



# SC Voter

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## The 2018 General Assembly of South Carolina

The LWVSC board established three priorities for the 2018 session: redistricting, ethics reform, and utility regulation reform. We were able to make significant progress on only one of these, utility regulation reform. Utilities consumed the 2018 session as South Carolina faced a financial disaster of unprecedented proportions. We also advocated on additional issues of importance to the League.

### Regulatory Accountability, Transparency, and Ethics

What was achieved in 2018 in reform of our utility regulation system, and what remains to be done? Provisions strongly supported by the League of Women Voters are embodied in two bills that were passed. Rep. Peter McCoy and Russell Ott in the House and Sen. Shane Massey and Nikki Setzler provided bipartisan leadership to make important changes.

S. 954 gave the Public Service Commission (PSC) a schedule to address the proposed merger of SCANA with Dominion Energy of Virginia. H. 4375 prospectively repealed the Base Load Review Act under which V. C. Summer construction was undertaken and eliminates the requirements that the Office of Regulatory Staff (ORS) advocate for the “financial integrity of utilities” and economic development. A consumer advocate was established in the Office of Consumer Affairs. ORS was given the authority to subpoena records. The BLRA was revised to clarify the meaning of

“prudence,” a central concept that had not been defined in the statute. A temporary reduction in SCE&G rates of 15% was enacted.

What didn’t happen? The General Assembly failed to address badly needed reforms of the Public Service Commission (PSC) and State Regulation of Public Utilities Review Committee (PURC). The House passed relevant bills, but a Senate subcommittee did not take these bills up.

In addition, the fate of Santee Cooper must be resolved, a difficult problem since there are no shareholders to absorb any part of their share of V. C. Summer costs.

### Redistricting

It is a great disappointment that H.4456, introduced by Rep. Gary Clary and co-sponsored by representatives Funderburk, Bernstein, Elliott, Wheeler, Cogswell, Collins, Thigpen, J.E.Smith, Cobb-Hunter and Norrell, did not receive a subcommittee hearing. This bill would have established a commission to draw new district lines following the 2020 census and would have eliminated protection of incumbents and parties as criteria. We are optimistic about a hearing for a refiled bill in 2019, and about the potential for making a significant impact on South Carolina’s redistricting decisions.

### Ethics Reform

The League supported several ethics reform bills, especially those addressing dark money (disclosure of donors

to third party committees seeking to influence votes in elections) and income disclosure (ensuring that a full picture of the economic interests of public officials are known to protect against conflicts of interest). They fell prey to the same problem as did redistricting, unwillingness to take up major difficult issues in a year dominated by utility issues. One bill, which would have protected whistleblowers, was well received in committee but died on the House floor.

### Additional Issues Voting and Elections

We supported a bill by Rep. Laurie Funderburk to extend the time available to register to vote before elections.

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### Highlights

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## Co-President's Perspective



As we approach our 100<sup>th</sup> birthday, the LWV stands at a crossroads: remaining as always a strong, nonpartisan, trusted force for good government and fair voting practices, but striving also to become a more flexible and nimble organization and one more diverse and inclusive. We're shedding the image of the League as "white, older, and privileged" and as structurally complicated, formal, and — dare I say — hidebound. The national LWV transformation strategy adopted two years ago purposefully moves us in that new direction.

As a result, this is an exciting time to be co-president of a state league! I personally would like to see the League in South Carolina work towards the "one, seamless league" model envisioned in the Transformation Roadmap,\* reducing barriers between the three levels as much as possible. This involves making it easier to join the League and fostering a closer relationship between local and state leagues, and between the local/state leagues and national.

LWVSC has seen great growth in membership during the past year and a half, and we have several new leagues

or MALS eager to form. LWVSC will actively facilitate this and welcome new groups.

In addition, our highly energized citizenry is eager to voice its views; LWV now shares space with many advocacy organizations, and we must be responsive and visible in order to engage our members, new and old. The LWVSC's creation of two board directors — of State Issues and of National Issues — will enable us to reach out more effectively regarding educational and advocacy efforts, especially those on topics backed by LWV positions but not currently in active play in our Statehouse (the Statehouse being the domain of our expert lobbyist, Lynn Teague). Close communication and coordination — national with state/local, state with local, local with local — will be key, I believe, in the LWV Campaign for Making Democracy Work.

