



# SC Voter

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Website: [www.lwvsc.org](http://www.lwvsc.org)

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On Sunday, November 1, LWV of Greenville County members celebrated 50 years of service to the League by Estelle Ross who is third from the left in the front row. Congratulations for all you've done to help make democracy work in your community and our State.



## WHAT IS TO COME: The 2016 Session of the SC General Assembly

By Lynne Teague, LWVSC VP Issues and Action

2016 is shaping up to be a year in which chickens come home to roost, but with the South Carolina General Assembly one can never be sure. Everyone recognizes the intense pressure that exists at present to do something about South Carolina's crumbling roads and about education reforms for poor rural districts. The League and others intend to continue to advocate for badly needed ethics reforms in the wake of South Carolina's recent D- rating from the Center for Public Integrity. We are also involved in advocacy on additional issues including

medical insurance coverage for all South Carolinians, legal provisions that permit outrageously high utility rates, protection of the environment, women's reproductive health, and violence prevention. Bills that would affect voting and elections are always a high priority, and we are speaking out on plans for new voting technology in South Carolina. However, the ability of the South Carolina General Assembly, in particular the Senate, to block progress is well known.

**What Is To Come:** *continued on page 3 –*

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**A very important LEAD Day in Columbia - January 30**

**LOOKING IN  
TO REACH OUT**

*See details and registration form inside.  
All League members urged to attend.*

Website: [www.lwvsc.org](http://www.lwvsc.org)

**Join the League today!**



# Co-President's Perspectives:

2015 was quite a year for South Carolina. The world's eyes watched us experience the horrific crime at Emanuel Church, the destructive 1000 year flood, and police brutality with Walter Scott and the student at Spring Valley. Through it all we showed our ability to forgive, respond quickly, demand accountability, and work together. There was nothing like the lowering of the Confederate battle flag to demonstrate that we can make great strides when diverse citizens and elected officials work together.

As we look to 2016, the emerging keyword seems to be "infrastructure." Rapidly deteriorating roads and bridges, failing dams, and compromised water and sewer systems dramatically demonstrate that public infrastructure is not an abstract concept. Infrastructure is the basic foundation of an organization or system – be it roads and bridges, emergency preparedness, education, health care, or even voting systems

The League of Women Voters of SC is preparing again for an exceptionally busy legislative session in which we hope our elected leaders will address problems in our state with honesty and a commitment to serve our citizens.

In 2016, LWVSC expects our elected officials to learn from 2015 and work across party lines to achieve the following:

- Once and for all commit to a quality education system across the state.
- Once and for all prioritize on fixing our roads and bridges in a manner which is transparent and accountable.

- Once and for all make health care accessible and affordable for all citizens in our state.
- Once and for all pass meaningful ethics legislation that requires our representatives to be more accountable to the citizens.



**Come to LEAD Day on  
January 30th  
To Get An Extensive  
Legislative Update  
and Learn From Each Other  
How to Make Our  
Grassroots Advocacy  
Even More Effective**



We all know the state motto "*dum spiro, spero*" (while I breathe I hope)... Well we must do more than hope. To make certain our legislators get to work, League members will have to stay busy. Come to LEAD day on January 30th to get an extensive legislative update and learn from each other how to make our grassroots



**JoAnne Day**  
Co-President, LWVSC

advocacy even more effective. Take advantage of monthly legislative update conference calls for our members. Look out for alerts when action is needed and then reach out to legislators.

We often hear people say "why should I bother, it doesn't do any good". Well, if we don't bother we'll never know. Get involved, make the call, make the visit or write the letter. This time last year, no one would have predicted that 2015 would be the year in which the confederate flag was removed from statehouse grounds, the long promised Abbeville decision would finally be made, or we would strengthen our laws against domestic violence. 2015 showed that we are SC Strong, 2016 offers an opportunity to use that strength to make certain there is an equally strong infrastructure supporting us.

*"I can't promise you that if you vote the rain will stop, the clouds will go away and the sun will shine because good things don't necessarily happen when good people vote. But make no mistake about it, bad things WILL happen if good people don't vote." Former Texas Gov. Ann Richards*

**What Is To Come:**

*continued from page 1 -*

Last year the House of Representatives passed a series of bills that are not perfect but that would represent a substantial improvement on current weak ethics laws in South Carolina. These bills are now stalled in the Senate. We reviewed this situation last year, and will not repeat that discussion here, but we hope that all League members will be energized to advocate for ethics reform this year.

On transportation the central issues are the way in which decisions are made about allocation of funds as well as the amount of money available.

