploration of such complex legislation would be lengthy. However, two issues stand out as essential: disclosures related to possible conflicts of interest and independence of enforcement.

Comprehensive personal economic disclosure statements are crucial for real reform. We strongly recommend amendment of S. 338 and H.3772 so that officials are explicitly required to disclose the name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form. We believe that amounts of compensation should also be disclosed. Further, we must require disclosure of the identity of clients of companies owned in whole or in part by the officials.

Enforcement of violations by members and staff of the General Assembly is the second crucial issue. At present, the fox is guarding the henhouse and doing a very poor job of it. The transfer of disciplinary authority from the General Assembly to the SC Ethics Commission outlined in S.346 and S.347 should be accomplished now, without awaiting an unnecessary constitutional amendment. Further, S.505 should be enacted to enable the multi-agency Public Integrity Unit (PIU) to do a more effective and professional job of investigating possible ethics violations. H.3772 provides an alternative approach to dealing with ethics violations by members and staff of the General Assembly, but it falls far short of adequate provisions for transparency or independence of investigation and disciplinary action and should be rejected in favor of the Senate

approach. For example, the House bill prohibits "formal investigation" of a complaint by the Ethics Commission until there is a finding of probable cause. How will evidence be obtained to support a determination of probable cause without professional investigation? Presumably, if a complainant doesn't submit such evidence it will simply be found absent. Further, H.3772 provides for no disclosure of a complaint until almost the end of the process, and that process ends with the fox still guarding the henhouse, in a disciplinary action by a committee of the General Assembly. These provisions of H.3772 are simply not the ethics reform that we need in order to have confidence in the integrity of our government.

The future of our state depends upon ethics reform that includes comprehensive disclosure of potential conflicts of interest and truly independent enforcement. For more information on these issues, go to <http://lwvsc.org/EthicsinStateGovernment.html>. Call or write your representatives and tell them to support the bills and the amendments needed to move South Carolina into a new era of confidence in our government. **Send the message, loud and clear, that we demand real reform now.**

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Follow our Twitter feed, @lwvsc, to keep current on what is happening!

Follow League advocacy on ethics reform on our Facebook page at <https://www.facebook.com/pages/League-of-Women-Voters-of-South-Carolina/251544131543145>



Abolish Infrastructure Bank, Fix Our Roads, LWVSC Op-Ed – *The State* - March 15, 2013

In 1997 the State Infrastructure Bank (SIB) was created to fund statewide road projects costing more than \$100 million dollars. Since its creation the bank has dispersed over \$4 billion in grants and loans. Ten counties have received 96 percent of the \$2.6 billion in SIB grants, with Charleston and Horry Counties getting the lions-share, over 55 percent. While 10 counties got something, 35 counties got little or nothing from the SIB—zero to less than one percent.

It isn't that these 35 counties don't need assistance from the SIB; they just don't have the political connections. In sixteen years the SIB has become a political slush fund with funding decisions based on power politics, not state need. The SIB is governed by a seven member board, with four of those members appointed by two legislators, the Speaker of the House and Senate President Pro Tem, representing less than 3 percent of the state's citizens and taxpayers.

The SC Department of Transportation and the legislature acknowledge our roads and bridges are falling apart and it will cost over \$30 billion over twenty years to fix them. Over the years South Carolina has spent forty-three percent less of total state highway funds on maintenance and repair

than the national average. The longer we wait to fix our roads the more expensive it becomes; preservation tasks become repair tasks when maintenance is deferred. If repairs are put off longer, the neglected roads and bridges decompose further, requiring reconstruction or replacement, which is the most costly type of repair. The cost of deferred maintenance per mile exponentially increases five times when roads are not maintained on a regular one-to-twelve year basis. Even with our roads getting worse the SIB has spent less than one percent of its grants on maintenance and repair. It is past time that the political slush fund known as the SIB be disbanded and the bank's bonding capacity moved to SCDOT so that the state's real needs can be addressed, namely preservation and repair of our network.

