



SC Voter

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National Voter Registration Day In Columbia

The LWV of the Columbia Area celebrated National Voter Registration Day in September with activities on two fronts: a 12-hour voter registration (and updating) drive at the Main Branch of the Richland Library and student registration drives at several area high schools and Midlands Technical College (Beltline Campus). Staff from the Richland County Elections and Voter Registration office brought the mobile camera to the library so voters could take photos for the new South Carolina Voter Photo Identification cards. The efforts yielded 106 new registrations, the highest single day total for the Columbia League in several years.

The photos were taken at the Richland Main Library and show League volunteers Sherry Jacenco and Karlann Brenner (in hats) (Photo 1) and Voter Services chair Shirley Geiger (Photo 2) at the start of the drive. Photo 3 shows a new member of the library staff signing in with Dawn Green, Richland County's Voter Representative, to have her Voter Photo ID card made. (Permission to publish granted).



Photo 1



Photo 2



Photo 3

Balancing the Power in South Carolina

By Shirene Hansotia, Esq., LWVSC Board of Directors

The greatness of America lies not in being more enlightened than any other nation, but rather in her ability to repair her faults. - Alexis de Tocqueville

Increased government transparency. Ethics reform. Impartial selection of judges.

Domination by the state legislature in South Carolina erects obstacles in the way of achieving all of these laudable objectives. The League of Women Voters of South Carolina (LWVSC) believes that must change.

In their wisdom, our nation's Founding

Fathers established the doctrine of separation of powers, a system of checks and balances aimed at preventing any one branch of the federal government from becoming too powerful.

In contrast, the South Carolina General Assembly has historically wielded disproportionate power, at the expense of the executive and judicial branches. Since the American Revolution, South Carolina has adopted seven constitutions,

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Co-Presidents' Perspectives:

As we close out one year and begin another we tend to reflect on the past and look forward to the future. When I contemplate the past year, I am constantly amazed at the body of work that is accomplished by Leagues – from national to state to local. Organizations come and go, but for almost 100 years the League has been a constant force in the perfection of the democratic process, from voter rights to ethics and campaign finance reform, and education and protection of the environment. Our members are the heart of the League and I salute each and every one of you. The generous dedication of the time, talent and treasure of so many to simply “help to make our world a better place” is inspiring.

In South Carolina we will continue the work on the ethics reform initiative that we began last year. The South Carolina League has truly provided the leadership statewide on the issue of ethics reform. We have been “bulldogs” on this issue – We have locked on and we are not letting go. We are determined to hold the legislature accountable for implementing a good ethics reform bill. Holding to the highest values of democratic governance we want to ensure that our representatives answer to “we the people” and not to special interests.

We will also continue with our work partnering with other organizations to promote issues we believe in. We have and will continue this year to work with the “Accept ME” coalition to encourage our lawmakers to accept the Medicaid expansion funds to provide medical care for many underserved or un-served South Carolinians. The “Don’t Dump on SC”

coalition, dedicated to keeping SC from becoming a dumping ground for out of state waste, had a very active last quarter of 2013 and will continue aggressive activity into the new legislative session. The League has been an active member of this coalition and will continue working on this issue in the next year.

As we all know, 2014 is an election year and our local leagues will once again be busy with voter registration, hosting candidate and issues forums and continuing to educate voters regarding the photo id law. We are also very excited and proud that once again LWVUS awarded our state league a Youth Voter Registration grant to support local Leagues in reaching out to high schools in order to schedule voter registration activities. Information about this grant, as well as other League activities are included in this issue of the *SC VOTER*, so read on.

On the national level it is hard to believe that the LWVUS national convention will be upon us before we know it in early June 2014. It is not too early to plan and we hope most of our local leagues will be able to have a representative at the convention in Dallas, Texas. In addition, in January and February, local Leagues will be hosting program-planning meetings to make recommendations on the national League program agenda. Program Planning Leader’s Guides are on the national website to assist you. The League is a truly grass roots organization in that our members across the country drive the agenda, so it is important for all our voices be heard in this national program planning process.



JoAnne Day
Co-President, LWVSC

As you can see, once again we have a full plate and more. I truly believe that the role of the League will be increasingly important in the public policy arena the coming years. The hyper-partisan political atmosphere of the past few years has not been positive or productive for the lives of most of our citizens. More and more I hope the public will look to considering creative ideas and solutions to society’s problems, rather than rigid adherence to one ideology or another. As a non-partisan organization the League is uniquely suited to provide the leadership to bring groups and people together to focus on issues and solutions.

And so we move forward to 2014. Best wishes to all for a wonderful and productive new year.

Duncan Buell Named AAAS Fellow

Congratulations to Duncan A. Buell who is one of two University of South Carolina professors named as fellows of the American Association for the Advancement of Science (AAAS). His election increases the number of AAAS fellows at USC to 25. A total of 388 individuals from around the world were honored with this prestigious fellowship in 2013.

Duncan, a professor in the department of computer science and engineering,

was elected as a fellow for leadership and distinguished contributions in reconfigurable computing, in public policy related to computer science education and in public audits and verification of election data.

Duncan is a member of LWV/Columbia Area and LWVSC webmaster. He also consults with LWVSC on election technology and co-chairs the Task Force on Election Technology.

AAAS is the world’s largest general

scientific society and publishes numerous newsletters, books and journals, including *Science*. The tradition of AAAS fellows began in 1874. Currently, members of AAAS can be considered for the rank of fellow if nominated by the steering groups of the association, by three fellows from other institutions or by the AAAS chief executive officer.