The League is very concerned about the role of the STIB, which politicizes transportation funding decisions. The STIB prioritizes new construction in the districts of the powerful legislators who control STIB over statewide priorities identified by SCDOT. We want to see the STIB prioritize road maintenance and repair and adhere to objective statewide criteria for use of all funds. Public transportation should be given prominent consideration, especially in congested urban areas. However, we are not confident that these measures alone will insure an adequate long-term revenue stream. We believe that attempts to draw all needed revenue from the general fund may not be adequate and may endanger funding for central government functions such as education. Therefore, we are open to consideration of a gas tax once reforms are in place. However, there is strong opposition in the Senate to reform. This issue will be hotly contested.

A House study committee led by Rep. Rita Allison has recently produced encouraging recommendations for improving education in poor rural districts. We hope that the General Assembly will take these recommendations very seriously. Not all needed improvements are a matter of funding but it is certain that additional funding will be needed, especially to

provide attractive teacher salaries in poor areas and to improve transportation of students in rural areas. Attempts to fund transportation improvements through the general fund could endanger efforts to make these improvements, and should be viewed with great caution.

The League is an active member of the **Close the Gap Coalition** that is working to cover uninsured South Carolinians under the Affordable Care Act. Adequate medical care for all citizens is a moral issue. Beyond that, studies show that the economic impact of coverage for all our citizens is substantial. We are already paying

state corporate farms. We must address the diversion of international nuclear waste to SRS. We need stronger shoreline protection on the coast, and there are many other issues of environmental importance.

We are also concerned about the Base Load Review Act, which permits utilities to pass cost overruns due to mismanagement on to consumers prior to providing services. Legislators often complain that public assistance programs for the poor encourage unwanted behavior (a contention not supported by objective studies). However, we believe that the current Public Service Commission interpretation of the BLRA may encourage mismanagement by public utilities.

We remain concerned about a 20-week abortion ban that remains alive in the Senate, a ban that intrudes on the rights of women to make their own medical decisions. We are also concerned about “personhood” bills that would have even more intrusive implications for women and their families.

We support closing the gap in background checks for gun sales, and will consider other violence prevention bills as they arise.

This has not been a comprehensive list of the League’s advocacy efforts in 2016. Indeed, that would be impossible because we always encounter unexpected opportunities and challenges during the legislative year.

During the coming LEAD session in January in Columbia we hope to encourage Leagues throughout South Carolina to become more engaged in advocacy on state issues. We will continue our monthly update conference calls for League members. Notice of these calls is sent to local League leaders and should be distributed to all members, who are welcome to participate and get the latest information on our efforts at the State House. An informed and active membership is what the League needs to move forward in 2016!



**We Hope To Encourage  
Leagues Throughout  
South Carolina  
to Become More Engaged  
in Advocacy on State Issues**



for medical care for those who would be covered by expansion, but we are paying for unnecessarily expensive care delivered inefficiently and often too late, after there has been permanent damage. While this issue is on-going, a committee led by board healthcare specialist David Ball is preparing for a statewide consensus study on healthcare issues.

In other areas the problems that we will address this year have been with us for some time. There are continuing legislative attempts to remove the automatic stay provision that stops environmentally damaging projects while they are under court review. We need action on excessive surface water withdrawals by large out-of-

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# Notes from the SC House Education Policy Review and Reform Task Force Meeting

By June Pulling, LWVSC Education

## Highlights of Task Force Findings on November 19, 2015

We must address the teacher, principal, superintendent pipeline with measurable objectives for districts to meet. There is a serious shortfall in plaintiff districts. Regional offices of the State Department of Education need to focus on plaintiff districts. There may be a need for an Office of Transformation at the South Carolina Department of Education (SDE). It was recommended that the Teacher Cadet and Teacher Loan Programs be expanded in plaintiff districts.

### Recommendations included:

1. Changing the poverty weighting factor from .20 to .50 with no EFA match requirement.
2. Creating a school infrastructure bank.
3. Monitoring time on busses and providing smaller buses for rural areas with Wi-Fi on busses to extend learning time.
4. Using 3-4K SDE approved assessments to evaluate early childhood education programs, and combining all these programs into one agency.

*There was no agreement on a timeline for implementation.*

The subcommittee on **Transportation and Infrastructure** found that studies are needed in plaintiff districts to assess facility's needs, focusing first on health and safety, then on academic needs. There is a need for better pay for bus drivers and/or training bus drivers for other school jobs to help with retention. These districts also need a more robust transportation system, including reduction of travel time and use of software programs to optimize bus routes. The subcommittee also recommended an evaluation of possible consolidation of facilities across district lines, and sharing facilities with neighboring districts and technical colleges.

In terms of infrastructure funding, the

subcommittee recommended changing the district debt limit from 8% to 10%. Of the property tax base, and a statewide capital bond fund to allow for low cost borrowing for faculties.

The subcommittee on **Accountability, Continuous Improvement, and Leadership** recommended improving accountability standards for career-bound students, leadership training for school boards, superintendents and principals, new pathways for school leaders.

