



**State Representative Rick Carfagna
68th House District**

Chairman Schaffer, Vice Chair Scherer, Ranking Member Rogers, and members of the House Ways and Means Committee, thank you for allowing me to give testimony on Substitute House Bill 124.

There are three changes in this substitute bill that I will be going over today. I am happy to take questions at the end of my testimony and Mary Beth Freeman, Superintendent for the Delaware Area Career Center is also here and will be providing further testimony.

The first change deals with constitutionality. As you know, LSC submitted a letter with the analysis of the bill during its first hearing detailing the unconstitutional sections of this bill. As they are the experts on this issue, I won't restate their words. Briefly, however, House Bill 124, in its original format, restricted the eligibility to vote in the special election to electors who were eligible in November 2015. That restriction has been substituted out of this current version of the bill. Substituted House Bill 124 is now a constitutional bill.

The second change deals with specificity. To show transparency to their constituents, Superintendent Mary Beth Freeman and her folks at the DACC thought it would be important to stress that the ballot form be substantially identical to the form of the ballot used in the 2015 election. This includes the same purpose, rate expressed in mills and the same term of years as the original renewal levy. These specifications can be found in lines 48-53 of Sub. HB 124.

The third and final change deals with urgency. The Delaware Area Career Center, through no fault of their own, has been forced to halt construction on their new facility and languish in purgatory for a mistake made by the Delaware Board of Elections. The emergency clause added to this bill will speed up the process by which the DACC may receive restitution and get their expansion project back on its feet. Though emergency clauses are rare, we feel that it is necessary in an unprecedented case such as this.

Again, thank you Chair Schaffer, Vice Chair Scherer, Ranking Member Rogers and members of the House Ways and Means Committee, I am happy to take questions at this time.