



2018 Progressive Agenda

FOR STATES AND LOCALITIES

**Proactive Policy
for America**

**PUBLIC
LEADERSHIP**
INSTITUTE

2018 PROGRESSIVE AGENDA FOR STATES & LOCALITIES PROACTIVE POLICY FOR AMERICA

Table of Contents

3	Letter from our President
4	Civil Rights & Liberties
6	Consumer Protection
8	Education
10	Environment & Smart Growth
12	Government Performance
14	Health
16	Public Safety
18	Reproductive Rights
20	Social Services
22	Taxation
24	Voting & Elections
26	Wages & Benefits

The Public Leadership Institute is a nonprofit nonpartisan policy and leadership center organized to explore and raise public awareness about issues of equity and justice and to develop public leaders who will improve the economic and social conditions of all Americans.

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January 2018

Dear Friends:

If you take one thing away from this book, I hope it will be a fuller understanding of how important it is that you fashion a proactive agenda for your state or locality.

You see, as progressives we are committed to progress. And the only way to see progress is to turn from playing merely reactive politics to fighting for an inspiring proactive vision for our future. This book is designed to help you do just that.

We need to drive bold public policy in states and localities, even the ones controlled by conservatives. When we do that, we arm our activists with proposals that represent their values and that energize them to fight for something instead of just defending the status quo. Only a proactive strategy makes news, frames the debate, and dictates timing. Only a proactive strategy forces opponents to shift their resources and defend their unpopular positions. And only a proactive strategy guarantees that we are moving our communities, our states and our country forward.

The nation is counting on you to help solve some very big problems. People all over are counting on you to govern boldly, with the positions, policies, passion and practicality that it takes to counter the opposition.

Fortunately, you are not alone. The Public Leadership Institute hosts a nationwide network of more than 13,000 progressive state legislators, city council members, county commissioners, and other policymakers, as well as local advocates. Working with allied groups, we are here to support you and your allies on the ground.

In addition to the policy tools in this edition of the *Progressive Agenda*, we offer on our website more than 150 model bills, the *Voicing Our Values* messaging series, our new *Preparing to Win* advocacy handbook, the *Playbook for Abortion Rights*, and many more resources. We provide webinars on timely issues every two weeks, the biweekly *PLI Bulletin*, a national conference, and many in-state workshops.

We are here to help you and your colleagues realize your vision for what's possible, so please call on us to assist you in any way you need.

Enjoy this resource and all the others the Public Leadership Institute prepares for you. But, more importantly, employ this resource to make the necessary policy changes your constituents so need you to make.

Sincerely,

A handwritten signature in blue ink that reads "Gloria Totten". The signature is fluid and cursive, written over a white background.

Gloria Totten
President

Civil Rights & Liberties

OUR VALUES: Freedom, liberty, fundamental rights, fundamental fairness, basic rights, constitutional rights, personal privacy, justice, equal opportunity, fairness, stopping discrimination and government intrusion

OUR VISION: Our nation was founded and built upon the self-evident truth that all men and women are created equal. That ideal calls us to defend liberty and justice for all people, with no exceptions. In the 21st century, three policies are of foremost importance: (1) outlaw discrimination based on race, gender, age, disability, religion, ethnicity, sexual orientation or gender identity; (2) guarantee fundamental fairness for immigrants; and (3) protect our privacy from intrusion by governments or businesses, including the collection, use and sale of data without individuals' active consent.

Forbid discrimination

It has been more than half a century since the civil rights movement, aided by the Warren Supreme Court, started a revolution against discrimination. That cause endures. Women and people of color continue to be underrepresented in government and other places of power, so some jurisdictions implement **affirmative action** while others promote more **aggressive enforcement** of anti-discrimination laws, especially in claims for **fair** and **equal pay**. Too often police wrongly **employ racial profiling**. Most states and localities currently do not protect LGBT people from **employment or housing discrimination**, and there are many ongoing efforts to correct that. Progressives must beat back efforts to legalize discrimination, like efforts to target Muslim Americans and laws which invite businesses to discriminate against our gay and lesbian neighbors.



Ensure fairness for immigrants

More than 40 million American residents are foreign-born. About three-fourths of these are authorized residents, and yet, whether authorized or not, they often face discrimination. Millions more Americans were born in the U.S. but face discrimination because they *look* foreign. Progressive states and cities are responding by **limiting government inquiries** into immigration status, refusing some federal **immigration detainer requests**, authorizing **driver's licenses** regardless of immigration status, making government **ID cards** available to all, and providing information about government requirements, programs and services in **various languages**.

Protect privacy

Technology is advancing at a phenomenal rate, and it is causing new problems for individuals who want to protect their privacy. Businesses are creating and often selling data profiles about millions of Americans—including where we go on the Internet, what we buy, what we're interested in, and even where we physically are or have been. Progressives are starting to push back by **requiring warrants** for law enforcement to access the most sensitive of this data and limiting **how long some data can be kept** by police. In some cases, governments are limiting the collection, sale or use of certain data, especially information **about children**.

For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Don't ask immigration status

When immigrants believe that state or local law enforcement agents are involved in the enforcement of federal immigration law, immigrants—fearing harassment or deportation—simply decline to report crimes or suspicious activity. The result is twofold: criminals see immigrants as easy prey, and offenders who could have been caught remain on the streets, putting everyone at risk of becoming the next victim. Assigning the role of immigration law enforcer to local police both overburdens law enforcement and increases the risk of racial profiling. And local police usually lack the training needed to enforce our nation's complex web of immigration laws. States and localities should adopt policies **prohibiting government inquiry into immigration status** unless otherwise required by superseding law.

Stop racial profiling

Thirty-two million Americans have been the victims of racial profiling, according to an Amnesty International report. Racial profiling and racially motivated policing result in a breakdown of communication between police and the public, undermining law enforcement's ability to ensure public safety. Cities, counties and states can combat these practices by **prohibiting the selection of individuals** for interrogations, searches and frisks based on race or other factors. Law enforcement should be required to **train officers** to recognize the difference between good policing and misguided stereotyping.



Protect LGBT fairness

Over one-third of lesbian and gay people have experienced workplace discrimination and about one-sixth have lost a job because of their sexual orientation. Sadly, over half of states and most cities do not ban discrimination against LGBT individuals. The **LGBT Fairness Act** prohibits discrimination in employment, public accommodations, education, credit and housing.

Prevent a constitutional convention

In late 2017, Wisconsin became the 28th state to call for an unprecedented federal constitutional convention. Under Article V of the U.S. Constitution, a national convention occurs if two-thirds, or 34, of the states formally ask for it. This effort, led by right-wing extremists, could result in the loss of our fundamental constitutional rights. Many states approved convention resolutions long ago and should now pass a **Constitutional Convention Rescission Resolution**, as Maryland did in 2017.