### Other recommendations included:

- Studying district operations from an efficiency standpoint and encourage and demand that districts implement results.
- Studying how special needs students affect graduation rate.
- Having all school districts accredited through AdvanceED.
- Providing alternate pathways to certification for high needs areas.
- Offering incentives for consolidation, perhaps beginning with business functions (human resources, facilities management, IT, transportation)
- Using adjunct teachers for STEM and other high needs areas.
- Spearman Amendments: offered pauses for districts willing to consolidate, relief from report card grades for 2 years, and debt forgiveness among other incentives.

The subcommittee on **Education Recruitment, Retention, Effectiveness, and Professional Development** offered the following recommendations:

- Identifying successful teachers of children in poverty and recruit them to plaintiff districts. Provide professional development for teachers in districts in teaching children of poverty.
- Expand Rural Teacher Initiative to include a special allocation for plaintiff districts. Conduct salary study to set desired salary levels and having the

state pay the cost of Praxis, background check, TB test, etc. for teachers in plaintiff districts. The subcommittee will conduct a survey of teachers and student education members to see which incentives could attract teachers to rural schools.

- Increasing teacher and principal contract days in plaintiff districts by 10 days to provide professional development in teaching children of poverty.
- Exploring incentives to attract and retain top quality teachers into plaintiff districts: such as loan forgiveness, housing allowance, and/or free tuition for graduate studies.
- Providing enhanced compensation or other benefits to well qualified teachers to be employed by plaintiff districts, including full pay for effective retired teachers who choose to continue or go to plaintiff districts.
- Providing better mentoring to beginning teachers in plaintiff districts.
- Encouraging districts to help qualified local staff members (teacher aides etc.) to pursue teaching degrees with paid release time to attend.
- Establishing standards for hiring and retaining superintendents with sufficient incentives to attract them to plaintiff districts. (This proposal resulted in much conversation and was not endorsed by the full committee.)
- Funding regional lead institutions of higher Ed to develop and implement training for school boards members, superintendents, principals, and teachers in teaching children of poverty.
- Encourage teachers to have at least one goal devoted to teaching children of poverty.
- Encourage education professional associations to form an organization dedicated to children in poverty.

### EDUCATION POLICY:

*continued on page 5 –*



**EDUCATION POLICY:**

*continued from page 4 –*

- Surveying teachers in plaintiff districts as to their wants and needs and using the results to build a supportive culture.
- Sending practicum students with full scholarships for training to SDE regional early childhood development training centers staffed by professors of ECE and their students.
- Increasing rigor of admission and exit standards for higher education pre-service programs, including a review of exit standards in line with wanted teacher outcomes.
- Reducing high stakes testing and the time it takes teachers away from teaching duties.
- Moving to 'hearing officers' to hear dismissal cases, not school boards.
- Providing more support for human resource managers.
- Looking for ways to give teachers more professional growth without leaving the classroom, such as team teaching and hybrid roles.
- Using distance learning for professional development. Improving professional development, perhaps with 12 month teacher contracts to allow summers for intensive professional development in plaintiff districts.

The subcommittee on **College and Career Pathways of High Quality Learning Opportunities** offered the following recommendations:

- Full funding for EEEDA in plaintiff districts.
- Giving students greater access to college course through dual enrollment and virtual school offerings and need extended learning time through afterschool programs and summer programs. Community involvement through groups such as Boys and Girls clubs, WINGS, and CIS can also help.
- Working with teacher education programs to highlight teaching children of poverty.
- Forming a task force to work on improving discipline policies and making recommendations for districts.
- Providing SDE regional centers to support use of technology.

The subcommittee on **High Quality Early Childhood Education and Family Engagement** offered the following recommendations:

- Developing and upgrading standards for early childhood programs through 3rd grade, and aligning them with standards from preK-3.
- Establishing quality improvement initiatives such as quality rating

systems for child development programs with incentives for improved performance.

- Ensuring that pre-service early childhood providers receive appropriate high quality training.
- Reviewing and improving licensing and professional development programs for practitioners.
- Ensuring that providers have access to high quality professional development.
- Establishing cross agency data analytics to determine the effectiveness of interventions.
- Conducting a statewide needs assessment to determine if early childhood programs are distributed to meet the state’s highest needs, including a budget analysis of all funding streams for ECE.
- Creating a statewide cabinet responsible to the governor or another key leader to provide policy direction for early childhood in the state.
- Adoption of 10 national standards for early childhood education and apply them to all programs receiving state funding.

*Note: There seems to be support from several task force members for moving First Steps to the SDE.*

**Letter: Nuclear Waste a Hazard – Post and Courier, 11/21/15**

*By Julie Hussey, Co-President, LWVSC*

Our governor and congressmen have spoken out about moving prisoners from Guantanamo Bay to South Carolina, but have been silent on the movement of nuclear waste into our state’s Savannah River Site (SRS).