*Christe McCoy-Lawrence,  
Co-President, LWVSC*

\*[www.lwv.org/sites/default/files/2018-06/transformation\\_roadmap\\_exec\\_summary\\_april\\_2018.pdf](http://www.lwv.org/sites/default/files/2018-06/transformation_roadmap_exec_summary_april_2018.pdf)

## LWVSC Board— New Faces, New Titles

It's been a big year of changes on the state board. Dee Woodward and Phyllis Jones left the board last fall, and Pat Forbis, who was (and still is) our representative to the Women's Rights Empowerment Network (WREN), resigned this summer. Jean Wood joined the board as Voter Service director with Jane Turner as her partner, and Janie Shipley took on the role of national issues director. Sally Huguley, state education director, takes on expanded responsibilities as state issues director. She will work with local leagues on state issues, including public programs, coordinating state issues specialists, and planning for proposed state program at the 2019 convention.

Former co-president Julie Hussey is now on the LWVUS board, but remains on the LWVSC board as fundraising director. Christe McCoy Lawrence (state natural resources director) was elected president pro-tem at our March meeting and replaced Julie as co-president July 1<sup>st</sup>. These moves did not require bylaws changes, but there will be bylaws revisions coming to convention in 2019 as we shift to a board structure with more directors who work in the trenches of voter service, communication, fund-raising, membership and advocacy. We hope you will find this new board structure more supportive of your grassroots work as local Leagues.

*Holley Ulbrich, Co-president*

## LWVSC Council Meeting

LWVSC met at the Doubletree Hotel in Columbia on Saturday, April 28, 2018 for their biennial Council Meeting. Thank you to the Columbia League for assisting with hosting details. Co-presidents Holley Ulbrich and Julie Hussey called the meeting to order at 9:15. Six local Leagues were represented, (Beaufort, Charleston, Clemson, Columbia, Darlington, Greenville, and Hilton Head Bluffton) sufficient for a quorum. The treasurer's report and proposed budget were presented.

Highlights of the morning included talks by Dr. Robert Oldendick, USC Professor of Political Science who spoke on 'Primary Watching and the Changing SC Political Landscape'; and former Sen. Joel Lourie who spoke about 'Redistricting from a Former Legislator's Perspective.' Both sessions were lively with many questions from members. Virtually all of Dr. Oldendick's predicted winners did in fact win their primaries, with the exception of Mark Sanford whom he predicted to win. Sen. Lourie discussed what might happen to even

the remnants of the two party system in South Carolina if the current Republican controlled legislature gerrymanders the 2020 redistricting. He envisioned a black-white party split as a possible outcome. He feels the best possible outcome for redistricting would be a non-partisan citizen's committee drawing the lines, a proposal the League fully supports.

After lunch the participants were invited to attend two of five breakout sessions. There was a 'President's Roundtable' chaired by Janelle Rivers and Christe McCoy-Lawrence; 'Ready for the Primaries' chaired by Sally Huguley; 'Member Engagement and Leadership Development' presented by Joyce Franklin; 'Redistricting and Fundraising' led by Julie Hussey and Lynn Teague; 'Planning an Issues-based Program' with Holley Ulbrich and Nancy Williams and 'Vote 411' coordinated by Lawson Wetli. Following these sessions, the 2017-2018 budget was approved by participants with minor changes.

*Jane Pulling*

*Legislative Update continued from page 1*

### Reproductive Rights

We backed a bill filed by Rep. Kirkman Finlay to allow women to obtain a full year of contraception at once, a proven means of reducing unwanted pregnancies. It passed the House by a wide margin but under pressure from the insurance industry the Senate refused to take the bill up. We also were involved in advocacy against the method ban (prohibiting dilation and extraction) and personhood (every fertilized egg a legal person) bills. The first of these was a much greater danger since it had more support. However, a filibuster by Sen. Marlon Kimpson and Sen. Margie Bright Matthews saved the day.

### The Environment

The environment and citizen rights experienced significant losses in 2018. The General Assembly chose to restrict citizen rights to the automatic stay of destructive land altering activities and to restrict nuisance suits, the only redress citizens have when affected by industrial noise and smells.

### Constitutional Conventions

We testified against a bill in support of a federal constitutional convention to require a balanced budget. We were amused by the heated overreaction to a bill by legislative freshmen proposing a state constitutional convention. Neither bill advanced.

*Lynn Teague  
VP for Program and Action*



### Show your love for redistricting in bumper sticker form!

This conversation-starting bumper sticker was designed by the Clemson League member and graphic designer Christine Prado to help raise awareness of the redistricting issue.

We are accepting orders, minimum of ten bumper stickers, at \$2 each, postage paid.