Consumer Protection

OUR VALUES: Justice, equal justice, civil justice, equal opportunity, fairness, fair rules, fair markets, level playing field, security, safety

OUR VISION: We need a marketplace that is fair to everyone. That requires fundamental rules to ensure consumer products are safe and the terms of sales and investments are open and honest. In four ways, we need to guarantee that everyone plays by the same fair rules by: (1) ensuring that food is safe, drugs are pure, and products are free from dangerous defects; (2) requiring that financial institutions not cheat their customers, and further, that their services provide a legitimate benefit to society; (3) compelling all businesses to follow basic rules of economic decency; and (4) guaranteeing justice for average Americans and small businesses in civil litigation.

Safeguard consumer product safety

The federal government created consumer product safety law piecemeal, beginning with minimum standards for flammable fabrics in the 1950s. The Consumer Product Safety Commission, authorized in 1972, provides the most protection on the federal level, but it's still not enough. Thus, states also provide a layer of protection, such as **California's Safe Cosmetics Act**, **Washington's Children's Safe Products Act**, bans on toxic chemicals in children's products, restrictions on **genetically engineered foods**, and numerous state regulations about the **handling and preparation of food**.

Outlaw unfair lending

The Great Recession of 2007-09 reminded Americans that our financial system is unstable, unfair, and often provides no real benefit to society. Both states and localities have responded with a variety of protections: limiting predatory mortgage lending and **payday lending**; stopping unnecessary property **foreclosures** and unfair **debt collection practices**; and controlling the **marketing of credit cards**, debit cards, and **pre-paid cards**.

Promote fair markets

Markets benefit society only when the same rules are fairly applied and vigorously enforced on everyone. States, cities and counties play a big role in that, prohibiting false advertising and often providing an agency that investigates and mediates complaints. States enforce contracts, of course, but they also may add special protections against **identity theft** and **violations of privacy**.

Protect the civil justice system

There has been a decades-long attack on the rights of average Americans to sue businesses for wrongdoing. Called "tort reform," this effort isn't "reform" at all; it is a cruel shifting of costs from rich companies that caused injuries to the unfortunate people who were injured. States can push back and make their courts fairer by discouraging contract clauses that require **forced arbitration** or waivers of injunctive relief, and by providing punitive damages and class action relief through legislation that creates **minimum standards of contract fairness**.

For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Stop zombie debt collection

The debt collection business is booming, but many collection company practices are questionable. “Zombie debt” occurs when collection agencies buy expired debt from the original vendor or credit card company for pennies on the dollar. Then they try to trick consumers who do not understand the debt is expired into paying or “acknowledging” the debt, thereby restarting the statute of limitations that barred the original vendor from collecting. Some jurisdictions, like Washington, have passed laws against **zombie debt collection** practices.

Protect the security of customer data

Corporations possess a tremendous amount of personal information about customers and potential customers. When these companies are hacked, individuals may have their money, credit and identities stolen. Massive data breaches have become painfully common, from Equifax and Target to Yahoo and Sony. To ensure the security of customer records, the **Data Privacy Protection Act** requires that any business that handles or stores the personal information of any resident of the state must meet certain security standards to protect this information.



Limit the use of customer data by ISPs

In 2016, the Federal Communications Commission established rules to limit how Internet service providers (ISPs) like AT&T, Comcast and Verizon, can use a customer’s personal information. For sensitive data, ISPs needed active permission from the customer before using geographic location, children’s information, health information, financial information, Social Security numbers, web browsing history, app usage history, or the content of a customer’s communications. For less-sensitive personal data, ISPs needed to allow customers to opt-out. But in early 2017, Congress and the President overturned those FCC rules. States can protect their own residents with the **Internet Privacy Protection Act**, which forbids ISPs from using or selling sensitive personal information without consent.

Outlaw price gouging during emergencies

Because of climate change, extreme weather events have become common. Any part of the country may see the next emergency. Sadly, it is not unusual for sellers to try to make windfall profits during hurricanes, earthquakes, wildfires and floods, and most states do not have an effective law to protect consumers. The **Protection from Price Gouging During Emergencies Act** deters price gouging by placing a percentage limit on the amount that certain products and services can increase in price.

OUR VALUES: Opportunity, equal opportunity, fairness, fair share, opportunity for each and every child

OUR VISION: Our public schools must provide each and every child the opportunity to achieve his or her fullest potential in life. Children are not standardized; each one needs and deserves personalized instruction. That requires both fully qualified professional teachers and opportunities to learn outside of school. Every jurisdiction needs to: (1) provide adequate funding for public schools; (2) deliver instruction in a way that recognizes the differences in both the interests and needs of specific children; (3) provide opportunities to learn outside of classroom time including afterschool, arts and recreational programs, and libraries; and (4) make schools a safe and fair environment for everyone.

Ensure adequate school funding

K-12 school funding was substantially cut due to the Great Recession and most states are still providing less per student than they did in 2008. Alabama, Arizona, Georgia, Idaho, Mississippi and Oklahoma each cut school spending by more than 15 percent. In addition, most states allow substantial disparities in per-pupil school funding from one jurisdiction to another. States and school systems should ensure that school spending is **transparent** (e.g., charter schools), that **money is not wasted** on consultants, standardized tests or **school vouchers**, and that **universal pre-K** is fully funded.

Deliver personalized not standardized instruction

We must recognize that there are no standardized children; every child has different strengths and weaknesses. That's why all schools must offer a complete curriculum provided by professional teachers who have the training to give the individualized attention every child needs. School systems need to **deemphasize standardized tests** and pre-packaged lessons, and instead hire and stand behind **fully trained teachers** who give each and every student the opportunity to achieve their fullest potential in life.

Provide opportunities outside of class

A great deal of children's learning happens outside of the classroom. Kids learn from art, music and dance programs, from athletics, nature and the outdoors, from games and hobbies, from afterschool clubs of all kinds, and from independent reading for pleasure. States and localities need to fully fund libraries, and **support nonprofits** that provide afterschool and summer programs for disadvantaged youth.

Offer safe schools with fair discipline

In order to learn, children need schools that are safe and welcoming. Harassment, intimidation and bullying are well-known to impede students' ability to learn. Students who are bullied are far more likely to skip school and earn poor grades, and many states and individual school systems have implemented **safe school policies** to address the problem. Yet, it is also clear that some school systems **overuse their discipline processes**, often in a discriminatory manner. The U.S. Departments of Education and Justice jointly created **national guidelines on school discipline** that should be implemented at the state and local levels.

For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Enact a Student Loan Bill of Rights

43 million Americans now owe more than \$1.3 trillion in student loans and, more and more, the lenders aren't playing fair. Some states and the District of Columbia have started to protect consumers with the passage of a **Student Loan Bill of Rights**. Our model bill is based on groundbreaking 2015 legislation enacted in Connecticut.

Disclose school spending

With the rise of standardized testing, pre-packaged lessons and charter schools, there has been a noticeable decline in public awareness of how education funds are spent. School systems should **disclose what they pay** for tests, pre-tests and test preparation programs, as well as testing consultants and pre-packaged lessons. Similarly, states and school boards should insist that charter schools, especially for-profit management companies, are held to the same **transparency requirements** as traditional schools. Tax dollars should be invested in classrooms, not in padding corporate profits.