The League of Women Voters of South Carolina (LWVSC) has been tracking SRS for 40 years. South Carolinians should be proud to know SRS technical staff has been more focused and forward thinking than other cleanup sites, but we still have decades of work to clean up SRS.

Because Yucca Mountain, Nev., will

not accept waste, as once planned, it will be staying at SRS for the foreseeable future as will waste at other sites.

Secret plans to bring spent commercial nuclear waste from Germany and Illinois are not “rewarding” SRS’ good management with exciting new jobs. We would be “winning” a clunker with more environmental and health costs than benefits.

Because this waste would be traveling through our state’s ports and on our roads, elected officials and citizens across South Carolina must ask why the U.S. Department of Energy and the Nuclear

Regulatory Commission want to send commercial waste to SRS, when and how SRS became an international waste storage site, and what gives them the authority to fiercely ignore public policies and laws?

To keep South Carolina from becoming a nuclear waste dumping ground, talk to your elected officials and encourage them to speak out on this issue. For an issue brief on nuclear waste in South Carolina see [www.LWVSC.org](http://www.LWVSC.org) under League Publications.

# Testimony to the Joint Voting System Research Committee — November 10, 2015

By Duncan Buell, Professor, USC Computer Science & Engineering Department

Last March I was general chair of the Election Verification Network's annual conference. The general theme of the conference was exactly the topic you have today – current voting system technology is aging rapidly, and it must be replaced, and the choice of what to replace it with is difficult.

In one sense you (and we) in South Carolina have an advantage in that there are several jurisdictions that have just purchased, or are purchasing, or are developing new voting systems. At one of our sessions this past March we had election officials from Tallahassee (Leon County), Florida, Fairfax, Virginia, and Philadelphia describing their process for acquisition and the reasons for their choices.

There are yet more jurisdictions that have recently acquired systems, and I would encourage you to take advantage of their analysis prior to acquisition.

There are also two large jurisdictions

that are developing their own systems. Los Angeles County is developing a system for use there, but it is not clear that a system would be ready for procurement within the time frame asked for in South Carolina. The system being developed in Austin, Texas, however, is likely to be available. The design of that system has been guided by Dana Debeauvoir, clerk of court in Travis County, and has had the input of some of the best industry and academic minds in hardware system design and in security. Importantly, that system provides a single ballot marking device for all voters, using commodity hardware for low cost, and a totally transparent and totally auditable trail to ensure accurate results and thus maintain voter confidence.

I would encourage you not to make decisions without looking at these reports and systems and without consulting those from around the country who have had to make similar decisions in the recent past.

Finally, I would encourage you to consider only those systems that are totally transparent and totally auditable. The marks the voter sees that indicate the voter's choices should be the marks that are used to tally the votes. There should be no software that intervenes, no coding or hidden transformation that is not understandable by the voter. There should be a capability of a genuine recount, not merely the running of the same computer program on the same data. And the system should be simple to operate. In all my analysis of election data from South Carolina, Colorado, Pennsylvania, and Texas, I have not seen fraud. But we have a very complicated system, and I have seen essentially all possible errors that could be made by tired and inexperienced poll workers at the end of a very long day. The system needs to be simple. A complicated system like the one we currently have is guaranteed to result in errors.

## SOUTH CAROLINA CAMPAIGN FINANCE REGULATIONS

SC Code of Laws, Title 8 - Reviewed November 2015

### Disclosure

Timely Reporting of Contributions – Yes  
Timely Reporting of Expenditures – Yes  
Entity must identify responsible human and address – Yes

Online availability of the above information prior to elections – **NO**

Reporting of Gifts – Yes

Contributor's Employer & Occupations- Yes, **HOWEVER** occupation only, not employer

Disclosure of top contributors by name, not organization, in advertising - ?

### Coordination

Rules governing coordination between candidates, political parties & outside organizations- Yes

### Pay-to-Play

In the political context, Pay-to-Play refers to campaign contributions from

those seeking government contracts to public officials and candidate responsible for awarding contracts. Yes, not allowed.

### Public Financing

for Governor only, all state legislators, other elected officials -**NO**

Small Donor Matching Fund - **NO**

Source of Public Funds Identified – **NO**

### Oversight & Enforcement

State Commission – Yes

Independent, non-profit administrator – **NO**  
Transparency - ?

Regulatory enforcement – Yes;

Disclosure before election – Yes

Enforcement–Yes, accessible through

State Ethics Commission, House/Senate Ethics, Committees and Clerk of Court.

### Other Considerations: Income Disclosure and Conflicts of Interest

Income disclosure is an area outside of campaign finance regulation, but is critical to issues of corruption and undue influence.