POWER IN SC:

continued from page 1 –

all placing the majority of political power in legislative hands. According to renowned SC historian Walter Edgar, the power of the state legislature in the late 1700's was "virtually complete over all matters of government in South Carolina." The General Assembly crafted the laws, elected all major office holders, and appointed presidential electors and senators. The roots of power, planted so long ago, remain firmly embedded in our state government structure today.

It is axiomatic that those with power are loath to relinquish it. But power must be wrested from those who have a history of abusing it.

Today, South Carolina's Legislature has the power to appoint and re-confirm judges, exercise powers of appointment over counties and authority over school districts, pass legislation favoring certain parts of the state, oversee many state agencies, and police its own ethical behavior. As a result, South Carolina has, for all intents and purposes, no separation of powers, and little freedom from legislative control for local governments.

Recent events highlight this uniquely South Carolinian dilemma. The State newspaper revealed that state legislators

collectively reported \$19.5 million in income and other benefits from public sources last year, out of which only 23 percent came from state salaries and reimbursements. The remainder lawmakers "earned" from employment with public agencies, gifts, or retirement benefits. Speaker of the House Bobby Harrell is being investigated for allegedly reimbursing himself hundreds of thousands of dollars from his campaign funds since 2008 for, among other things, flights on his private plane.

A system that gives the legislative branch total power over the appointment and confirmation of judicial branch members is susceptible to foul play. In 2009, the legislative-dominated Judicial Merit Selection Commission removed Family Court Judge "Charlie" Segars-Andrews from the bench. With 16 years of judicial experience and stellar reviews from the Charleston County BAR and South Carolina Chapter of the American Academy of Matrimonial Lawyers, many believed Segars-Andrews was targeted for political reasons, rather than as a result of legitimate criticism of her qualifications. In recent months, Circuit Court Judge Thomas Hughston was targeted for similar treatment, even as his sentencing record was similar to other Charleston area judges.

South Carolina's Constitution also gives little real power to its executive branch. A governor leads the state National Guard, and has veto and line-item veto on budget bills, but shares appointment power for many cabinet agencies with the legislature.

Both 2010 (and likely 2014) gubernatorial candidates, Governor Nikki Haley and state Senator Vincent Sheheen, have proposed legislation that would place more power in the hands of the executive branch by consolidating state agencies, empowering local governments and giving the governor the power to hire and fire directors of all state agencies. The League of Women Voters supports such restructuring of state government.

The LWVSC also supports legislation to fully fund a state ethics commission with the power to investigate ethics complaints and apply sanctions, replacing the existing woefully underfunded and understaffed House, Senate and State Ethics Commissions.

Over the course of our nation's history, the balance of power has slowly shifted away from total legislative dominance, but much more change is necessary to ensure South Carolinians get not only the government they desire, but deserve.

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In Memoriam **STEPHEN G. MORRISON**

By Jane Pulling and Holley Ulbrich, LWVSC Board Directors

At the 2009 LWVSC Convention, we presented the Spirit of Democracy Award to a man who has worked tirelessly on behalf of South Carolina school children, Stephen G. Morrison. Steve Morrison died in October 2013. He will be remembered as the co-lead counsel in the long-running lawsuit against the state of South Carolina on behalf of all children who are being deprived of an adequate education by many of the state's schools. The Nelson Mullins law firm undertook to represent the plaintiff districts in this lawsuit pro bono. They were speaking on behalf of South Carolina's poorest and most isolated children to compel the state to provide a constitutionally adequate educational opportunity to all, regardless of race, socioeconomic status, or geography.

Mr. Morrison's role in this lawsuit, and his history of passionate advocacy for human rights, have been widely recognized. The United Black Fund of the Midlands awarded him the Judge Waites Waring Humanitarian Award, and inducted him into the South Carolina Black Hall of Fame. The National Urban League presented him an award for outstanding leadership in championing equal opportunity.

Several members of the South Carolina League worked directly with Mr. Morrison on this case over the twenty years since it was first filed. We appreciated his thoroughness, his dedication, and his commitment to a cause that is of critical importance to a just and democratic society. *Steve, we will miss you. Requiescat in pace.*



Remembering Mary: *Dr. Mary T. Kelly, 1923-2013 LWVSC President, 1985-1987*

By Suzanne Rhodes, LWVSC Off-Board Director, Nuclear



One of 4 children Mary T. Kelly was born in 1923 and grew up in Yonkers, NY. She attended public schools and went on to the College of Mount St. Vincent. After graduation, she was awarded a fellowship in chemistry at New York University, ultimately earning a B.S. in physics and a doctorate in organic chemistry in 1952. There she met her late husband Bob who was just back from the Navy and also attending graduate school at NYU. In 1965, when he was transferred to the Uniroyal (later Michelin) plant in Winnsboro, they moved to Columbia with their 7 children. Two of their children still live in the Columbia area. Mary's family includes 11 grandchildren and 4 great-grandchildren.

When the Laidlaw Hazardous Waste Landfill opened in Sumter County, Mary saw an opportunity to put her motivation into action by joining the LWV in 1972 and opposing the unprotected landfill's location near Lake Marion. Once she became an active member in the organization, Mary's professional background and expertise made her the League's authority on all issues related to natural resources: water and air pollution control, nuclear energy, hazardous waste management and storage, and recycling of solid waste, among others.

In addition to serving as state League president, Mary served in a number of other positions on both the Columbia and South Carolina LWV boards from 1972 to 2008.