### Send your orders with a check made out the LWVSC to:

**Holley Ulbrich  
2 Birch Place  
Clemson SC 29631**

Questions?  
Call 864-654-6828

Want to stay up to date with the latest news and events? Looking for resources? Visit:

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Search for your local chapter on Facebook



# LWVUS Convention 2018 — Celebrating Progress!

The 53<sup>rd</sup> convention of the League of Women Voters of the United States offered opportunities to reflect on our accomplishments, focus our energy, and prepare for the most significant celebration of women's progress in our country.

The speakers were wonderful. Former U.S. Treasurer, Rosie Rios, reminded us that what is not seen is silent, as she noted the lack of women on our currency, in our public park statues, and even in toys available for girls. Both Rios and Elaine Weiss, the author of *The Woman's Hour: The Great Fight to Win the Vote*, reinforced the importance of the centennial celebration of the 19<sup>th</sup> amendment and LWV's birthday. Nick Stephanopoulos, the creator of the Efficiency Gap Theory, and Ruth Greenwood, a member of the Campaign Legal Center's team for the U.S. Supreme

Court Case *Gill v. Whitford* shared their experiences fighting redistricting in the courts and their concern about the loss of Justice Kennedy. The chair of the Election Assistance Commission, the Associate Director of the Carter Center, and the CEO of Asian Americans Advancing Justice talked about protecting and monitoring our election process to get out the vote. We were reminded the greatest threat to our voting process is low voter turnout.

We met LWV's new Executive Director, Virginia Kase, who has been the Chief Operating Officer of CASA, the largest Latino and immigrant rights organization in the mid-Atlantic region. We voted to commit funds to the implementation of LWV's Transformation Journey, including more money in pass through grants to local leagues. LWV's first Director of Information and Technology, Jason Johnson, promised

improvements to our Salesforce roster management system and Sarah Courtney, LWV's Senior Director of Communications & Digital Strategy, begged us to collect our data and share our stories both for reinforcing our brand and obtaining outside funding.

We had up to 865 voting delegates representing 49 states and the District of Columbia voting on the 2018-2020 LWVUS program to ensure a free, fair, and accessible electoral system for all eligible voters by focusing on voting rights, improving elections including advocating for the National Popular Vote Compact, campaign finance/money in politics, and redistricting. We added a focus on the ERA after it is duly ratified by the 38<sup>th</sup> state. Motions were passed to make gun control, gun safety, and gun ownership limitations a priority in LWV's lobbying efforts; reaffirm LWV's long-

held position that the Electoral College should be abolished; stand united with efforts to price carbon emissions without a position on how the revenue generated is to be used or espousing any single method of pricing carbon over another; support climate assessment criteria that ensure that energy policies align with climate science; and reaffirm our commitment to the constitutional right of privacy of an individual to make reproductive choices.

The 2018-20 budget was approved with no increase to the national per member payment for the next two years. We also added six new LWVUS Board members including Julie Hussey from South Carolina (yes, I am now on the LWVUS Board so if you have questions or ideas please call/text 843-224-1096 or email [jhussey@lww.org](mailto:jhussey@lww.org)). For more information, go to [www.LWV.org](http://www.LWV.org).

*Julie Hussey, LWVUS Board Member*



National Convention: 19 South Carolinians representing eight of our 12 Leagues.

## Status of Partisan Gerrymandering Litigation, July 2018

For those following the progress of litigation over partisan gerrymandering, the highly anticipated U.S. Supreme Court session of 2017–2018 ended not with a bang, but (mostly) with a whimper. The court heard several cases that bear on the question of whether partisan gerrymandering is unconstitutional, but they mostly ended up punting the cases back to lower courts over matters of standing or other technicalities, rather than addressing the core issue of whether partisan gerrymandering is unconstitutional.

“Standing” means that the plaintiffs in a lawsuit must be able to show that they, as individuals, have suffered harm as a result of the actions of defendants. In *Gill v. Whitford* (the Wisconsin case), the court voted unanimously to dismiss the case and remand it to the district court for further proceedings. The Court instructed that instead of arguing that the entire state was gerrymandered, plaintiffs

should have argued that particular districts were gerrymandered and that individual plaintiffs from those districts would need to demonstrate harm, or that some other plaintiff (e.g., the Democratic Party of Wisconsin) could demonstrate harm based on statewide gerrymandering.

In *Benisek v. Lamone* (the Maryland case), the Court upheld a District Court decision not to issue a preliminary injunction against the map in question (in which plaintiffs claimed a particular district was redrawn to favor Democrats). The Court did not rule on the merits of the gerrymandering claim.