Must officials disclose the source and amount of income from government/contract agency income and businesses with which they are associated to: Themselves? – Yes; Family members? – Yes

Must officials disclose the source and amount of private income and businesses with which they are associated to: Themselves? **NO**; Family members? **NO**

Must officials recuse themselves from all involvement in decision-making that would benefit or significantly affect those sources of income? **NO**

Must they recuse themselves from final votes only on decisions that would benefit those sources of income? Yes. **HOWEVER**, in practice recusal is rare, very broad interpretations permit participation and even voting in most instances.





# LEAD DAY 2016

*Looking In To Reach Out*

*Join Us!* January 30, 2016 in Columbia

- WHO:** All League members are welcome and urged to attend!
- WHEN:** Saturday, January 30, 2016 - 9:00 a.m. –  
Gathering and light breakfast, 9:30-3:00 Program
- WHERE:** South Carolina Education Association,  
421 Zimacrest Drive, Columbia, SC 29210
- REGISTRATION:** \$20 per person. *Includes materials, light breakfast & lunch.*  
RSVP by January 15, 2016 to LWVSC c/o Jeannette Roveri  
38 Pinewood Rd., Sumter, SC 29150  
or email your registration form to copresidentlwvsc@gmail.com.

*Join League members from across South Carolina for a fun and educational way to kick off another great League year. Take part in exciting leadership training and education, hear League success stories, stop by the wares table and pick up helpful League materials, sign up to have your business cards printed and more!*

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## 2016 LEAD DAY REGISTRATION FORM

**FEE:** \$20 per attendee (includes light breakfast, lunch and materials)

**NAME:** \_\_\_\_\_

**LEAGUE:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_

Reserve by Friday, January 15, 2016 to:  
LWVSC c/o Jeannette Roveri, 38 Pinewood Rd.,  
Sumter, SC 29150, or email your registration form to  
copresidentlwvsc@gmail.com

Payment may be made in advance or at the door.

Checks should be made out to "LWVSC"

Total enclosed for all attendees: \_\_\_\_\_ x \$20.00 =  
\$ \_\_\_\_\_

Please indicate number of meatless entrees  
desired \_\_\_\_\_

Contact Julie Hussey with any questions:  
843-224-1096 or copresidentlwvsc@gmail.com



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# MONEY IN POLITICS -

## *Background information for Consensus meetings*

The First Amendment has been at the center of the campaign finance debate since the 1970s. A key provision says “Congress shall make no law...abridging the freedom of speech, or the press....” Since the 1970s, Justices of the Supreme Court have been unanimous in agreeing that regulating the financing of political speech raises First Amendment concerns, because in modern society, political speech includes paid advertising, paid voter mobilization, and other modern methods of communicating political messages. The League has a position in favor of protecting the individual rights guaranteed by the Constitution, including the free speech protections of the First Amendment.

Relative to campaign finance, the question is: What are the significant or compelling governmental interests that justify some limitations on spending money to convey a candidate’s, or anyone else’s, electoral message? While the Supreme Court Justices have agreed that *guarding against corruption* is the compelling governmental interest that justifies campaign finance regulation, members of the Court have VERY different definitions of corruption.

In 1976, the Supreme Court ruled that the First Amendment rights of candidates to get their messages to the public *could not* be curtailed by limits on their *spending* but that limits on *donations* to candidates *can* be limited in order to prevent corruption or the appearance of corruption. The Court also said that *truly independent spending* in elections *could not* be curtailed. Any spending coordinated with a candidate, however, counted as a *contribution* to the candidate, which *could* be limited. This structure of *limits on donations but no limits on spending* has governed campaign finance ever since.

In 1990, the Supreme Court recognized a state’s compelling interest in combating a “different type of corruption in the political arena: the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no

correlation to the public’s support for the corporation’s political ideas. “ Unlike the simple quid pro quo corruption, which focuses on the candidates and elected officials, this decision recognized the distorting effect of big money on elections and the political system itself.

The 2010 Citizens United v. FEC decision held that all forms of corporations—nonprofits, labor unions, trade associations and for-profit multinational corporations—have a First Amendment free speech right to make independent campaign expenditures, just as individuals do. The majority opinion in Citizens United stressed that, because independent expenditures are defined as ones not coordinated with any candidate or political party committee, they cannot corrupt.

The Citizens United decision effectively overturned any prevention on direct corporate and union spending in elections. It also narrowly defined the only corruption—quid pro quo corruption—that could justify limits on the First Amendment, so it is virtually the same as bribery. The quid is the money; the quo is the candidate or elected official giving a favor in return for that money. Thus the Court ignores the subtle influence or favored access granted to a large donor, rejecting the idea that big money distorts the election process or reduces political equality.

Justice Stevens, in his dissent in Citizens United, attacked the majority’s absolutist views both on the First Amendment and on the meaning of corruption. “In a variety of contexts, we have held that speech can be regulated differentially on account of the speaker’s identity, when identity is understood in categorical or institutional terms.” Stevens pointed out that before Citizens United the Court “did not rest our holding on a narrow notion of quid pro quo corruption. Instead we relied on the governmental interest in combating the unique forms of corruption threatened by corporations.”