Fortunately, some legislators have taken action. There are two bills, Senate Bill 209 and House Bill 3476 that would abolish the State Infrastructure Bank and transfer its functions to SCDOT. House Bill 3476 also requires all road projects be ranked in priority order based on set criteria with funding based on rank, not politics. These bills, if passed, can transform our road project priorities state wide, giving rural and urban counties a

more equal playing field for funding based on need, safety and economic impact. Pet political projects will have to demonstrate they can stand up to the scrutiny of ranking or else fall to the back of the line. Regional cat fighting for scarce dollars won't stay in the alleys but be forced out on the street for everyone to see, with objective ranking and not political favor determining each project's fate. The effect will be not only a better transportation system, but a significant opportunity for more transparent and trustworthy government that is responsive to the needs of all our state's citizens.

The best chance to fix our crumbling roads and to build new roads that are really needed is to abolish the State Infrastructure Bank and to require the SCDOT to priority rank all road projects, including new construction, preservation and maintenance, based on objective criteria. Senate Bill 209 and House Bill 3476 need our support to go to subcommittee so they can get the public hearing they deserve. We call on drivers and taxpayers across the state to ask their legislators to support S 209 and H 3476. We need transportation reform now.

League in Action . . . Reforming Transportation

When considering transportation in South Carolina, it all comes down to math:

- **1st** - South Carolina's rank among states for automobile accidents and fatalities per highway mile.
- **4th** - SC's rank among states for its **41,429** state-maintained highway miles.
- **20%** - The percentage of South Carolina's bridges classified as weight-limited or structurally deficient.
- **81%** - Percent of primary highway miles with pavement conditions rated "fair" to "very poor."
- **\$1.4 billion** - Projected annual cost of bringing the state's transportation system up to a minimum level of quality. Total cost: **\$29 billion**.
- **\$4.1 billion** - Total funding committed by SIB since inception in 1997.
- **35** - Number of counties that have received **ZERO** from the SIB since inception.
- **95%** - Amount of STIB money that has gone to 6 counties.

We urge legislators to support H.3476 by Rep. Norman, S.209 by Sen. Peeler and S.184 by Sen. Sheheen. These reform bills fold the State Infrastructure Bank into DOT (H.3476 and S.209) and require DOT to prioritize and expedite projects relating to road and bridge maintenance, preservation and rehabilitation (S.184).



Guest Commentary

By Erin Dando, South Carolina Chapter Leader, Moms Demand Action For Gun Sense In America

Three months ago, I was a stay at home mom fully involved in community and school volunteer work revolving mostly around my three children. That all changed on December 14, when the massacre at Sandy Hook left my heart broken. That easily could have been my children's Upstate elementary school and my kids. In an effort to comprehend such a senseless tragedy, I started researching gun violence and regulations in South Carolina. What I found alarmed me:

- SC ranks 2nd in the nation for domestic homicide, with the majority of those murders committed with guns (SLED, 2010)
- Nearly 70% of SC murders are committed with firearms (SLED, 2010)
- Since Newtown, three SC children died when they had access to a loaded gun
- SC does not require background checks at gun shows
- SC does not submit mental health information to the NICS (national background check system)
- Ammunition requires no background check

As a Nation:

- With the presence of a gun in domestic violence situations, the victim has a 500% greater risk of being murdered (*American Journal of Public Health*, 2003)
- 87% of all children ages 0 – 14 dying from gun injuries in the top industrialized nations are American kids (*Journal of Trauma*, January 2011; 70(1):238-243)
- Gun violence costs our nation \$174 Billion dollars a year and every American \$564 annually (2010 figures, *Forbes.com*)

We Must Do Better.

While gun violence research by the CDC has been severely hampered since the 1990s, current research shows that gun regulations save lives. Most recently the *Journal of the American Medical Association* featured a study concluding states with more gun regulations had lower rates of gun mortality and that SC had among the nation's highest gun mortality rate (2007-2010). Simply put: more guns = more gun violence = more gun deaths.

Searching for a way to end this senseless devastation, I found other moms speaking out and demanding action. Moms

Demand Action for Gun Sense in America is modeled after Mothers Against Drunk Drivers. We are nonpartisan, grassroots and while founded by a mom, we include grandfathers, sisters, uncles and concerned citizens. We have grown to over 80,000 members and 80 chapters nationwide in three months. We will continue to lead campaigns, events and rallies until our gun regulations are changed and lives are saved.

