

Progressive Agenda

For States & Localities 2014



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INSTITUTE



ALICE is a one-stop web-based public library of progressive law on a wide range of state and local issues. The library now houses over 1,500 documents: model laws that are ready to be tailored to a particular jurisdiction, “exemplary” laws that have been introduced or enacted, and a variety of supporting materials.

The Public Leadership Institute is a nonprofit educational group that helps turn grassroots activists into progressive champions. Our goal is to transform American politics from the grassroots up, to promote equity and justice, and to restore the American Dream.



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December 2013

Dear Friends:

For the past few years, state and local governments have been under attack. The right wing, often coordinated through the American Legislative Exchange Council (ALEC), has fought to tear apart our social safety net, authorize corporate wrongdoing, privatize all aspects of government, enrich the right's wealthy patrons, disempower left-leaning organizations, and corrupt the electoral process.



The right wing has been successful because they equip their allied lawmakers with hundreds of model bills and policy/communications supports to help pass those bills into law.

We aim to push back on the conservative strategy with a project of our own, designed to provide lawmakers with smart, innovative, progressive legislation. The *Progressive Agenda* is a menu of legislative models for state and local lawmakers, all available on the ALICE website and supported by the Public Leadership Institute.

This is certainly not a list of all possible progressive bills—there are currently more than 1,300 on the ALICE website. Rather, it is intended as an entry point for elected officials who are looking for policy assistance and some great new ideas for legislation in 2014. The Public Leadership Institute, working with ALICE, will promote this Agenda to its nationwide network of more than 13,000 progressive state and local lawmakers. We welcome all input, especially suggestions for other measures that we should encourage progressive elected officials to sponsor and support.

We look forward to working with you in the coming year, helping you and your colleagues move ideas to action. Please contact either of our organizations at any time to offer feedback or request support as you pursue innovative policies in your community.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Rogers".

Joel Rogers
Director
ALICE

A handwritten signature in black ink, appearing to read "Gloria Totten".

Gloria Totten
President
Public Leadership Institute

Civil Rights

Anti-SLAPP

Increasingly, rich individuals and big corporations are filing lawsuits against average Americans, not for the purpose of winning but to intimidate and silence critics and whistleblowers. This tactic, called a Strategic Lawsuit Against Public Participation (SLAPP), takes advantage of the fact that the wealthy can easily afford to litigate in court while the process can be impossibly expensive for members of the general public. The goal of a SLAPP lawsuit is to force people to stop their criticism of, or opposition to, the rich plaintiff. Its goal is to prevent whistleblowers from reporting information to government agencies, or deter neighbors from complaining about pollution, or convince civic leaders that they should not oppose development projects. Even a SLAPP with no legal merit can easily bankrupt a middle-income defendant.

State anti-SLAPP laws protect against lawsuits that are meant to chill free speech. Such laws can authorize expedited motions to dismiss when the subject at issue is constitutionally-protected speech. They can also require plaintiffs to repay defendants' court costs and attorneys' fees or include heightened standards of proof where an exercise of free speech is implicated, protections for specific kinds of expression (e.g., petitioning the government), speech on certain topics (e.g., environmental issues) or involving certain groups (e.g., bloggers). State law can also authorize "SLAPPback" suits which provide civil damages for malicious lawsuits.

State

alicelaw.org/civil-rights#1

Prohibit Profiling

Thirty-two million Americans have been the victims of racial profiling, according to a 2004 report by Amnesty International. Later studies have confirmed that millions of Americans are subjected to profiling because of their race, ethnicity or perceived religion. Despite consistent public outcry and efforts at all levels of government, unacceptably high rates of racial profiling continue. In addition to the abuse and frustration racial profiling and racially motivated policing produces, it results in community mistrust of the police and a breakdown of communication and respect undermining law enforcement's ability to ensure public safety.

Cities and states can combat these practices by adopting strict limits on the use of profiling, including a prohibition against selecting individuals for special attention in interrogations, searches and frisks based on their race, ethnicity, country or region of origin, religion, political views, sexual orientation or age. In addition, law enforcement agencies can be required to train officers to recognize when decisions are based on stereotypes and misrepresentations, and to establish programs which connect law enforcement with community members, with a particular focus on youth, to facilitate understanding and dialogue.