Limit the use of standardized testing

In the more heavily tested grades, students in low-income schools routinely lose more than a month of instructional time because of standardized testing and test prep. Across the country, parents are rising up against this level of over-testing. States, localities and school boards should require a **report on alternative assessment models** to limit the educational and financial costs of over-testing. They should also limit the scope of standardized tests—**children younger than third grade should not be subjected** to them.

Limit the expulsion of very young children

In some jurisdictions, kindergarten and even pre-K students are suspended or expelled at an alarming rate. But putting a 4 or 5-year-old child out of school is age-inappropriate and counter-productive. Both states and localities **can enact legislation** to curtail this practice.



Environment & Smart Growth

OUR VALUES: Security, safety, health, protection, quality of life

OUR VISION: We have a responsibility to protect the quality of life, not just for ourselves, but for our children and grandchildren. To do that we need to both stop the degradation of our environment now and pursue policies that build a better future. These goals fit into three categories, laws that: (1) reduce the pollution of our air, water and land—including gases that accelerate climate change; (2) conserve energy and quickly develop clean and renewable sources of energy; and (3) pursue policies that build infrastructure to create environmentally friendly cities and towns for the future.

Protect our air, water and soil

Pollution is waste material that adversely affects air, water or soil and governments have tried to control it for hundreds of years. Our major federal anti-pollution laws—the Clean Air Act, Clean Water Act, and National Environmental Policy Act—were passed in the early 1970s. In recent years, states and localities have gone beyond federal prohibitions to clean up emissions from power plants, require disclosure of the **chemicals used in fracking** or **ban fracking outright**, discourage or ban the use of single-use **plastic bags**, and encourage **recycling** of paper, metals, glass, paint, motor oil, pharmaceuticals and electronics. Minority and low-income communities bear a disproportionate share of the health risks caused by pollution and governments need to provide those communities with a measure of **environmental justice**.

Promote conservation and clean energy

With climate change legislation blocked in Congress, states and municipalities are leading the way to encourage energy conservation and promote clean energy. Conservation is accomplished by using more **energy-efficient devices**, improving insulation and design of **government buildings** (e.g., schools), and encouraging energy efficiency in both **commercial buildings** and **private homes**. Clean energy is promoted by using solar or wind power as much as possible on **government** and **private properties**, and by incentivizing local energy companies to employ or expand wind and solar power generation.

Encourage smart growth

Smart growth is an urban planning strategy that concentrates development in compact urban centers to avoid sprawl. Smart growth produces a more efficient use of resources while preserving more of the natural environment. Smart growth policies include: making communities **pedestrian-friendly**, building bicycle lanes and **encouraging biking**, developing mass transit and **encouraging its use**, supporting mixed-use development with affordable housing set-asides, and maintaining greenbelts and wildlife corridors.



For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Mandate environmental justice

Racial and ethnic minority populations and low-income communities bear a disproportionate share of the health risks caused by polluted air and contaminated water, and by solid waste landfills, hazardous waste facilities, waste water treatment plants, waste incinerators, and other similar facilities. This is largely the result of past governmental decisions. The **Environmental Justice Act** establishes a commission to investigate incidents of environmental racism and coordinate government efforts to ensure that minorities and low-income citizens are not disproportionately subjected to environmental hazards.

Reduce greenhouse gases

The earth's atmosphere is now warming at the fastest rate in recorded history. Around the world, humans are threatened by rising seas, intense storms, and episodes of both flooding and drought. Because Donald Trump decided to withdraw the United States from the Paris climate accord, states and localities have stepped forward, pledging to meet the U.S. greenhouse gas emission targets. The **Greenhouse Gas Reduction Act** requires the reduction of statewide emission by 40 percent from 2006 levels by 2030, and empowers agencies to create a plan that accomplishes the goal.



Create local climate change action plans

Climate change will eventually impact every state and locality. Coastal areas will have to deal with rising sea levels. The South and East will see more devastating hurricanes. The Midwest and West will experience more tornadoes, drought and wildfires. Farming will be affected by higher temperatures. And areas susceptible to flooding will see catastrophic floods. Some of the effects of climate change can be predicted and some of its damage can be mitigated with planning. States and localities should create **commissions to study** the local effects of climate change and what policy changes could address them.

Promote green buildings

In order to get energy use and pollution under control, cities and states need to encourage better design and construction of buildings. The Leadership in Energy and Environmental Design (LEED) Green Building Rating System is a flexible, non-bureaucratic standard for construction and maintenance of new or existing buildings. **LEED standards** emphasize energy and water savings, use of recycled materials, and indoor air quality. Many jurisdictions have already enacted laws to encourage new buildings and major renovations to meet LEED standards.

Government Performance

OUR VALUES: Opportunity, equal opportunity, justice, fairness, fair share, level playing field

OUR VISION: State and local governments play a powerful role as rule-makers and enforcers, and as employers and contractors. A progressive government will: (1) ensure that the workers of both the government and its contractors are paid wages and benefits that support a decent standard of living; (2) guarantee that economic development subsidies are used sparingly and only to create middle-class jobs; and (3) operate with transparency and the highest ethical standards.

Make government a model employer

Most state and local governments encourage a “race to the bottom” system of hiring, meaning they pay their employees and the employees of government contractors as little as possible. But this makes no economic sense. Low-wage, low-benefit jobs don’t build the tax base, they drain it by forcing workers to rely upon taxpayer-funded programs, such as subsidized housing, health care, child care and school lunches. Public dollars should be spent to promote the public good. A progressive government accomplishes this by **avoiding the privatization** of government services unless there is a clear showing of substantial savings, paying a **living wage**, guaranteeing basic benefits like health insurance and **earned sick leave**, not accepting bids from **contractors with a history of fraud**, waste, abuse or illegal practices, and ensuring that contractors deliver what they’ve promised.

Pursue progressive economic development

States and localities desperate for economic growth have typically allowed any company promising jobs to access economic development subsidies or other benefits, no matter how few or low-paying these jobs might be. All too often, development subsidies constitute little more than welfare for the rich. A progressive government reserves subsidies for development that fits a narrow and long-term strategy (e.g., a bio-tech cluster), requires the jobs to **pay middle-class wages and benefits**, and ensures that companies that receive subsidies and then fail to deliver on their promises **must refund** to the government some or all of the monies received.

Provide open and ethical government

A democracy cannot function properly unless its citizens know what policies are being considered by the government, hear the arguments being made from all sides, and have the opportunity for timely input on these matters. Similarly, a democracy does not function when decisions are based on any type of corruption or undue influence. Even the appearance of secrecy or impropriety can poison the public goodwill that is necessary for self-government. A good government, therefore, will have a vigorous **open meetings** law, a broad **freedom of information act**, as much **online disclosure of public records** as possible, a ban on **pay-to-play donations**, strict **financial disclosure**, and tight restrictions on both direct and indirect **gifts to public officials**.