If we do nothing, over 100,000 Americans will continue to be devastated by gun violence annually including 30,000 fatalities. We are not looking to ban guns, but are navigating the middle ground to prevent gun violence. The other side is loud and vocal. If our federal and state leaders do not hear from us, nothing will change. Eight children will continue to die every day at the hands of a gun. I am just one mom working in South Carolina to end this violence. I hope you will join me.

What can you do? Join momsdemandaction.org, like [facebook.com/MomsDemandActionSC](https://www.facebook.com/MomsDemandActionSC) (SC Chapter) and [facebook.com/MomsDemandAction](https://www.facebook.com/MomsDemandAction) (national), contact your legislators to support gun sense, volunteer with Moms Demand Action SC. Reach Erin at 864.569.5412 or SC@momsdemandaction.org.

Editor's Note: On March 2, Martha Roblee, LWV/Columbia Area Secretary-Treasurer, represented LWVSC at a Statehouse rally organized by the SC Chapter of Moms Demand Action for Gun Sense in America. The rally focused on the need to prevent gun violence through common sense regulations. Following is an excerpt of Martha's comments:

The LWV of the United States has a long-standing position in support of Gun Control. Since 1990, we have used this position to lobby in support of the assault weapons ban, legislation requiring all dealers to run criminal background checks at gun shows and in opposition to laws that grant special protection for the gun industry.

Recently, our national President, Elisabeth McNamara, wrote a letter to Vice President Biden in support of Gun Control. My remarks today on the League's position on Gun Control are taken from her letter:

"The LWV of the United States believes that the proliferation of handguns and semiautomatic assault weapons in the U.S. is a major health and safety threat to its citizens. The League supports strong federal measures to limit the accessibility and regulate the ownership of these weapons by

private citizens. The League supports regulating firearms for consumer safety."

"The League supports licensing procedures for gun ownership by private citizens to include a waiting period for background checks, personal identification verification, gun safety education and annual license renewal. The license fee should be adequate to bear the cost of education and verification."

"The League supports a ban on "Saturday night specials," enforcement of strict penalties for the improper possession of and crimes committed with handguns and assault weapons, and allocation of resources to better regulate and monitor gun dealers."

On behalf of our members, we urge all of you to actively support common sense solutions to the gun violence that is plaguing our nation. We believe the responsibility of good government rests on your shoulders. It is time to advocate for measures that will ban assault weapons, place limits on magazine size, close the gun show loophole and mandate reporting on gun violence in America. Gun control is a matter of public safety and public health.



Action on Behalf of South Carolina's Voters

Early Voting

LWVSC's advocacy team has been closely monitoring and testifying on legislation that would change early voting procedures in South Carolina. With so-called early voting bills filed in this session, as is true with all legislation in the General Assembly, the devil's in the details.

Rep. Alan Clemmons promised when he argued for a voter suppressive photo ID law that he would file an early voting bill. True to promise, he is sponsoring H.3176, which would establish a no-excuse in-person 9-day early voting period before elections, excluding Sundays, and limit counties to one early voting location. Currently, county election commissions (CECs) may offer in-person early voting as soon as the ballots are set, sometimes 4 weeks prior to an election. From a CEC perspective, early voting is advantageous

because it reduces lines on Election Day and cuts down on the numbers of poll managers needed to staff precincts.

LWVSC supports a no-excuse in-person early voting period of 15 days or more and includes at least one Sunday.

Also problematic, H.3176 contains provisions that strip several important excuses for voting absentee by mail, including work or travel that prevents you from voting on Election Day. It would also require voters with disabilities to provide a physician's certification of disability and apparently disallows caregivers of persons with disabilities from voting absentee.

H.3176 would also limit each county to 1 early voting center "that must be located in a public building within the county seat or another location that is as centrally located for the entire county as possible."

This would restrict counties from operating multiple early voting centers.