State and local

alicelaw.org/civil-rights#2

LGBT Fairness

As recently as 2008, the General Social Survey found that an astounding 37 percent of lesbian and gay people had experienced workplace discrimination, and 16 percent had lost a job because of their sexual orientation. By wide margins, Americans support LGBT fairness laws to prohibit such discrimination. For example, a 2011 Human Rights Campaign poll found that 77 percent of voters favor a prohibition against employment discrimination based on sexual orientation and gender identity/expression.

Despite popular support, over half of states and most cities do not ban discrimination against LGBT individuals, leaving them vulnerable to being fired from their jobs, or denied access to housing, educational institutions, credit, and public accommodations simply because they are gay, lesbian, bisexual or transgender.

Policies to confront discriminatory practices most often cover employment and housing, but can also reach public accommodations, education and lending. In addition, in cities and states where discrimination against gay and lesbians is already prohibited, policies can be extended to include bisexual and transgender people.

State and local
alicelaw.org/civil-rights#3

Other Civil Rights Models

- Marriage equality for same sex couples
[State • alicelaw.org/catalog/1133](http://alicelaw.org/catalog/1133)
- Restricting the use of drones
[State and local • alicelaw.org/catalog/1433](http://alicelaw.org/catalog/1433)
- Homeowner free expression
[State and local • alicelaw.org/catalog/1223](http://alicelaw.org/catalog/1223)
- Banning discrimination based on political views
[State and local • alicelaw.org/catalog/1019](http://alicelaw.org/catalog/1019)
- Fundamental right to housing
[State and local • alicelaw.org/catalog/1738](http://alicelaw.org/catalog/1738)



Economic Security

Foreclosure Protections

Mortgage foreclosures claimed more than 600,000 homes during the past year. As a result of the burst housing bubble, over seven million home mortgages are “underwater,” that is, the mortgages exceed the properties’ fair market value. These homes remain at high risk of foreclosure, posing a significant threat to the nascent economic recovery.

Foreclosures don’t just hurt individual homeowners, they devastate communities. Empty homes attract crime, lower surrounding property values, and strain local governments. Police and fire departments have to do more, while cities and counties get less in tax revenues.

State and cities have a range of options to slow down the foreclosure process and require greater due diligence on the part of the mortgage servicer. For example, mandatory foreclosure mediation requires good-faith lender review and negotiation with homeowners prior to initiating foreclosure. Cities and states can also restrict “dual-track” foreclosures, in which the mortgage servicer continues to pursue foreclosure even as the homeowner is securing a loan modification. And they can provide civil penalties for filing multiple unverified documents. Other measures guarantee homeowners a single point of contact at their financial institution and timely notifications as they navigate the foreclosure process; mortgage servicer transparency requirements; advance warning of interest rate adjustments; and options for avoiding costly property insurance. These changes can be passed piecemeal, but are probably most effective as part of a comprehensive package like the 2012 California Homeowner’s Bill of Rights, most of which is contained in the toolkit linked below.

State and local

alicelaw.org/economic-security#1

Payday Lending

Every year, millions of families are victimized by predatory payday lending. Payday loans are short-term loans for immediate cash, typically secured by a borrower’s post-dated check or authorization for automatic withdrawal from the borrower’s bank account on a certain date. In exchange for a post-dated \$300 check, a typical consumer pays \$45 in fees and receives \$255 in cash. Depending on the number of days between the loan and payday, the annual percentage rate (APR) for an initial payday loan is usually 400 percent or more.

Because payday loans are typically due within two weeks, many borrowers find they cannot pay them off in time. To avoid default, they must renew the loan and pay another high fee. Borrowers get caught in a cycle of refinancing of the same loan, increasing the costs exponentially. In fact, about 90 percent of payday loan borrowers take out five or more loans per year. Over 60 percent take out 12 or more. The trap of recycled debt takes billions of dollars each year, almost exclusively from the already-poor.