*Harris v. Cooper* is a North Carolina case, in which plaintiff alleged that in correcting an unconstitutional racial gerrymander, the state replaced it with an unconstitutional partisan gerrymander. The Court affirmed a lower court decision not to review the case.

The other North Carolina cases are *Rucho v. LWVNC* and *Rucho v. Common*

*Cause*. These were remanded to the district court following *Gill v. Whitford*.

Pennsylvania's redistricting suits were adjudicated in state courts, and the Supreme Court has declined past appeals, but nothing is final in court cases, and there is at least one more appeal going forward.

Since Justice Kennedy's opinion in 2004's *Vieth v. Jubelirer*, partisan gerrymandering lawsuits have focused on satisfying the criteria he laid out. His retirement this year renders that strategy uncertain going into the next term.

Other partisan gerrymandering suits in Michigan and Ohio are proceeding through lower courts. Racial gerrymandering and voting-rights suits are proceeding or have been ruled on (including a particularly troubling Supreme Court ruling in a Texas case), but there is not space to cover them here.

*Matt Saltzman, Clemson League*

## Update On Voting Machines

The current Election Systems & Software, (ES&S) election system (iVotronic voting computers and the Unity software package for county headquarters) was purchased by South Carolina between 2004 and 2006 using federal funds from the Help America Vote Act (HAVA). These computers are now getting old by technology standards. South Carolina is looking for replacements as are many other states. The State Election Commission (SEC) has repeatedly asked the legislature for escrow funds totaling \$40 million for a replacement system. In a recent State newspaper article, that number was given as \$50 million. Comparisons with bids and contracts from other states suggests that a new election system could be acquired for about half that. **Estimates based on bids to Ohio and Michigan and previous estimates for Iowa would**

**put the cost at about \$20 to \$25 million.** (After adjusting for numbers of voters and numbers of machines purchased.) Given the difference, League members are encouraged to discuss this with citizens and legislators.

Apparently a number of SC county election directors would like to return to voter-marked paper ballots and optical scanners. The new technology from many vendors is for a ballot-marking-device (BMD) that provides touch screen for the voter but prints a paper “ballot” that is then scanned.

One point of contention is that all BMDs seem to count votes on a bar code, not based on the English text the voter sees. **In the absence of robust audits to compare bar codes against the text, this means that the counting of votes is still done by software that is not transparent**

**to the voter.** And unfortunately, South Carolina does not seem to be planning to follow the lead of several other states and require robust post-election statistical audits.

South Carolina will have no choice but to acquire a new system at least before the 2020 general election. Since many other states have preceded us in acquiring new systems, we should not be doing this alone but should be taking advantage of the information provided already to and the analysis done by other states. Importantly, states are moving back to hand-marked paper ballots and statistical audits that together provide transparency and the ability to verify that the computer hardware and software are functioning as expected.

*Duncan Buell*



# LWVSC Welcomes You to the World of the Well-informed Voter!

With the addition of VOTE411.org, the League of Women Voters is providing South Carolina voters with the tools they need to make informed, sound decisions at the ballot box.

The Greenville County League began using VOTE411 for the 2016 presidential election year. They chose to not participate in 2017 during the city elections, but the Charleston Area League produced a VOTE411 voter guide for last year's Berkeley, Charleston, and Dorchester County races.

The 2018 midterm elections brought Charleston and Greenville together for a combined push to convince the state League to participate through VOTE411 in the state-wide elections, to offset the costs of participation for local Leagues, and to encourage as many local Leagues as possible to get on board. Claire Bush with the Charleston League offered to handle the technical setup for statewide races on the ballot, in addition to federal and local races in the Charleston area. Jean Wood (Greenville) offered to be a resource for all first time Leagues using VOTE411. And Beaufort-Charleston Area, Columbia Area, Clemson Area, Darlington County, Greenville County, Hilton Head/

Bluffton Area, and Spartanburg County leagues have all begun to offer VOTE411.org for their communities.

Barbara Zia quickly organized a statewide team of interested members. Candidate questions were generated for each race by each League. Emails were sent to candidates inviting them to answer the questions and post their responses. The Charleston League shared publicity items they had developed in the 2017 election season and Greenville added a new VOTE411 poster to the mix. Local Leagues organized promotional activities. Lawson Wetli, president of the Greenville League, prepared a VOTE411 op-ed and shared it with other local Leagues. The Columbia League launched VOTE411 with a press conference at the Richland County Library that included an online walk-through of the website. One highlight of the Columbia event was the State Library's announcement of a partnership between the League and the state's nearly 200 public libraries.