During Mary's tenure as president,

Note: Biographical information is from "League Legacy, An Oral History of LWVSC Presidents."

the LWVSC was active in lobbying for election reform and implementation of reforms associated with the Education Improvement Act passed by the Legislature in 1984. The League also actively promoted South Carolina's membership in the Southeast Interstate Low-Level Radioactive Waste Compact. Under the LWVUS position on pollution control that supports regulation, monitoring, incentives to accelerate pollution control and vigorous enforcement mechanisms, the LWVSC worked to promote safeguards at the Savannah River Site and the Barnwell Low-Level Nuclear Waste Facility. Mary strongly opposed the development and use of nuclear power plants and the storage in South Carolina of nuclear and other hazardous waste originating in other states. Under her leadership, the state League was also active in forest and wetlands protection. The League actively supported efforts by the LWVUS focused on reauthorization of the Clean Air Act, the Clean Water Act, and the Superfund program for cleaning up the nation's hazardous waste sites. Because of diminishing landfill capacity and a growing awareness of the pollution hazards of incineration, all levels of the League increased the promotion of recycling solid waste.

Despite being very busy with all her League activities, Mary said she managed not to neglect her large family, who basically supported her volunteer efforts; in fact, they rather expected her to be active on these issues and to contribute her talents. Her beloved husband Bob was especially supportive and often "tagged along" with her to meetings.

During her more than 35 years as an active environmentalist, Mary served on a number of committees and task forces created by the Governor's office and the Department of Health and Environmental Control. These include the DHEC Environmental Quality Control Advisory Board, the Governor's Statewide Hazardous Material Steering Committee,

and the South Carolina Joint Legislative Committee on Energy Policy Panel.

Mary was also active in non-governmental groups, serving on the board of the South Carolina Environmental Law Project, the Carolina Peace Resource Center and the Commission on Higher Education Blue Ribbon Committee on Medical Doctor Education. As a result of her significant contribution over the years, she received the South Carolina Wildlife Federation's Conservationist of the Year Award in 1984 and was nominated for the Department of Natural Resources Environmental Awareness Award in 2002. Mary was honored by LWVSC with the Spirit of Democracy award at its state convention in Greenville in April 2009. Governor Richard Riley, who had worked closely with Mary on many critical energy issues, presented the award.

Given her many years of activism, Mary's collected papers provide an invaluable source of information for anyone doing research on environmental issues in this state. She donated her files, *The Mary T. Kelly papers, 1970-2008*, to the South Carolina Political Collections at the University of South Carolina in Columbia. Materials include a chronology of four decades of the state's environmental protection efforts as well as documentation of her involvement with the League of Women Voters and other organizations.

Mary monitored the crisis in Japan after the earthquake and tsunami and fear over the disasters' impact on nuclear energy plants. This is the kind of situation she warned people about all those years. In her view, perseverance is the key. Through her long record of service on environmental issues, Mary put into practice what she described in a quote from *Proud Heritage, A History of the LWVSC*, as the "sometimes long and agonizing slow hacking away by which the League does manage to effect changes for the better in the governmental process. . . . It is this consistent, persistent effort that to me typifies the League and makes me feel that my small contribution is so worthwhile."



2014 at the General Assembly: *A Look Forward*

By Lynn Shuler Teague, LWVSC VP, Issues and Actions

2014 is the second year of a two-year term, and much that will happen has been foreshadowed in the preceding year, and in earlier SCVoter articles, but it is important to look forward to the issues on which we will need the help of all our members to make a difference in South Carolina's government.

Bills that were filed in 2013, including those prefiled in December, dominate the legislative landscape. Taking an even broader perspective, Shirene Hansotia's article on South Carolina's "legislative state" in this issue provides important background for all of the issues that we face. South Carolina's General Assembly continues to hold very disproportionate power in areas handled in other states by either the executive branch or local governments. In doing so many things, our legislature continues to risk doing none of them well.

Elections and voting are always a central issue for the League. Bills on early voting and elections oversight that were introduced last year have not moved very far forward. However two new parallel bills have been introduced in the Senate (S811 by Senator John Courson and others) and in the House (H4421 by Representative James Smith and others) to allow counties to combine voter registration and elections offices throughout the state. This would overcome the current problem in which offices have been combined in many counties through single-county bills, which are prohibited by the SC Constitution. These bills would also allow county councils rather than county legislative delegations to appoint elections commissioners, rather than continuing to treat these commission seats as legislative patronage, in some cases with little or no apparent regard for the consequences for voters. These bills would require the permission of the legislative delegation in each county to make this change in appointments, but would nevertheless be a step towards avoiding situations like the several successive election catastrophes in Richland County.

The League continues to partner with other organizations under the excellent leadership of AARP of South Carolina to

encourage South Carolina's adoption of Medicaid Expansion. We will continue to work on this until it becomes reality, although that will surely not be this year.

We are also part of the "Don't Dump on South Carolina" campaign, fighting to avoid passage of a very destructive bill (H3490 in the House, S203 in the Senate), supported by the two dominant national waste disposal companies. These bills would very certainly lead to increased out-of-state waste dumping in South Carolina, with potentially destructive environmental consequences. However, it is equally important that these bills violate the provisions of the South Carolina

constituted state Ethics Commission, which would oversee investigation and make a recommendation concerning probable cause that a criminal violation has occurred. Commissioners would be appointed equally by the Governor and the General Assembly, in a system designed to avoid partisan bias. This change is absolutely essential to reform of both the legislative and executive branches of government. Supporters claim that hearings for Senator Robert Ford and Representative Harold Mitchell prove that the current ethics oversight system works. We disagree. Those cases were handled as well as could be expected under current conditions, but the underlying structural problems remain for both legislative and executive oversight and must be corrected. Better internal rules for ethics oversight in the General Assembly and more responsible management of the state Ethics Commission are essential, but very insufficient to protect the interest of South Carolina's citizens.