LWVSC supports S.4, a far superior bill to H.3176. S.4 is not an ideal early voting bill, but provides an adequate period for voting (10 days), allows multiple poll locations in larger counties, and does not remove existing provisions for excused absentee voting.

Take action now: Tell your SC representative to oppose changes in absentee voting in H.3176 and support S.4.

BILLS ARE AT:

http://www.scstatehouse.gov/sess120_2013-2014/bills/3176.htm

<http://www.scstatehouse.gov/billsearch.php?billnumbers=4&session=120&summary=B>

Find your legislators at: <http://www.scstatehouse.gov/>.

Proof of Citizenship to Register

S.227 would require proof of citizenship in order to register to vote. LWVSC believes that this bill is an unnecessary obstacle for citizens who wish to participate in our democracy and is not needed to maintain the integrity of our elections.

Voting is a fundamental right, not a privilege, under our Constitution. Any measure that would make voting more difficult should address a very significant problem in the integrity of our elections. However, evidence of voter registration by non-citizens is rare, and of actual voting by non-citizens even more rare. Every vote matters, and adding this impediment is likely to eliminate legitimate registrants more often than it identifies those who are not legitimate. The Stanford Law Review notes that an intensive effort to identify registered non-citizens in Florida led to discovery of a total of only 207 registered non-citizens in that state, or .0018% of the Florida electorate. ¹

¹ <http://www.stanfordlawreview.org/online/hunt-noncitizen-voters>

In contrast, the Brennan Center for Justice finds that about 7% of citizens nationwide may lack the kinds of documentation commonly required for proof of citizenship.² For those who can obtain the required documents, birth certificates and other listed documents represent a cost to voters and thus constitute a poll tax. How severe these problems would be under the current bill depends on the latitude exercised by the SC Elections Commission in defining alternative proof of citizenship in their Rules and Regulations. We have no assurance that there will be a definition sufficiently broad to avoid disenfranchising legitimate voters or causing citizens to pay for documentation.

Finally, but very importantly, this bill violates the federal National Voter Registration Act (NVRA). Last year, in a 9-2 ruling the federal Ninth Circuit Court overturned an Arizona law requiring voters to show proof of citizenship when registering.³ The Court found that the measure conflicts with the NVRA. This issue has been appealed. Oral testimony on the case *State of Arizona et al v. The*

Inter Tribal Council of Arizona was heard by the Supreme Court of the United States this week. It is unclear why consideration of this bill should not be delayed for the short time needed to find out whether it has any chance of withstanding scrutiny under federal law.

In summary, the League opposes this bill as an unnecessary impediment to voting by our state's citizens and a probable violation of federal law.

Take action now: Tell your SC senator to oppose S. 227 and proof of citizenship to register.

BILL IS AT:

http://www.scstatehouse.gov/sess120_2013-2014/bills/227.htm

Find your legislators at: <http://www.scstatehouse.gov/>.

² <http://www.brennancenter.org/analysis/citizens-without-proof>

³ *Gonzalez v. Arizona*, 677 F.3d 383 (9th Cir. 2012) (en banc), cert. granted sub nom., *Arizona v. Inter Tribal Council*, 81 U.S.L.W. 3048 (U.S. Oct. 15, 2012) (No. 12-71).



LWV 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.

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IMPORTANT LEAGUE DATES:

April

17th Wednesday, 6:00-9:00 p.m., *Annual Conservation Legislative Oyster Roast*, Seibels House, 1601 Richland St., Columbia. No charge; RSVP to info@cvsc.org

22nd Monday, *Earth Day*

26th Friday, 6:30 p.m., *LWVSC Dinner & Board Meeting*, Hampton Inn, Greenville-Spartanburg, 108 Spartanburg Blvd., Duncan *

27th-28th

Saturday & Sunday, *LWVSC Biennial Convention*, Hampton Inn, Greenville-Spartanburg, Duncan, SC.
Hosted by LWV of Spartanburg County.

June

6th Thursday, *The 1st regular session of the 120th South Carolina General Assembly* adjourns.

14th-17th

LWVUS Council, Washington, DC



<http://www.facebook.com/pages/League-of-Women-Voters-of-South-Carolina/251544131543145>

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