Candidate participation was encouraged by VOTE411 teams across the



Participants at the Vote 411 Launch in Columbia

state. Contacts ranged from phone calls and emails to personal visits. Candidate response to VOTE411 statewide ran from 50 to 67% for contested races and 45 to 57% for non-contested races for the primaries.

South Carolina Leagues are committed to providing VOTE411 to their communities in the future. We want to make sure VOTE411 is seen as a vital part of every candidate's path to office. Making the public aware of the service will be a continuous goal, as well. VOTE411 is good for South Carolina—empowering voters and strengthening democracy.

*Barbara Zia and Jean Wood*



Vote 411 Launch by the LWV of the Columbia Area

Library of Congress



## The ERA Rises Again!

Our mothers' fight, our sisters', our aunts', and in some cases ours — the fight for the ERA (Equal Rights Amendment), waged so passionately during the 1970s. Reading "equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex," the Equal Rights Amendment was ratified by 35 states by 1977, but, falling three short of the required 38, it seemed doomed.

Now, however, the struggle has been rejoined. In March 2017, Nevada ratified the ERA, followed by Illinois in May 2018. When one more state ratifies (possibly North Carolina or Virginia), the battle will go to Congress and the courts, since the deadline has long expired.

LWV sees the ERA as critically needed. Women are not adequately protected today; unequal pay, violence against women, pregnancy discrimination, and other forms of unequal treatment are pervasive. What laws exist are inconsistently interpreted and applied, and what progress has been made can be rolled back.

By acclamation, the recent LWVUS National Convention adopted as a program priority that when the 38<sup>th</sup> state has ratified,

the LWVUS will "take the required steps to see the Amendment through whatever judicial or other challenges may occur until we see the ERA added to the U.S. Constitution..." Further, the Convention resolved that, even before a 38<sup>th</sup> state ratifies, the LWVUS will "support efforts to remove the time limits for ratification" and "support an emphasis on the ERA this year and every year until the ERA is ratified and becomes a U.S. Constitutional Amendment."

South Carolina is not likely to be the 38<sup>th</sup> state to ratify (although guess what? in March 1972, the South Carolina House of Representatives voted to ratify the ERA by 83 votes to zero; unfortunately, the Senate did not go along). But we can educate the citizenry all over the state with programs such as that now being presented by League member Barbara Fry in the Charleston area. When the fight goes to Congress, LWVUS will promote national lobbying and advocacy. In addition, Representative Gilda Cobb-Hunter has declared her intention to introduce the amendment in the S.C. House during the next session. Stay tuned...

How does the Army recruit?

How does community service recruit?

How does the church recruit?

How do industries recruit?

How do businesses convince you to purchase something?

**They advertise!**

How does the League advertise and/or recruit?

Can we contact the media and invite them to our events?

Can we send the media news articles and /or announcements? How often?

Are you wearing your League pin to occasions, other meetings, to church, to the library, etc?

Do you take League publications with you regularly?

Recruiting is not a monthly meeting thing but a daily thing.

We have the skills, resources, and abilities to accept the challenge of setting goals, planning ahead, working as a team and achieving the recruitment in our League for the upcoming fiscal year. Working together achieves a lot!

*Joyce Franklin,  
VP for Member Services*

## August 26 is Women's Equality Day



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.

Co-Presidents: Christe McCoy Lawrence  
Holley Ulbrich

Editors: Holley Ulbrich and  
Linda Powers

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Will you be one of the  
33 to take advantage of  
the NEW TAX LAW and  
help to fund LWVSC  
fully this year?

Thanks to **the new tax law**, tax preparation will change for most of us this year. And, that's **good news** for the League because now **you can give as much to the League as you want** to – and not worry about whether it is tax deductible! The standard deduction for couples is **now \$24,000** (and \$12,000 for singles). With this new standard deduction, most of us won't bother to keep records and itemize. And that means that you can choose to give to the LEAGUE (**advocacy organization that it is**) and not limit yourself to the ED Fund (LWVEF)

for its tax deductible status. **So, how about we celebrate?**

LWVSC has a number of needs as we focus on redistricting and voter access. We want to fund a student to work with Duncan Buell on our website; we want to have an intern next spring; and, we want to provide support for smaller and emerging local Leagues. So to celebrate this new freedom to support LWVSC, why not go to the LWVSC website and sign up for a monthly contribution via PayPal or a credit card? \$10/month would be greatly appreciated! It would take only 33 members giving \$10/month to reach our \$4,000 goal for member contributions in next year's budget! **Will you be one of those 33?** I'm on my way to the website to be #1!!! Who will be second?

Linda Bilanchone,  
Communications Director, LWVSC