As this is written we are especially concerned about a report expected from the Senate Select Committee on Ethics Reform, which was formed at the end of the 2013 session to make recommendations prior to the Senate reconvening. Although Senate Committee Chair Luke Rankin and members Darryl Jackson and Gerald Malloy have been very vocal opponents of changes in the current oversight system, we hope that they will in the end choose to support JUD3945.078, which is badly needed to protect the interest of South Carolina's citizens.

We are also working with Representative Kirkman Finlay, who plans to introduce bills that would complement H.3945 by addressing important issues not included in that bill. These include use of campaign funds to pay ethics violation fines and stronger but less cumbersome rules for campaign expenditures.

Please respond when we ask you to approach your legislators. A dozen letters or phone calls to a representative will normally get his or her serious attention. Be one of the voices that is heard!



Elections and voting are always a central issue for the League.



Constitution that specifically identify waste management as an appropriate function of local governments and would seriously impinge on the ability of local governments to maintain services in the best interest of their citizens.

Our biggest issue for the year continues to be ethics reform. Our current laws have proven to be, as Cindi Scoppe very accurately described them in *The State*: "a self-protection racket for the political class." When the Senate reconvenes they will take up H.3945, a broad-scale reform bill. We support the "working group amendment" (JUD3945.078) to this bill, which would include both reasonable provisions for income disclosure. It would also provide for filing of complaints for both legislative and executive branches with a newly



South Carolina Nuclear Waste Update

By Suzanne Rhodes, LWVSC Off-Board Specialist, Nuclear

In January, LWVSC will release *Nuclear Waste in South Carolina, An Issue Brief for Citizens*. This publication is an update of the nuclear brief authored originally by Dr. Mary Kelly in the 1990's. There will be a press conference and articles in *The State* and *Charleston City Paper* featuring the report. The report will be available for free download at the LWVSC website. A limited number of hard copies are being printed, and distribution includes the state library system and academic libraries.

LWVSC opposes the so-called invitation by Savannah River Site (SRS) boosters of commercial spent fuel to be received at SRS for any purpose, whether for "temporary" storage or for a reprocessing demonstration. SRS boosters have also welcomed liquid highly enriched uranium from Canada and other high level wastes from Germany. Both of these countries are fully capable of dealing with these wastes. South Carolina need not treat and store them for an infinite period of time – at least many decades.

Here is a sampling of issues about nuclear waste disposal that LWVSC's new publication addresses.

- The Yucca Mountain site has been studied and found inadequate as a nuclear waste repository. Since 1992, extreme measures have been suggested in order to overcome the geologic activity and water transport related to the Yucca Mountain location.
- Yucca Mountain is not available for nuclear waste storage. Rather, it is a single, boarded-up, 5-mile-long exploratory tunnel with a one-mile storage area tunnel. There are no railroad tracks to the site, nor casks or containers designed for transporting the wastes. Furthermore, when/if a repository becomes available, there is no reason to believe that defense wastes, such as those at SRS, would be "first in line" as the Savannah River Site Citizens Advisory Board (CAB) seems to assume. I made this statement to the CAB on December 10th, as

the U.S. Department of Energy had changed a policy regarding the SRS CAB role in waste planning.

- Spent commercial fuel scattered at reactor sites in 39 U.S. states is more vulnerable to various hazards than SRS defense waste, especially if Congress appropriates adequate cleanup funds for defense sites. If spent fuel were sent to SRS, as some boosters wish, then as many as 39 states now with nuclear waste in their neighborhoods would no longer care whether there is a permanent geological storage site. We need those states to continue to be concerned about a permanent repository. Otherwise it would be up to South Carolina and Georgia's federal legislative delegations to push for removal of SRS wastes to a more permanent, safer repository. We see that as a very important issue for SC.

League Supports Smarter Sentencing Act of 2013

By Sharon Fratepietro, LWV of the Charleston Area

In her year-end issue of the Leaders' Update, LWVUS President Elisabeth McNamara related the League's recent advocacy opposing lengthy mandatory minimum sentences for drug offenses. You may recall that in 2011, Sharon Fratepietro from Charleston and Jane Colvin in New York City formed a national ad hoc sentencing reform committee that included several League members from South Carolina. Their goal was to achieve national League concurrence with the sentencing policy of the LWV of the District of Columbia. As a result, at Convention 2012, delegates voted

overwhelmingly to adopt the following national sentencing policy positions: The LWVUS believes alternatives to imprisonment should be explored and utilized, taking into consideration the circumstances and nature of the crime. The LWVUS opposes mandatory minimum sentences for drug offenses.

Subsequently, in December the LWVUS joined with other organizations in a letter to the Senate Judiciary Committee urging support for S. 1410, the Smarter Sentencing Act of 2013. The legislation would provide for reduction in lengthy sentences for certain people convicted

of non-violent drug offenses, thereby addressing some of the causes for the unsustainable and unnecessary growth in the federal prison population. The bill is currently going through the Congressional process, and its likelihood of becoming law is undetermined.

To read the letter, go to http://www.lwv.org/content/league-supports-smarter-sentencing-act-2013?utm_source=LeadersUpdate&utm_medium=email&utm_campaign=LU20131219.