For direct hyperlinks to model bills, go to www.progressiveagenda.org

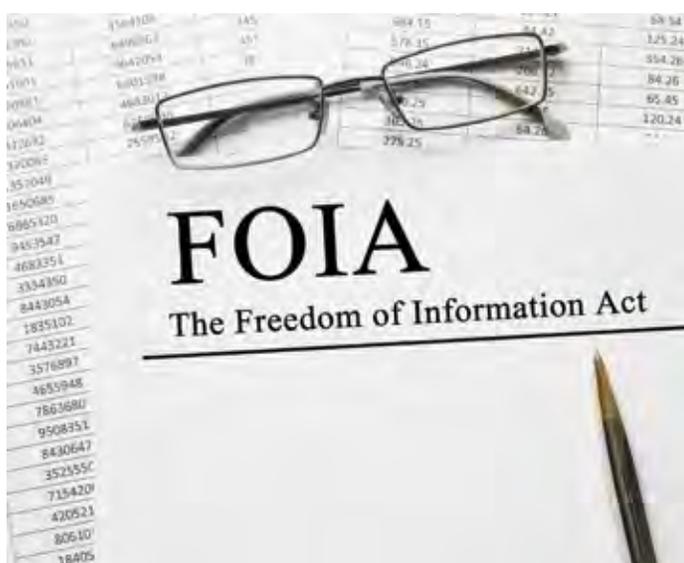
FEATURED POLICIES FOR 2018

End pay-to-play politics

Americans believe that government rules are rigged to benefit the rich and powerful, and that part of the problem is caused by our campaign finance system. One measure that would increase confidence in government is to outlaw “pay-to-play,” the practice of giving campaign contributions to gain access to elected officials and secure government contracts. The **Eliminate Pay-to-Play Practices Act** would prohibit campaign contributors from being eligible for such contracts.

Require full disclosure

Personal attacks on public officials work because so many Americans believe that politics is fundamentally dirty. Lawmakers should protect their own reputations by strengthening public ethics laws. For example, public officials’ financial disclosure statements should include all economic interests that could be a subject for conflict of interest. The **Full Disclosure Act** would make those statements publicly available.



Restrict privatization

Since the Reagan era, state and local governments have been handing over a myriad of public functions to private corporations. The main argument for privatization is that it reduces costs. But this argument is rarely true, either because the contractor charges more than civil servants would cost or because the contractor pays such low wages that the employees and their families have to be supported by SNAP, Medicaid, Earned Income Tax Credits, and other programs. State and local governments should create a truly **competitive bid process** that does not assume outsourcing is always best.

Offer a job piracy cease-fire

It is not unusual for states, cities or counties to use economic development subsidies to lure businesses from neighboring jurisdictions, and this can degenerate into tit-for-tat job piracy. These government-against-government disputes hurt taxpayers and are unnecessary. The state of Missouri **passed a law offering to stop subsidies** to Kansas businesses along the border if Kansas does the same. This is a terrific model that could be employed by any state or local government.

OUR VALUES: Health, health security, safety, protection, quality of life

OUR VISION: Every American should be able to get the health care they need, when they need it, at a price they can afford. But for years, insurance companies charged too much, their policies were full of holes, and coverage was easily denied or revoked. The Affordable Care Act changed that, providing families with a new and greater measure of health security. Now that the ACA is under attack, there is much to be done: (1) guarantee coverage to every American as a matter of right; (2) encourage healthy behavior and protect others from unhealthy behaviors; and (3) allow people to make their own health care choices.

Guarantee health care for all

Donald Trump and Republicans in Congress are trying to repeal the Affordable Care Act (ACA). The Congressional Budget Office estimates that such a repeal and the resulting market collapse for private insurance could take health coverage away from as many as 30 million Americans. Each state and locality needs to prepare to protect the health care of as many residents as possible. One step, already employed by Maryland, is to **create a study commission** to report on the likely health-care and economic impacts of ACA repeal and recommend policies to help people become or remain insured.



Encourage healthy behavior

Preventable behaviors such as tobacco use, poor diet and physical inactivity, and alcohol or other drug use are the underlying cause of half of deaths in the United States. A progressive government encourages healthy behaviors while leaving ultimate decisions to the individual. The biggest preventable killer remains tobacco, which claims more than 480,000 victims every year. Jurisdictions can discourage smoking by raising the **tobacco tax**, implementing **workplace smoking and e-cigarette bans**, increasing the **minimum age to purchase tobacco**, and offering smoking cessation programs. States, localities and school boards can improve nutrition and physical fitness programs available in schools and also increase opportunities for athletics, walking and biking in communities. States and localities can raise alcohol taxes, crack down on sales to minors, and rethink whether their drug laws and enforcement systems are an efficient way to discourage the use of dangerous drugs.

Let people make their own health care choices

Too often, people who are sick or dying are not given choices that should be theirs to make. If a doctor thinks that a patient with glaucoma, multiple sclerosis, nausea from chemotherapy or chronic pain would benefit from **medical marijuana**, the patient should have that choice. If patients would benefit from **palliative care**, they should be told. And if a terminally ill person wants to have some control over the time of his or her **own death**, that should be their decision, not the government's.

For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Stop prescription drug price gouging

Prescription drug prices rose about ten percent each of the past five years and drug costs are the fastest-growing component of health care in most jurisdictions. So, it is not surprising that the overwhelming consensus among Americans is that pharmaceutical companies are charging too much. In 2017, Maryland enacted first-of-its-kind legislation to directly address high drug prices. The **Prohibition on Price Gouging for Essential Generic Drugs Act** allows the state Attorney General to go to court to stop unconscionable price increases for certain medicines.

End gag rules on pharmacists

Pharmacy benefits managers (PBMs), on behalf of health insurance companies, often prohibit pharmacists from informing their customers about less expensive ways to pay for their medicines. Such contract provisions are unfair to both pharmacists and their patients. The **No Gag Rule on Pharmacists Act** prohibits health insurance companies and PBMs from using contracts to prevent pharmacists from telling their customers about cheaper ways to buy prescription drugs.



Conduct an affordable care review

The Congressional Budget Office (CBO) estimates that repeal of the Affordable Care Act (ACA) and the ensuing market collapse could cause nearly 30 million people to lose health care coverage, especially those in working families. Each state and locality should prepare now to protect as many residents as possible. States and localities can follow the state of Maryland which enacted legislation to **create a study commission** to report on the impacts of ACA repeal and recommend policies to prevent the broad-scale loss of healthcare coverage.

Raise the age for tobacco sales

Smoking is the leading cause of preventable deaths in our nation, killing more than 480,000 Americans each year. More than 90 percent of smokers start as teenagers and, therefore, young people are heavily targeted for advertising by the tobacco industry. **Legislation increasing the tobacco age to 21** will cut the number of people who start smoking, and that will reduce deaths, disease and health care costs caused by tobacco use. Five states (CA, HI, ME, NJ and OR) as well as at least 275 localities (including Boston, Chicago, Cleveland, Kansas City and New York City) have raised the age for tobacco sales from 18 to 21.