The Citizens United decision also focused on so-called “independent expenditures,” which the Court says

cannot corrupt because, supposedly, they are not coordinated with a candidate or campaign. With no restrictions on independent expenditures, Super PACS have stepped in to spend unlimited amounts in elections and to serve as vehicles for donors and candidates to bypass the contribution limits that apply to a candidate’s campaign.

In 2014, the Supreme Court held that an overall limitation on the amount a person or group can give in direct contributions to candidates infringed on free speech rights, thereby dismissing the idea that widely distributed contributions among members of a political party could cause corruption. Consequently, a donor can legally give the maximum amount to each and every candidate and state and national political party committee, which could amount to millions of dollars. In dissent, Justice Breyer wrote that this ruling, together with Citizens United, “eviscerates our Nation’s campaign finance laws, leaving a remnant incapable of dealing with the grave problems of democratic legitimacy that those laws were intended to resolve.” He argued that corruption should be defined more broadly than merely quid pro quo, to include influence over or access to elected officials, and emphasized the fundamental importance of protecting the integrity of the electoral process as a First Amendment value. Justice Breyer said that campaign finance regulations “are rooted in the constitutional effort to create a democracy responsive to the people.”

With these Supreme Court rulings, the question of money and speech has become even more contentious, and the League is now updating our position on campaign finance, through study and consensus, to consider the extent to which political campaigns are protected speech under the First Amendment. According to the League’s current position, methods of financing political campaigns should: (1) Ensure the public’s right to know; (2) Combat corruption and undue influence;

### **MONEY IN POLITICS:**

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## MONEY IN POLITICS:

*continued from page 8 –*

(3) Enable candidates to compete more equitably for public office; and (4) Allow maximum citizen participation in the political process. In recent years, the League has focused on two main goals – transparency in financing political campaigns and fighting the influence of big money on elections and government.

Concerning fundamental rights like freedom of speech and of the press, the usual constitutional analysis asks three questions: Is there a significant or compelling governmental interest that justifies some limitation? Is the limitation the appropriate or the least restrictive means of protecting that governmental interest? Does the limitation apply too broadly, to situations where the governmental interest is not in play?

Historically, money has always been a part of the system. Arguments in support of unlimited money in politics: (1) Money allows the funding of modern communications; (2) Political communication informs the voters; (3) Government should not regulate

political speech; (4) Candidates who take “independent” contributions will not necessarily take orders from the contributor once they are elected officials; and (5) Contributed funds simply flow to representatives who support the position of the group making the donation.

Opponents of big money in elections argue that growing cynicism among the US population sees democracy as now being for sale, with Congress dependent on these large amounts of campaign money, making members more responsive to their contributors and less likely to listen to “the people” – whom the Founders meant for Congress to represent. Studies have shown that donors were twice as likely as others to succeed in getting a meeting with a member of Congress.

Many organizations—including nonprofits and trade associations—lobby members of Congress, carry out campaigns on issues they care about, register voters and try to get them to participate. But when are such activities really a way to boost one candidate over another? Can secret donors give big money for issue work or for voter turnout

to help their favorite candidates? How do we draw the line?

Clean election reforms such as stronger disclosure, anti-coordination and ethics rules are also needed to restore transparency and reduce the role of big money. Many organizations, including the League, support publicly funded elections as one of the most effective ways to offset the influence of big money donors and diversify the candidate pool.

In response to Citizens United, California, Delaware, Maryland, Massachusetts, Hawaii, Vermont and North Carolina have updated and expanded their disclosure regulations and enforcement. Connecticut, Minnesota, and Vermont have promising new policies in place that crack down on coordination between candidates, campaigns and outside groups and that could serve as a model for other states. Some states are pushing for a constitutional amendment. As of January 2015, 16 state legislatures have passed bills calling on Congress to pass amendments addressing money in politics and corporate personhood, with similar resolutions pending in 16 other states.

**THESE ARE THE CONSENSUS QUESTIONS YOUR LEAGE WILL BE ASKED TO ANSWER. IF YOU HAVE QUESTIONS OR CONCERNS YOU MAY CONTACT KELLER BARRON AT [kellerhb@att.net](mailto:kellerhb@att.net) or 803.771.4458**

## MONEY IN POLITICS – LWVUS Consensus Questions – January 2016

### Part 1: Democratic Values/Interests with Respect to Financing Political Campaigns

**Agree (A) Disagree (D) No Consensus (N)**

1. **What should be the goals and purposes of campaign finance regulation ?**
  - a. Seek political equality for all citizens ( )
  - b. Protect representative democracy from being distorted by big spending in election campaigns ( )
  - c. Enable candidates to compete equitably for public office ( )
  - d. Ensure that candidates have sufficient funds to communicate their messages to the public ( )
  - e. Ensure that economic and corporate interests are part of election dialogue ( )
  - f. Provide voters sufficient information about candidates and campaign issues to make informed choices ( )
  - g. Ensure the public’s right to know who is using money to influence elections ( )
  - h. Combat corruption and undue influence in government ( )
  