LWVSC Receives Youth Voter Registration Grant from LWV Education Fund

By Paula Egelson, EdD, LWVSC Vice President, Voters Service

In December 2013 the LWVSC received notification that it had been awarded a \$4,000 youth voter registration grant from the LWV Education Fund (LWVEF). All local Leagues in the state were eligible to apply for this funding to support youth registration efforts in their communities from January to June 2014. As we did in 2012, the LWVSC decided to submit one grant proposal representing the South Carolina local Leagues that wanted to participate in youth voter registration activities in 2014. The following South Carolina Leagues will be taking part: Charleston, Columbia, Darlington, Georgetown, Greenville, Hilton Head Island-Bluffton Area, Horry, and Spartanburg. Each local League will receive \$500.

The LWVEF's Youth Voter Registration project aims to engage high school, community college, and/or vocational underrepresented (minority and/or high poverty) students to address the fact that more than half of all 18-year-old citizens in the U.S. were not registered to vote in 2008. LWVEF is providing funding and training to local South Carolina Leagues that participate in youth voter registration activities in underrepresented schools during spring semester 2014.

Underrepresented high schools and community colleges located in participating South Carolina communities

will be contacted about hosting a youth voter registration event. High school and district contacts used in previous youth voter registration efforts will also be contacted about taking part in a youth voter registration event. In addition to conducting youth voter registration, some Leagues will offer to talk about such topics as new SC voter identification policies, early voting, voting equipment, the League of Women Voters and absentee voting to high school students.

Youth voter registration volunteers will contact schools and school districts about youth voter registration events, taking part in training sessions that cover SC voting laws, participating in onsite voter registration events at schools and/or calling new voters and reminding them to vote. Some Leagues will recruit student election site volunteers to assist with publicizing and implementing youth voter registration. In some communities, other volunteer organizations will partner with the League to register students.

Leagues will offer youth voter registration via the means that schools feel will ensure the greatest success. This includes contacting high school social studies teachers, guidance counselors, the school newspaper editor and student council officers to identify the best way to reach out to students at the targeted high schools, and engaging student volunteers

to assist with the voter registration process. League members will be invited to present at special meetings geared toward seniors. Depending on the school, youth voter registration will take place in designated classes, during lunch, in the hallway or electronically. In some rural communities youth voter registration activities will be promoted via the radio and newspaper. In other communities where community colleges are being targeted, emails announcements will be sent.

New voter registrants will sign up to receive emails or text messages about voter information from the League. Upcoming election dates will be posted on school and district web pages. "Remember to Vote" cards including primary and fall elections will be distributed in schools. Continued visibility activities for Leagues include use of social media outlets about upcoming voting events, communication with school contacts about League activities and contacting newly registered students about voting.

The LWV of South Carolina has made a commitment to register eligible students in at least 42 high schools across the state, and we are sure we can surpass this goal! Training opportunities for participating local Leagues will take place on January 14, 2014. If you would more information about this project, please contact Paula Egelson (paulaserv@aol.com).

Remembering SYLVIA DREYFUS

By Terri Eisman, LWVSC Treasurer

The League of Women Voters of Greenville County was greatly shaken this year by the death of one of our most treasured members. Sylvia Dreyfus belonged to the LWV for over 50 years. She served as president multiple times, held additional offices, and chaired or served on many committees during the course of her membership. She never wavered in

her commitment to the democratic process and was a strong proponent of women's rights. In addition to the League, Sylvia taught school, served as a state legislator and held the office of Sisterhood President at the Temple of Israel where she was a valued member. She will be greatly missed by the Greenville LWV as well as by all who were fortunate enough to know her.

South Carolina's School Bus To The Prison Gates

By Shirene Hansotia, Esq., LWVSC Board Director, Criminal & Juvenile Justice

COLUMBINE

The massacre of children by their classmates in schools across the country in recent decades was a powerful impetus in the widespread adoption of “zero tolerance” disciplinary policies.

Anxious administrators and parents wanted to keep children safe in the classroom. They responded to the surge in juvenile crime in the 1980’s and 1990’s by incorporating police, or School Resource Officers (SRO’s), into the school setting. According to the *New York Times*, police patrolled just 1 percent of schools in the mid-1970’s. By 2008, 40 percent of schools employed SRO’s.

But a growing body of research is demonstrating that zero tolerance policies have cast a much wider net than originally intended, trapping a disproportionate percentage of minority children in the criminal justice system for what in the past were youthful indiscretions handled in the principal’s office. This has become known as the “School-to-Prison Pipeline.”

The NAACP Legal Defense Fund

VIRGINIA TECH

reports that American schools suspended more than 3,000,000 students in 2009-2010, more than at any other point in the nation’s history. African-American students are over 3.5 times more likely to be suspended or expelled than their White counterparts.

Treating school disciplinary issues with criminal sanctions is not only devastating to the individuals who are punished, but also to society at large. Placing young people in adult jail settings greatly increases the likelihood they will re-enter the criminal justice system in the future.

South Carolina spends 2.2 times more on incarceration than it does on education. It should also be noted that the presence of SRO’s in schools has done little to provide a greater measure of safety.

The economic costs of this trend are also staggering. According to Children’s Defense Fund, “The attainment of a high school diploma is the single most effective preventative strategy against adult poverty.” The Alliance for Excellent Education reports that 90 percent of the fastest-

NEWTOWN

growing and highest-paying jobs require some technical or college education.

Students funneled into the criminal justice system are twice as likely as their peers to become high school dropouts. Most never re-enter the educational system.

Forty-one percent of South Carolina’s students drop out of high school without a diploma. Once again minorities suffer disproportionately from this trend, with only 50 percent of African-American students, and 36 percent of Hispanic students graduating from high school with a regular diploma in four years. These dropouts cost the state \$7.4 billion in lost wages over their lifetimes.