Public Safety

OUR VALUES: Security, safety, protection, justice

OUR VISION: The most fundamental job of government is to protect its citizens from crime. Progressive government focuses on strategies that make us safer and serious felonies deserve serious punishment. But there is a great deal that can be done to prevent crime while also ensuring justice: (1) reform police procedures, including interrogations and use of force, that lead authorities toward the wrong suspects; (2) reform judicial procedures that hurt the innocent, thereby helping the guilty; (3) reform prison procedures that increase recidivism; and (4) reform criminal laws to prevent the commission of crimes.

Reform police procedures

With the advent of DNA evidence, it has become clear that many innocent people have been prosecuted and imprisoned. Part of the problem is old-fashioned police procedures—an overconfidence in unreliable eyewitnesses and an emphasis on profiling. Progressive states and localities must adopt fairer and more accurate procedures. The most common element in convictions overturned by DNA evidence has been eyewitness misidentification. This is why police need to reform procedures for **lineup identifications**. In addition, they should require **electronic recording of all interrogations** and **attach cameras to police cars and uniforms**. Law enforcement should have clear rules against **racial profiling** and **military weaponry**, as well as limiting the **use of force**.

Reform judicial procedures

Tough court procedures don't necessarily make law-abiding citizens any safer, and can in fact have the opposite effect. A progressive government pursues **bail reform**, **sentencing reform** and **juvenile justice reform** to make it less likely that minor offenders turn into hardened criminals. Similarly, **expungement** of minor arrest or conviction records can also help prevent recidivism.

Reform prison procedures

The U.S. prison population has exploded in the past few decades, from about 300,000 prisoners in 1980 to about 1.5 million today. Another 750,000 are in local jails or juvenile detention. Thirty-three states employ private prisons, presumably on the theory that they're cheaper, but there is no legitimate evidence to prove this claim. At the same time, private prisons seek healthier prisoners because they are less expensive to house, and shy away from providing education and training programs in order to maximize profits. **Prison privatization** should be banned, or, if that's not possible, more strictly regulated.

Enact smarter criminal laws

The 1980s and 1990s "War on Drugs" took much discretion away from judges and enormously increased the length of sentences. Yet, a growing body of research proves that treatment, rather than incarceration, is the most effective tactic to fight drug abuse. Diverting **nonviolent drug offenders to treatment programs** reduces recidivism and saves money. Similarly, **mandatory minimum sentences should be relaxed** so that judges can deliver real justice based on the actual circumstances of each case. While these "get tough" measures have been ineffective, real danger has come from the nearly unchecked proliferation of guns. Every single day, dozens of Americans are murdered, hundreds are shot, and nearly one thousand are robbed or assaulted with a gun. It's just common sense that every state should require a **background check** for all gun sales, preferably including **finger-printing and safety training** as well.

For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Require electronic recording of interrogations

Every year, hundreds of innocent Americans are convicted of crimes because of false confessions. Thousands more are arrested because of false confessions and later the charges are dropped. There are many reasons why innocent people “confess,” ranging from exhaustion to mental illness. **Electronic recording of interrogations** helps to protect the innocent and convict the guilty. Ten states and many cities and counties now require electronic recording of interrogations. In fact, then-State Senator Barack Obama sponsored the first state law requiring electronic recording of interrogations in 2003.

Test all rape kits

Every year, nearly two million women are sexually assaulted, and according to the Centers for Disease Control, nearly one in five American women are raped at some point in their lives. When an assault is reported, DNA evidence is usually collected in a “rape kit” to help identify the assailant. Yet, it is estimated that hundreds of thousands of DNA samples sit untested in police departments and crime labs. Several states and localities have enacted legislation to **end the backlog and test all rape kits**.



Demilitarize the police

More than 8,000 local police forces have received more than \$5 billion in military equipment from the federal government. Local police now routinely use automatic weapons and heavily armored military vehicles, flash-bang grenades and night-vision rifle scopes. State and local governments should curtail this militarization. Every official should find out if their law enforcement agencies own military equipment and, if so, whether police really need it. Jurisdictions **should ban such weaponry or at least set up strict procedures** to ensure proper oversight for the acquisition and possession of military equipment.

Restrict criminal forfeiture

Many law enforcement agencies have abused the civil asset forfeiture process, which has allowed police to seize, and too often keep or sell, property they claim was involved in a crime. Often property owners are not even arrested, much less convicted of a crime, but their cash, vehicles and other property are seized and never returned. The **Institute for Justice model law** eliminates civil forfeiture and replaces it with criminal forfeiture, which limits police authority to keep property to situations where assets were derived directly from or used in crime and a criminal conviction occurs.

Reform the juvenile justice system

Our juvenile justice system should focus on diverting young offenders from future crimes, which makes all law-abiding residents safer. Yet, the systems in many states are based on old, discredited ideas. The **Juvenile Justice Reform Act** combines three urgent reforms. It restricts the use of pretrial confinement to young offenders who pose a real flight risk or danger to society. It limits the transfer of defendants from juvenile to adult courts. And it protects children in court proceedings by ensuring that they do not waive their constitutional right to counsel.

Reproductive Rights

OUR VALUES: Freedom, liberty, privacy, personal responsibility

OUR VISION: Decisions about contraception and abortion should be made by the individuals involved, not by politicians or the government. To make these decisions responsibly, people need access to: (1) complete and medically accurate information; (2) birth control; (3) constitutionally protected abortion services; and (4) protection from discrimination based on a person's decision to take contraception, give birth, or have an abortion.

Provide medically accurate information

Americans deserve medically accurate information about reproductive health so they can make responsible decisions. But anti-abortion advocates rely on falsehoods. Abortion does *not* cause cancer. Emergency contraception does *not* cause an abortion. Women's ability to conceive does *not* shut down as the result of rape. States and cities should guarantee medically accurate information to women at **hospitals and health care centers**, and prevent **consumer fraud, misrepresentation** and **outright lies** from "crisis pregnancy centers." It's also important to provide **comprehensive sex education** to schoolchildren, since they may not have access to accurate information anywhere else.

Guarantee access to birth control

In recent years it has become clear that the anti-abortion agenda is as hostile to birth control as it is to abortion. But Americans overwhelmingly support access to birth control. States can and should guarantee **emergency contraceptives** to survivors of sexual assault, require pharmacies to **stock emergency contraception, prohibit health care workers from refusing** to issue or fill prescriptions for contraceptives, and provide greater access to **long-acting reversible contraceptives** (LARCs), like IUDs and implants.

Guarantee access to abortion

The U.S. Constitution guarantees women the right to safe and legal abortion services without interference from politicians. And yet there has been an onslaught of political efforts to erase this constitutional right. States should **protect access to clinics** that provide abortion services, eliminate restrictions that violate **principles of informed consent**, guarantee there are no **double standards** that hinder abortion clinics, allow all **qualified providers** to perform abortions or prescribe the abortion pill, mandate equity in **abortion insurance coverage**, and **respect women's abortion decisions**.