2. **Evaluate whether the following activities are types of political corruption:**
  - a. A candidate or officeholder agrees to vote or work in favor of donor’s interests in exchange for a campaign contribution ( )
  - b. An officeholder or her/his staff gives greater access to donors ( )
  - c. An officeholder votes or works to support policies that reflect the preferences of individuals or organizations in order to attract contributions from them ( )
  - d. An officeholder seeks political contributions implying that there will be retribution unless a donation is given ( )
  - e. The results of the political process consistently favor the interests of significant campaign contributors ( )

**CONSENSUS QUESTIONS:** *continued on page 10 –*



## Part II: First Amendment Protections for Speakers/Activities in Political Campaigns

Spending banned (B) Some spending limits (L) Unlimited (U) NC (N)

### 1. Should spending to influence an election by any of the following be limited?

- a. Individual citizens, i.e. wealthy citizens like George Soros, Koch Brothers ( )
- b. Political Action Committees sponsored by an organization, such as the League of Conservation Voters, Chevron, American Bankers Assoc., International Brotherhood of Electrical Workers, whose campaign spending comes from contributions by individuals associated with the sponsoring organizations such as employees, stockholders, members, volunteers. ( )
- c. For-profit organizations, like Exxon, Ben and Jerry's, General Motors, Starbucks, from their treasury funds. ( )
- d. Trade associations like the US Chamber of Commerce, American Wind Energy Assoc., Amer. Petroleum Inst., from association's general treasury funds ( )
- e. Labor unions, like the United Autoworkers/Service Employees Internat'l, from the union's general treasury funds ( )
- f. Non-profit organizations, like Sierra Club, Wisconsin Right to Life, Coalition to Stop Gun Violence, Amer. Crossroads, Priorities USA, from org. treas. funds ( )
- g. Non-partisan voter registration and Get Out the Vote organizations/ activities like the LWV and Nonprofit Vote ( )
- h. Political parties, like the Republican, Libertarian, Democrat ( )
- i. Candidates public office spending money the candidate raised from contributors ( )
- j. Candidates for public office spending their own money ( )

### 2. Should spending to influence an election by any of the following be limited?

- a. Newspapers, like NY Times, Wall St. Journal ( )
- b. Television/other electronic media, like Fox News, CNN, MSNBC, CBS ( )
- c. Internet e.g. Huffington Post, Breitbart, Daily Kos, individual bloggers ( )

## Part III: Methods for Regulating Campaign Finance to Protect Democratic Process

Agree (A) Disagree (D) No Consensus (N) – May choose more than 1

### 1. To achieve the goals for campaign finance regulation, should the League support?

- a. Abolishing SuperPACs and spending coordinated or directed by candidates, other than a candidate's own single campaign committee ( )
- b. Restrictions on direct donations and bundling by lobbyists, may include monetary limits as well as other regulations ( )
- c. Public funding for candidates?
  - i. Voluntary public financing of elections where the candidates who choose to participate must also abide by reasonable spending limits ( )
  - ii. Mandatory public financing of elections where candidates must participate and abide by reasonable spending limits ( )
  - iii. Public financing without spending limits on candidates ( )

### 2. How should campaign finance regulations be administered and enforced?

- a. By an even-numbered commission with equal representation by the two major political parties to ensure partisan fairness (FEC structure) ( )
- b. By an odd-numbered commission with at least one independent or nonpartisan commissioner to ensure decisions can be made in case of partisan deadlock ( )
- c. By structural and budget changes to the FEC (e.g. commission appointments, staffing, security, budge, decision making process) that would allow the agency to function effectively and meet its legislative and regulatory mandates ( )
- d. No consensus ( )

**OPTIONAL COMMENTS**, designate Part I, II or III, no more than 250 each



# History of Nuclear Waste Mismanagement

By Susanne Rhodes, LWVSC Off-Board Specialist, Nuclear Issues

From the beginning of the nuclear age, US commercial power wastes were to become the responsibility of the US government. The Department Of Energy and its predecessor agencies have been generically charged with this responsibility, but it is the US Congress which establishes policies and appropriates funds. Three governors and their dedicated delegations initiated the Nuclear Waste Policy Act (NWPA) in the 80s. Congressional funding was slow and stingy as the Yucca Mountain geologic repository, for both industry and weapons wastes, progressed. With mining equipment to be designed and research contracts outstanding, staff resignations related to the repository were excessive. Consequently Congress and industry accused DOE of 'bad management.'