Recent revisions of South Carolina’s sentencing guidelines have led to a decrease in incarceration rates for non-violent offenders, and a corresponding reduction in criminal justice costs. If the state legislature is looking to continue this laudable trend, they need to stop driving the school bus to the prison gates.

For more information on the School to Prison Pipeline, please see the following resources:

Dismantling the school-to-prison pipeline

NAACP Legal Defense and Educational Fund, Inc.

http://www.naacpldf.org/files/publications/Dismantling_the_School_to_Prison_Pipeline.pdf

Children’s Defense Fund

Cradle to Prison Pipeline Factsheet (South Carolina)

<http://www.childrensdefense.org/child-research-data-publications/data/state-data-repository/cradle-to-prison-pipeline/cradle-prison-pipeline-south-carolina-2009-fact-sheet.pdf>

New York Times

“With Police in Schools, More Children in Court” by Erik Eckholm

http://www.nytimes.com/2013/04/12/education/with-police-in-schools-more-children-in-court.html?_r=0

National Conference of State Legislatures

Kids Are Not Adults: April 2013 State Legislatures Magazine

“Brain research is providing new insights into what drives teenage behavior, moving lawmakers to rethink policies that treat them like adults” by Sarah Alice Brown
<http://www.ncsl.org/research/human-services/kids-are-not-adults-sl-magazine.aspx>

Annie E. Casey Foundation

“Reducing Youth Incarceration in the United States”

<http://www.aecf.org/~media/Pubs/Initiatives/KIDS%20COUNT/R/ReducingYouthIncarcerationSnapshot/DataSnapshotYouthIncarceration.pdf>

Alliance for Excellent Education

South Carolina Fact Sheet

http://all4ed.org/wp-content/uploads/2013/09/SouthCarolina_hs.pdf

Alliance for Excellent Education

Issue Brief: Saving Futures, Saving Dollars: The Impact of Education on Crime Reduction and Earnings

<http://all4ed.org/wp-content/uploads/2013/09/SavingFutures.pdf>



Effort to Trash SC Stinks

By Susan Richards and JoAnne Day, LWVSC Co-Presidents

The LWVSC has joined with many other organizations in the "Don't Dump on South Carolina" campaign. We have done this because General Assembly bills H.3290 and S.203 would end the ability of local governments to control the flow of waste within their own borders. We are asking that you join with us.

These bills would open South Carolina up to increased out-of-state waste disposal. It is not surprising that people in other states don't wish to smell their own waste – it stinks. It doesn't necessarily smell worse than our own waste, but there is a lot more of it when you have large urban areas. If you can send it somewhere else, that sounds like a great idea. It is also not surprising that national waste companies would want to profit by offering those folks in New York and New Jersey a chance to dispose of their waste here in South Carolina. After all, the waste companies' responsibilities are to their shareholders, not to us. Their executives have decided that South Carolina is the right place for other people's garbage, while the profits go back home to corporate headquarters. What is surprising is that so many of our legislators have agreed with them.

It is not only the natural environment

and our quality of life that are threatened. Our state constitution says that those issues best handled at the local level should be left there, and waste disposal is explicitly identified as a function of local governments. At present our cities and counties can control the flow of waste within their boundaries to insure that the needs of the general public are balanced against other interests. Now, the General Assembly threatens to intervene on behalf of a specific industry and ignore our constitutional protections. If these bills pass, we will lose our voice in many important decisions about waste disposal because our elected officials will no longer be able to insure that our interests are respected. We can complain to corporate executives elsewhere, but their priority is their shareholders, not South Carolina's citizens. We can't vote them out.

This issue also brings home some of the questions of money and politics that distort decision-making in our General Assembly. Companies that stand to make very large profits are pouring money into support of these bills. An army of lobbyists has been employed to work on their behalf. Campaign contribution reports show that money has flowed freely from these

corporations to public officials. It is very likely that even more money has changed hands, because corporate money has found many ways to flow around and through our weak ethics laws.

The interests of the citizens of South Carolina are clear. These bills intrude on the right of local citizens to control the disposition of waste in their communities, which has been constitutionally acknowledged as a function of local government. Decision-making would be taken out of our hands and put into the hands of corporate officials who care for nothing but their profits. How much money is being spent to encourage officials to protect the profits of national waste management companies rather than the health of our environment and our system of government? We don't really know, but it is a lot.

We must demand that our legislators insure the continued right of local communities to make decisions that protect local citizens. Leave waste management decision-making where it belongs, in the hands of our citizens in local communities and counties. Those who would profit from these bills have told our legislators what they want. Have you?

IMPORTANT LEAGUE DATES:

January

- 11th Saturday, 10 a.m. - 3 p.m., *LWVSC Board Meeting*, Grecian Garden Restaurant, West Columbia*
- 14th Tuesday, *Second regular session of the 119th South Carolina General Assembly opens*, Statehouse, Columbia
- 16th Thursday, 10:30 a.m., *Press Conference in Support of Ethics Reform*, Statehouse, Columbia
- 20th Monday, *Martin Luther King, Jr., Day*
- 31st Tuesday, *LWVUS Online Membership Count deadline*

February

Black History Month & Youth Voter Month

- 14th Friday, *94th Anniversary of LWV's founding*
- 17th Monday, *Presidents Day*
- 6th Thursday, 3-7 p.m., *South Carolina Hearing on Voting*, Richland County Council Chambers, 2020 Hampton St., Columbia

March

Women's History Month

- 1st *LWVUS Program Planning Reports Deadline*
- 8th Saturday, *International Women's Day*
- 16th-22nd *Sunshine Week*, a national initiative to foster dialogue about the importance of open government and freedom of information
- 16th-30th Noon, *Filing Period for SC Party Primary and Convention Candidates*
- 22nd Saturday, 10 a.m. - 3 p.m., *LWVSC Board Meeting*, Grecian Garden Restaurant, West Columbia*

April

- 7th *World Health Day*
- 6th-12th *National Volunteer Week*
- 22nd Tuesday, *Earth Day*
- 26th Saturday, *LWVSC Council Meeting*, Columbia



* Any member of the LWV of South Carolina is welcome to attend LWVSC Board meetings.