Prohibit discrimination based on reproductive choices

Whether a woman carries a pregnancy to term, miscarries, or has an abortion, she should not be subject to any type of harassment or discrimination. Some women have lost their jobs for taking contraception or having an abortion, a form of **discrimination that was banned** most recently by the state of Delaware. Other women have been denied reasonable accommodations from their employers and forced to leave their jobs because of pregnancy or childbirth, something which has been prohibited in several states and localities through adoption of the **Pregnant Workers Fairness Act**.

For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Codify the right to abortion

There is no Supreme Court ruling that has been subjected to such a well-organized and well-funded attack as *Roe v. Wade*. If *Roe* is overturned, which could happen in coming years, state law controls the issue. And many states still have laws on the books that could automatically criminalize all abortions. Without access to safe, legal abortions, some women will die while others will be prosecuted. Several states have enacted laws to **codify the right to abortion**, and all others should do the same.

Prevent anti-abortion violence and harassment

Clinics that offer reproductive health are continually subjected to violence, threats of violence and harassment. There have been 37 murders or attempted murders due to anti-abortion violence over the past four decades, as well as hundreds of bombings and arson attacks. Abortion providers, clinic workers and patients are, quite reasonably, afraid for their personal safety. That's why states and localities should pass laws to **protect abortion clinics**.

Increase the number of abortion providers

Both aspiration abortions and the abortion pill are extremely safe and simple. Aspiration abortion is one of the safest medical procedures in the nation while medication abortion is safer than Tylenol, aspirin or Viagra. The American College of Obstetricians and Gynecologists (ACOG) recommends allowing advanced practice clinicians (APCs)—nurse practitioners, certified nurse-midwives and physician assistants—to perform **aspiration abortions** and supervise **medication abortions**. States should permit both.



Insist on truth in medicine

It is a prime tactic of the anti-abortion movement to deceive women and misrepresent medical facts about abortion. Most of the 2,500 “crisis pregnancy centers” (CPCs) across the United States are in business to deceive women who are seeking all-options medical care. Although all Americans have a First Amendment right to say what they want, truthful or not, states can and should enact legislation to prevent CPCs from **lying about medical facts**, misrepresenting themselves as **licensed medical professionals**, or committing **consumer fraud in advertising**.

Keep bosses out of the bedroom

Employees should be judged by their performance at work, without regard to their private healthcare choices. Yet, in recent years there have been a number of bosses retaliating against employees for having a child or an abortion, or even for using contraception. The **Keep Bosses Out of the Bedroom Act** would guarantee that employers cannot take an adverse action against an employee based on the employee's reproductive health decisions.

Social Services

OUR VALUES: Security, safety, protection, quality of life, responsibility

OUR VISION: As a society, we have a responsibility to protect people in our communities who are vulnerable and can't meet basic needs on their own. Whether they are children, the elderly, disabled, or victims of illness, crime, natural disaster or something else, we cannot deny our fellow citizens the basic necessities of life. Three policies are crucial: (1) expand basic services to cover all the vulnerable people who need them; (2) stop the war on drug users that has cut them off from assistance; and (3) help charities that provide important social services, including food, housing, clothing, job training and legal representation.

Serve the vulnerable

State and local governments fund and deliver many of our most important social services—feeding the hungry, housing the homeless, providing health care to the uninsured, caring for the elderly, helping the unemployed find jobs, and much more. But these services were drastically cut after the Great Recession of 2007-09 and even as the economy strengthened, funding remained weak. Yet, we as a society have an obligation to protect vulnerable people, the sick and disabled, and especially our children. It's hackneyed but true—the children are our future. Our country will be much better off when we ensure that every child is provided such services as high-quality **early childhood care**, **good nutrition**, health insurance, **recreational opportunities**, afterschool and summertime programs—the basic services they need to have a fair chance to succeed in life. We also need to prepare our communities to accommodate and serve an increasingly **aging population**.

Stop the war on drug users

About 24 million Americans have used illegal drugs, yet only a small percentage are punished for it. Those who are prosecuted tend to be treated harshly—in fact, more harshly than makes sense from a medical or law-enforcement perspective. Because of the “War on Drugs”-era criminal penalties, some 300,000 people are currently imprisoned for drug crimes, at great expense to taxpayers. There's also been a trend toward drug testing of those who seek social services like SNAP and TANF. And federal law assumes there should be a complete denial of social services to people who have been convicted of a drug offense. It's time to **stop the war on the victims of drug addiction** and replace it with policies that are more likely to protect public health and safety.

Support nongovernmental programs

There are nearly one million charities in the U.S. and they provide a very large portion of the social services received by low-income Americans. Human services nonprofits hold about 200,000 government contracts totaling about \$100 billion. Most of these charities were hit hard by the Great Recession and are still struggling. And yet, donors keep wanting nonprofits to “do more with less.” Governments need to **increase the amount spent** on grants and contracts, pay contracts on time, and help nonprofits **navigate through administrative requirements**.



For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Help nonprofits interact with government

Governments now rely on nonprofit organizations to provide a great deal of social services, from food, health care and housing to criminal justice supports, consumer advocacy, and assistance in public education. State and local governments need to increase funding to nonprofits that have a record of success. But in addition to that, because charities want to focus on serving those in need rather than on paperwork, governments should create agencies or ombudsmen that focus on making nonprofits' **interactions with government easier**, e.g., simpler RFPs, easier reporting, and streamlined licensing systems. They should also find other ways to assist charities, such as allowing them to use government purchasing procedures to get discounts, making empty government office space available for little or no cost, and other in-kind contributions that would only marginally burden government agencies.

Require disclosure of freeloading employers

More than 60 percent of enrollees in Medicaid and CHIP belong to working families. This means the worker's employer is being indirectly subsidized, which burdens the state treasury and puts responsible employers at a competitive disadvantage. The **Fair Share Employer Disclosure Act** directs the state to list the 50 companies with the highest number of employees who receive state health and welfare benefits in order to promote a clearer understanding of the problem.



Prepare for an aging population

According to the U.S. Census Bureau, more than 20 percent of the nation's population will be age 65 or older by 2030. This will impact every aspect of state and local policy, from labor, housing and health care to transportation, education and social services. To address the growing and changing demand for government services, we must do more to anticipate the future. The **Prepare for an Aging Population Act** would establish a task force to study the state's or locality's aging population and recommend a plan that would provide needed services and support in the near- and long-term.

Provide prenatal nursing care

Prenatal care has a tremendous impact on a child's wellbeing and potential in life. Babies born with fetal alcohol syndrome or low birth weight, for example, may be permanently disadvantaged. That's why it's so important to provide vigorous prenatal care to women who live in poverty. **Colorado's Prenatal Plus**, which is a part of the state's Medicaid program, provides nurse-midwives to support and educate expectant mothers, case managers to provide referrals for financial help, parenting classes, medical benefits and housing information, and dieticians to help with weight gain goals and nutrition during pregnancy and breastfeeding. Studies show that Prenatal Plus makes a substantial difference.