The NWPA also initiated cleanup at previously neglected weapons sites such as the Savannah River Site and Hanford Washington. Congressional funding continues to flounder. To its profound credit SRS technical staff has been much more focused and forward thinking than other cleanup sites. At SRS 'stimulus' funds were used and **ALL** of the legacy

transuranic defense wastes are now analyzed and packaged for safe shipment. Much has already been sent to the Waste Isolation Pilot Project in New Mexico. Some other labs have mishandled or ignored TRU wastes.

Industry is justifiably exasperated with the lack of congressional responsibility for wastes. In the mid-90s industry began proposing reprocessing of commercial spent fuel – allegedly to provide local jobs at temporary spent fuel storage sites. There are several problems with this proposal, but it remains a promotional strategy to encourage temporary storage.

About a year ago the Nuclear Regulatory Commission (NRC) formally determined that DOE lacks control of the lands around Yucca Mountain. Maps of railroad tracks to Yucca Mountain are only conceptual. Photos of railroad tracks at the mouth of the mine are light rail tracks, not suitable for casks, and not connected to other tracks. Railroad shipments to Yucca Mountain are impossible.

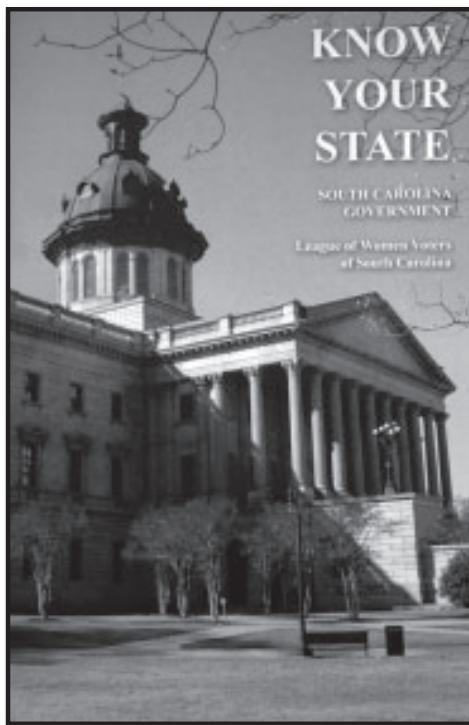
The secret plans to bring German commercial fuel – and more recently Illinois fuel – to SRS are inexcusable. Germany could be a leader in European

Union planning for EU wastes. The so-called 'logic' of Germany reimbursing SRS for treatment is to improve DOE's balance sheet. Financial responsibility for income is not thrust upon Hanford, Los Alamos, or other labs.

Exelon, according to its web site, operates the largest fleet in the nation - 23 reactors at 14 locations. Duke has shipped some of its spent fuel to other Duke sites, and Exelon could and should do the same. Exelon 'needs' SRS only because it has not pursued traditional industry measures of responsibility, including lobbying Congress.

The BIG question is: Why would both DOE and NRC propose to send commercial spent fuel to SRS, a weapons site, despite decades-old policies to separate commercial and defense activities? And why are they both using tactics that fiercely ignore public policy, procedures and laws?

A LWVSC report on nuclear wastes in South Carolina, includes congressional inactions - search for 'congress' <http://www.lwvsc.org/files/nuclearwaste20140116.pdf>



## KNOW YOUR STATE - UPDATED EDITION -

The most recent edition of LWVSC's *Know Your State: South Carolina Government* publication came out in 2009. A lot of water has passed under the state's bridges since then, so before reprinting, there has been an update in 2014. The update not only has the most recent numbers for state and local revenue, population, and student enrollment, but also reflects changes in photo ID for voters, Common Core Standards, the new on-line public school, the demise of the Budget and Control Board, and other legislative changes. This informative 72-page booklet is a great gift for speakers, school and public libraries, newcomers to the state, and a great reference for our members. The retail price is \$10, but Leagues can buy copies for \$7 and resell them at full price or give them to anyone you think might need a copy. You can order copies by emailing [league@lwvsc.org](mailto:league@lwvsc.org) or calling 803-251-2726.



# 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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## IMPORTANT DATES:



## CALENDAR

- February 20th -** Republican presidential primary
- February 27th -** Democratic presidential primary  
Note: anyone who will be 18 by General Election Day (November 8, 2016) is eligible to vote in the primaries. You can only vote in one, not both. You may vote absentee by requesting a ballot or in person up to 5 p.m. the day before.
- March 16th -** Filing opens for June party primaries for state and local offices  
US Senate seat currently held by Tim Scott.  
All seven Congressional seats.  
All 46 seats in the SC Senate  
All 124 seats in the SC house  
Solicitors in 10 judicial circuits  
County and municipal offices where parties nominate candidates
- June 14th -** State and Local Primary election for both parties
- June 28th -** State and Local Primary runoffs as needed
- November 8th -** General Election