The ACA Beyond the Sound Bites

By Eleanor Hare, PhD., LWVSC Board of Directors

The Affordable Care Act (ACA) has instituted major changes as to who can receive health insurance and what medical procedures insurance can be expected to cover. For many people, health insurance is newly available and affordable.

An added benefit of the ACA is that, when the law was passed in 2010, the Congressional Budget Office (CBO) estimated that the law as a whole would decrease deficitsⁱ. However, the CBO's estimate assumed that the law would be adhered to as written and does not reflect recent changes.

In a recent survey of 74 hospital executivesⁱⁱ, 93% predicted that the quality of health care provided by their own health system would improve under the ACA. They expressed similar optimism about cost control.

Buying a Plan on the Marketplace

All Americans are now expected to have health insurance. Insurance companies can no longer deny insurance or charge higher premiums to people who are or who have been sick.

Those who do not have insuranceⁱⁱⁱ will pay a penalty that is the larger of a penalty based on the number of uninsured family members and a penalty based on the income of the family. Penalties will be significantly higher in future years. People who enroll by March 31 do not face a penalty for 2014.

When buying a plan on the Marketplace the most important issue may be which doctors and hospitals are in the insurer's network. If a policyholder has an out-of-network doctor or hospital, their insurance is unlikely to pay anything and their expenses do not count toward either deductible or out-of-pocket maximum expenses. In South Carolina all the insurance plans require that policyholders use only network providers.

Four companies (CoventryOne, Consumers' Choice, Blue Choice and BlueCross/BlueShield) offer plans on the Marketplace in South Carolina, but not all

plans are available in all counties. Each company provides a list of the prescription drugs that it will cover. Customers need to check that their doctors, hospitals, medications and special needs such as vision or dental are in the approved lists of the plan they select.

Although benefits for individual items are subject to deductibles and copays, all plans sold through the ACA Marketplace must include some coverage for 10 specific health benefits, including emergency room services, hospitalization, maternity and newborn care, mental health treatment, preventive and wellness services, chronic disease management, prescription drugs, laboratory services and pediatric services.

Beware of fake web sites and other scams^{iv}. HealthCare.gov is the only web site that will allow the user to find out their eligibility for subsidies and sign up for insurance that meets minimum federal standards.

Examples of Subsidies, Tax Credits and Penalties

Persons who earn between the poverty level and 2.5 times the poverty level are eligible for subsidies and additional assistance with copays. Those with incomes between 2.5 times the poverty level and 4 times the poverty level are eligible for tax credits when they file their 2014 taxes in 2015. But, since South Carolina decided not to expand Medicaid, those with incomes below the poverty level are not eligible for any help.

As an example, a non-smoking 32-year-old, with net taxable income of \$15,000 would be expected to pay no more than \$300 per year for a silver plan. She would receive government tax subsidies and credits to cover most of the cost of the insurance. If she failed to buy insurance for 3 consecutive months in 2014, the tax penalty would be \$150.

If this same 32-year-old has a net taxable income of \$11,000, she would not be eligible for any help in buying health insurance. Because South Carolina did not

expand Medicaid, those families below the poverty level are not eligible for anything – not Medicaid, not subsidies and not tax credits. The only good news is that they will not be charged a tax penalty for not having insurance.

However, if the same 32-year-old has a taxable income of \$25,000, she'd be required to pay no more than \$1,729 per year for a silver plan. She could file for a tax credit on her federal tax return for 2014 or use the tax credit to offset the cost of the policy. If she fails to buy insurance for 3 consecutive months in 2014, the tax penalty will be \$250.

The Hidden Problems That Hospitals Face

One objective of the ACA is to decrease the rate of increase of health care costs. One way to impact costs is to replace inappropriate use of emergency rooms with less costly private care. To accomplish this goal, funds were shifted to expanded Medicaid from another source of funds, Disproportionate Share Hospital (DSH), which reimburses hospitals for uncompensated care.

DSH funding to South Carolina was scheduled to be reduced by \$13.7 million in 2014^v, but provisions of the 2014 Budget Bill have postponed the first reduction until Oct. 1, 2015^{vi}. The shift in cuts means that in 2016 hospitals will face double the expected DSH reductions. The Center for Medicare & Medicaid Services will update DSH guidelines early in 2014. Reductions to DSH in future years will be as much as 3 times the current amount.

By deciding not to expand Medicaid at the same time that DSH funds are reduced, South Carolina created a major funding difficulty for hospitals. Cuts in years 2014-2022 at MUSC Medical Center are estimated to be \$179,464,711 and at Spartanburg Regional Medical Center to be \$113,141,261^{vii}.