OUR VALUES: Fairness, fair share, justice, equal opportunity, level playing field

OUR VISION: On the federal, state and local levels, our tax policies must be fair to everyone. The fact is, our tax system is thoroughly unfair; it is rigged with loopholes and giveaways that benefit only a few, usually rich individuals and big corporations, at the expense of all the rest of us. Everyone should pay their fair share, and to accomplish that, we must: (1) require disclosure of tax giveaways; (2) eliminate those giveaways that unfairly benefit the rich and powerful; (3) raise tax rates on the rich; and (4) cut taxes for people who cannot reasonably afford to pay them.

Require disclosure of tax giveaways

Americans believe, by overwhelming margins, that our tax system is unfair and that rich individuals and large corporations are not paying their fair share. In order to fix the system, we need publicly available information. Governments should **list all tax expenditures** and require that each must **sunset unless regularly renewed**. In addition, topline information from the tax returns of large companies should be **publicly disclosed**. Individuals and big corporations are getting wealthier while simultaneously paying less in taxes. To address the problem, we need to know that they're doing it and how they're doing it.

Eliminate unfair tax giveaways

Almost every government's tax code is riddled with giveaways for the rich and powerful, many of which constitute little more than legalized tax evasion. Citizens want to make these systems fairer. This requires information, analysis, and the political will to put average taxpayers first. State and local governments should **hire more auditors, investigators and attorneys** to collect from big corporate scofflaws and empower **whistleblowers** to challenge tax giveaways.

Raise rates on the rich

Conservatives tend to focus their complaints on the federal income tax because nearly every other type of tax, especially on the state and local levels, is regressive. States with income taxes should make their **brackets more progressive** and add a **surtax on extra-high incomes**. States should raise **inheritance taxes** on the very richest estates. At the same time, there are a few "sin" taxes which could be raised not for the revenue but to discourage dangerous behaviors—like **smoking, drinking** and **gambling**—and the extra monies could be used to treat people who are addicted to nicotine, alcohol and gambling.

Cut taxes on those who can't afford them

Just as some high-income individuals and businesses are paying too little in taxes, there are some low-income people who are paying too much. States should raise the **Earned Income Tax Credit** and the **dependent care tax credit**. States and localities should ensure that there is a **property tax circuit breaker** and a **tax deferral system** that prevents low- and moderate-income Americans from losing their homes.

For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Disclose corporate taxes

Americans believe that large corporations are not paying their fair share of taxes, and they're right. The situation in Illinois is a typical example: two-thirds of corporations pay no state income tax at all, only eight percent of state revenue comes from corporate income taxes, and the corporate share of taxes has been declining over the years. The first step to fix our broken system is transparency. We don't know enough details about how corporations manage to evade taxes. We need **public disclosure**. To be specific, all publicly traded companies should disclose a summary of the amount they pay in state income taxes, including their tax rate and basis (income, credits and deductions). It is true that we don't and shouldn't require such disclosure of individuals, but corporations are not people. Corporations are legal structures, created by state law, and they do not need or deserve the privacy rights of individuals.

Sunset tax expenditures

A "tax expenditure" is a form of stealth government spending. Giving exemptions, deductions or credits to certain groups or for certain activities has the same effect as handing them money, and governments divert billions of dollars this way. Tax expenditures never receive the same scrutiny that budget expenditures do. While budget line items are reviewed and adjusted every year, few governments have any mechanism for reviewing tax expenditures. The fact is, many tax expenditures are unjustified giveaways to the rich, many were not properly targeted to achieve their stated objective, and others were justified when enacted but no longer make economic sense. Thus, each tax exemption, deduction and credit should be examined periodically to weigh its costs, benefits and relevance to community goals. The only effective way to bring fairness to the tax expenditure system is to require each to undergo a thorough review and be re-approved through the legislative process. This is accomplished by requiring that all **tax expenditures "sunset"** every few years.



Raise the estate tax

Over the past several years, progressives have been completely outmaneuvered on the estate tax. Many believe the federal estate tax applies to them, even though 99.8 percent of Americans are exempt. Nevertheless, the richest one percent in America own over one-third of all the combined wealth in our country—stocks, bonds, businesses, real estate, and personal property like cars and jewelry. The richest five percent own nearly two-thirds of all wealth. We cannot make a dent in the problem of economic inequality without a vigorous **estate tax** and the effort will never have momentum until states lead the way.

Make tax collection fairer

Americans believe many wealthy individuals and corporations evade taxes, and they're right. One study indicated that people who make between \$500,000 and \$1 million per year underreport their incomes by more than 20 percent. That means states and localities lose billions of dollars each year to tax evasion. The fact is, most government tax collection agencies don't have enough auditors and enforcers to get the job done. The solution is to **hire more tax enforcers** and give them greater enforcement powers. Their work will pay for itself.

Voting & Elections

OUR VALUES: Freedom, liberty, fundamental rights, basic rights, democracy

OUR VISION: In America, the right to vote is a fundamental freedom. And because we are the leading democracy in the world, our election system ought to be completely free, fair and accessible. The way we conduct elections today is obsolete. We need to eliminate long lines, cut costs, make it more convenient for eligible citizens to vote, maintain the integrity of the voting system, and stop the rich and powerful from exercising undue influence on the process. In short, we must: (1) guarantee that every citizen can register to vote; (2) ensure that all citizens can cast their ballots; and (3) crack down on the way campaign financing corrupts public policy.

Ensure that every citizen can register

In a democracy, every citizen ought to vote and the first step is universal registration. A progressive system **registers voters automatically**, for example, when anyone who is eligible to vote gets a driver's license or receives a public service. Registration should also be offered at state and local **government offices, online through the Internet**, and at polling places on **Election Day**. And **no one outside of prison should be disenfranchised** because of a criminal conviction.



Ensure that every citizen can vote

There should be no barriers to prevent eligible citizens from voting. Governments should permit both **early voting** and no-excuse-needed **absentee ballots**, and ensure that workers can get **time off to vote**. Election materials should be available in **other languages** where needed. **Voting machines** should be absolutely reliable, counting every vote. Governments should crack down on any **voter intimidation** or use of fraud for **voter suppression**. Americans should have the freedom to vote made clear in state constitutions. And to ensure that every vote counts equally in presidential elections, states should adopt the **National Popular Vote**.

Reform campaign financing

Money has an outsized influence on our current electoral system, endangering our representative democracy. Poll after poll shows that voters think the political system is controlled by big companies, political action committees, and rich individuals. Because of the Supreme Court's *Citizens United* ruling and the activism of right-wing billionaires, the amount of money pouring into political campaigns through independent expenditures has grown exponentially. The growing cost associated with running for office makes campaigns prohibitively expensive for most Americans, thus restricting the freedom to run for office to a small minority of the population. In addition, with the rising cost of running for office, candidates need to spend more time fundraising, which restricts their ability to meet with and listen to their constituents. The system is broken and the only real solution is public financing of election campaigns. **New York City's law**, for example, requires participating candidates to limit campaign spending; in exchange, a public fund will match small donations. **Connecticut** provides a good public financing model as well.

For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Provide online or automatic registration

Every election cycle, millions of Americans find that they cannot exercise their right to vote because of inefficient or outdated registration systems. Because of human or system error—a misplaced form or a data-entry mistake—paper-based voter registration systems bar many citizens from accessing the ballot box. At the same time, the systems of paper registration forms that jurisdictions continue to use simply cost too much; they require millions of person-hours by government employees or contractors to maintain and use. Fortunately, states can curb these costs while also producing fewer errors by adopting automated **online voter registration systems**. Better still, eight states have adopted **automatic voter registration** where eligible citizens who interact with government agencies are registered to vote unless they decline, and agencies transfer the registration information electronically to election officials. This reform boosts registration rates, saves tax dollars, and makes voting more convenient.

Promote voter registration to new residents

Whenever people move, they should register to vote or update their preexisting voter registration. That's why Seattle enacted a simple ordinance in 2017 that requires landlords to provide information on voter registration and a registration form to new tenants. This can and should be replicated on the state and local levels. The **Register New Residents Act** goes a step further and also requires sellers to provide the same information to home buyers at settlement.



Protect voters from intimidation

Too many Americans are prevented from exercising their right to vote because of voter intimidation or suppression, or mistakes by election officials. Although voter intimidation is illegal under the federal Voting Rights Act, most violators are never punished. In addition, federal law does not prohibit willfully fraudulent voter suppression tactics and it does nothing to prevent or address mistakes. States can adopt a **Voter Protection Act**, which employs three avenues to ensure that every eligible voter can vote: First, impose heavy penalties for both voter intimidation and fraudulent suppression. Second, require every polling place to post a Voter's Bill of Rights (as some states do). Third, reduce mistakes by creating an Election Day Manual of Procedures that sets out election rules, and make it available to both voters and officials at the polls.

Implement the National Popular Vote

Because of the states' winner-take-all systems of selecting who votes in the Electoral College, the popular vote loser was chosen President in two of the last five elections. This is undemocratic. The **National Popular Vote Agreement Act** is an agreement among the states to elect as President the candidate who won the most votes. This agreement has been enacted into law in 11 states with 165 electoral votes and it will take effect when enacted by states that control 105 more electoral votes. It has already passed one house in 12 additional states with a total of 96 electoral votes.

Wages & Benefits

OUR VALUES: Opportunity, equal opportunity, fairness, fair share, justice, level playing field

OUR VISION: Our economic system is unfair because the rules are rigged to favor the rich and powerful over the middle class and working families. We need to ensure that lower-level jobs provide at least a living wage and that middle-class jobs support a middle-class standard of living. Four policies are fundamental, laws that: (1) set a floor on wages for different types of work; (2) guarantee a minimum set of job benefits; (3) ensure that hiring and retention processes are fair; and (4) protect the right to collective bargaining in order to secure for workers a fair share of the profits.

Mandate fair wages

Between the end of World War II and the beginning of the Reagan Administration, the wages of average American workers rose at the same rate as nationwide productivity. But since then, wages have stagnated and nearly all new wealth has been captured by the rich. Recently, over a dozen states and localities have responded by **raising the minimum wage**. Seven states have the same **minimum wage for tipped workers** as everyone else, which is a matter of simple justice. State and local jurisdictions have also implemented a **living wage** for government employees and contractors. Although it's not yet been attempted, it is entirely possible to dissuade employers from paying a poverty-level wage through a **surtax on large businesses** like Walmart that pay workers so little that they have to rely on public-assistance programs.

Mandate fair benefits

American workers used to take for granted that their jobs would include fair benefits like health insurance, sick days and paid vacation. Today, progressives have to fight for every benefit. Recently, states and cities have mandated **paid sick leave**, while others have set up **family leave** systems or required **overtime pay**. California also created a program that helps workers set up **retirement accounts**.

Require fair rules for hiring and retention

Because of the unsteady economy and the lack of union representation, employers are using more and more arbitrary and unfair tactics against both job applicants and existing employees. Some employers have demanded that job applicants or employees give them their **social network usernames and passwords**, or “friend” the employer, or submit to **credit checks**, or disclose arrest or **criminal histories** when those are irrelevant to the job, and progressive governments have stepped in to stop these practices.

Support collective bargaining

Although public policy can require a series of minimum wages and benefits, that is no substitute for collective bargaining. Only labor unions can insist that workers receive a fair share of a company's profits that their hard work creates. While this is mostly a federal issue, states and localities can ensure that **their own employees have the right to bargain collectively**, expand collective bargaining rights for specific types of jobs, and **prohibit public funds from being used to influence** union organizing.

For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2018

Raise the minimum wage

Americans overwhelmingly support an increase in the minimum wage, even when that minimum has been increased in prior years. This is because average Americans understand that the current minimum wage is too low to keep families out of poverty. They also understand that when workers are paid a very low wage, that taxpayers make up the difference in social programs like Medicaid and CHIP. The **Fair Minimum Wage Act** would raise the minimum wage, adjust it annually for inflation, and apply it equally to tipped employees. Localities that lack the power to affect the minimum wage can still enact a **Living Wage Act** to ensure that government contractors provide their employees with appropriate wages and benefits.

Require paid sick leave

Nearly 40 percent of private sector workers and nearly 80 percent of the lowest-income workers do not earn any paid sick time at all. When employees are compelled to come to work when sick, it's obviously bad for employees while simultaneously a public health risk to customers. The **Paid Sick Leave Act** would provide that all employees accrue a minimum of one hour of earned paid sick time for a certain number of hours worked, with reasonable restrictions. Polls consistently demonstrate that such legislation is overwhelmingly popular across regions and parties.



Restrict non-compete clauses

It is not unusual for employers to require a non-compete clause in employment contracts when the employee is highly-paid and develops highly-specialized, marketable knowledge through his or her employment. But in recent years, employers in service industries have begun to impose non-compete clauses on low-wage, low-skill employees, such as fast food workers. This is unreasonable and makes it easier for such employers to exploit their workers. The **Protection Against Unfair Non-Compete Clauses Act** makes it illegal to insert a non-compete clause into the employment contract of a lower-wage worker.

Crack down on wage theft

Wage theft is an epidemic among low-wage workers. One study found that more than two-thirds experienced at least one pay-related violation in their previous work week, including some workers who were paid less than the minimum wage. Wage theft leads to poverty and homelessness. Although it's usually already illegal, low-wage workers are the least able to enforce their rights. They often don't have the knowledge or resources to obtain legal help, and they fear retaliation if they try to demand what they deserve. These workers need new legislation **with tougher penalties and realistic enforcement mechanisms** so they will have both the incentive to report wage theft and the confidence that the system will protect them.



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