Hospitals are required to provide care for medical emergencies until the patient is stabilized without regard to

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THE ACA:

continued from page 10 –

the patient's ability to pay. Obviously, uncompensated costs must be covered by some source of funding. A decrease in DSH funds decreases the ability to cover uncompensated care. Some possibilities for dealing with the reduction that have been proposed are cost shifting, decreasing services, firing some employees, decreasing some employee pay, merging hospitals and, possibly, closing hospitals

Everyone who uses the services of a hospital should be concerned about how the hospitals will solve the problem of reducing DSH funding, a problem we

would not be facing if South Carolina had elected to expand Medicaid.

Conclusion

The ACA was intended to provide health coverage to many of the uninsured and, at the same time, slow the growth of health care spending.

The complicated, interlocking provisions of the ACA are not well understood by the public, the media or our politicians. The moral and mathematical implications of not expanding Medicaid, losing DSH funding, and providing insurance for the poor and those with pre-existing conditions have been overwhelmed by the fury of partisan

politics and sound bites.

The ACA is unlikely to go away. Insurance companies have invested heavily in the new policies. Additionally, many Americans have been greatly relieved when they or a family member with a pre-existing condition is finally able to obtain insurance. The ACA is not without controversy, but it is unlikely that politicians will be able to stand up to the outrage if newly acquired health insurance is taken away.

It would be commendable if our politicians could work together to correct the problems of the ACA without destroying it.

ⁱ <http://politicalticker.blogs.cnn.com/2013/09/25/fact-check-repealing-obamacare-adds-to-deficit/>

ⁱⁱ <http://www.washingtonpost.com/blogs/wonkblog/wp/2013/12/19/93-percent-of-hospital-executives-think-obamacare-will-make-health-care-better/>

ⁱⁱⁱ <http://www.irs.gov/uac/Questions-and-Answers-on-the-Individual-Shared-Responsibility-Provision>

^{iv} <http://m.kiplinger.com/article/insurance/T027-C001-S003-the-lowdown-on-the-health-insurance-penalty.html#article/insurance/T048-C001-S003-how-to-avoid-obamacare-scams.html>

^v <http://www.chausa.org/docs/default-source/advocacy/051613-summary-of-proposed-medicaid-dsh-rule.pdf?sfvrsn=2>

^{vi} <http://www.beckershospitalreview.com/racs/-/icd-9/-/icd-10/president-obama-signs-2014-budget-bill-what-it-means-for-hospitals.html>

^{vii} http://www.scdp.org/wp-content/uploads/2013/03/ME_ACACuts_13.pdf

LWVSC Enters The BLOGOSPHERE

By Barbara Zia, LWVSC Vice President, Community Relations

Andy Brack, editor of the online journal *Statehouse Report*, invited the state League to post on its new policy blogs. LWVSC contributors are:

- Lynn Teague, Holley Ulbrich and Barbara Zia at <http://govt.statehousereport.com>, a policy blog for good government in South Carolina. Lynn is covering ethics and campaign finance issues; Holley handles general reforms for state government, including home rule and restructuring; Barbara addresses voting and election issues.
- Holley also contributes at <http://money.statehousereport.com>, a policy blog on the state budget, economics and taxes.

Statehouse Report, South Carolina's premier weekly forecast about S.C. policy and politics, is launching five new blogs in January to expand discussion and provide platforms for more in-depth looks at

economics, education, the environment, good government and health care in the Palmetto State. The blogs are team-driven, with contributions from experts and policy analysts around the state.

Subscribers to the main *Statehouse Report* receive free online issues every Thursday. You can sign up at <http://www.statehousereport.com/Subscribe.aspx>.

To receive blog postings,

folks can sign up on the right toolbar on the *Statehouse Report* main page, <http://www.statehousereport.com/CurrentIssue.aspx?ID=268>. Sign up for however many blog areas you want to receive. Enter your email address on the right side of a blog policy area. (See below for circled portion of Good Government page circled.)

Please share this invitation with your friends, colleagues and family.



LWV SC Voter

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The SC Voter

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

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South Carolina Hearing on Voting

Thursday, February 6, 2014 3:00pm - 7:00pm

Richland County Council Chambers 2020 Hampton Street, 2nd Floor Columbia, SC 29202

ASL interpretation will be provided

Register Now at SChearing.lawyerscommittee.org

Attention voters, activists, elections officials and all with a stake in South Carolina's elections! We invite you to come out to the Richland County Chambers on February 6, 2014 to hear about the state of voting in South Carolina and share your voting experiences. **The hearing is free, nonpartisan, and open to the public!** There will be two panels of witnesses testifying on topics such as voting discrimination, registration and polling place problems, access for voters with disabilities and language minorities, and more.

This hearing is part of a series of fact-finding hearings hosted by the **National Commission on Voting Rights** that are taking place across the country. The goal of these hearings is to learn more about the current landscape of elections. Over the past few years, numerous states have enacted restrictive voting laws, while many others continue to grapple with recurring election administration and electoral reform challenges. The

Commission will document what keeps voters from the ballot box and election reform efforts that expand access.

We want to hear from you! The public can participate by providing oral testimony during the hearing's public comment periods and by submitting written testimony before the hearing by email to NCVR@lawyerscommittee.org.

RSVP is strongly encouraged, but not required. RSVP here.

Please share this email notice with your networks, and follow the conversation on Twitter using the hashtag **#NCVR**.

For questions, please contact Rebecca Kelly Arnold at rarnold@lawyerscommittee.org.

Register Now



Our Growing List of Partners: ACLU of South Carolina • The Family Unit • League of Women Voters of South Carolina
NAACP LDF • National Action Network • Protection & Advocacy for People with Disabilities, Inc. • The SC Progressive Network



Website: www.lwvsc.org

Join the League today!