A 36 percent interest rate cap on payday loans effectively stops the cycle of debt. Currently 15 states and the District of Columbia have a rate cap on payday loans of 36 percent or less. The 36 percent maximum rate results in payments that consumers have a decent chance of being able to pay and gives lenders an incentive to offer longer term loans with a more affordable structure. Other progressive provisions in a model payday lending bill include: requiring licenses for payday lenders, limiting the loan amount as well as the length of the loan; and identifying and encouraging other sources of lower cost, small dollar loans such as credit unions and community-based organizations.

State and local

alicelaw.org/economic-security#2

Zombie Debt

In the last decade, the debt collection business has exploded. Collection companies have bought billions of dollars in credit card and other consumer debts, often for pennies on the dollar. Then they add interest and collection fees and try to squeeze as much money as they can from the Americans who can least afford it. Federal law fails to address many of these practices. As a result, states (with the encouragement of the Federal Trade Commission) have taken the lead in regulating debt collectors.

Introducing safeguards to the collection of discharged or time-barred debt eliminates some of the most frequent and egregious abuses that consumers face. “Zombie debt” is when unscrupulous collection agencies buy expired debt from the original vendor for pennies on the dollar, then trick consumers who do not understand that the debt is expired into paying or “acknowledging” the debt, thereby restarting the Statute of Limitations that had barred the original vendor from collecting. A good zombie debt bill prevents collection agencies from initiating contact with consumers unless they have verifiable information documenting ownership of the debt, the debt amount, and the consumer’s connection to the debt; requires agencies to disclose certain information to consumers in writing in a timely manner; disallows judgments in cases where collection agencies do not submit proper evidence or the debt is time-barred or already discharged; and allows consumers to bring individual or class action lawsuits against collection agencies that violate the law.

State

alicelaw.org/economic-security#3

Other Economic Security Models

- Limiting rights waivers in form contracts
[State law • alicelaw.org/catalog/586](http://alicelaw.org/catalog/586)
- Universal voluntary accounts
[State and local • alicelaw.org/catalog/773](http://alicelaw.org/catalog/773)



Economic & Workforce Development

Raising Standards for Firms Receiving Government Support

States and cities desperate for growth have typically allowed any company promising jobs to access economic development subsidies or other benefits, no matter how few or how poor the jobs. When subsidized companies create fewer jobs than promised, taxpayers incur enormous costs per job created. And when companies pay poverty wages or fail to provide health insurance, taxpayers end up subsidizing the company twice, as workers turn to publicly-funded social safety net programs for such essentials as housing assistance, health care and food assistance. It's not that we shouldn't have low-wage employment, it's that government should not subsidize corporations to create more. When a decent-paying job is created, the employee can support a family without depending on government programs for assistance. That family's spending supports local retail and restaurant businesses, building the local economy and becoming an asset to the community. So governments should help create economy-building jobs, not economy-busting jobs.

Job quality standards require that subsidized companies create jobs that meet certain criteria, including wage levels, availability of health insurance, and full-time hours. The Job Creation and Job Quality Standards Act requires that corporations receiving government grants, tax expenditures and procurement contracts provide decent jobs, and that public money is not used to lower local job standards or to enrich employers that pay poverty wages. Standards can be used in all types of subsidy programs: training grants, tax abatements, industrial revenue bonds, enterprise zones, tax increment financing (TIF) and tax-free loans.

State and local • alicelaw.org/economic-and-workforce-development#1

Subsidy Clawbacks

States and localities in the United States spend an estimated \$70 billion per year on economic development subsidies and incentives. Companies receiving assistance almost always promise to deliver jobs or other public benefits. But many states and localities fail to even track the subsequent performance of subsidy recipients, and most have no mechanism to act against those that fail to deliver promised benefits. Even when states or cities do include penalty provisions, many are discretionary or filled with loopholes.

Clawbacks are provisions in economic development agreements that require companies that fail to meet job or other commitments to return to the state or city some or all of the benefits received. The Taxpayer Protection Model Act provides taxpayers with a “money-back guarantee” if a company that receives economic development subsidies fails to create new jobs or maintain its current employment level. The bill also requires the state to recapture all or a portion of the subsidy from corporations that do not fulfill the commitments they made to obtain the subsidy.

State and local • alicelaw.org/economic-and-workforce-development#2

Benefit Corporations

Because the traditional legal framework for corporations is structured entirely around profit-making, there is a need for alternative corporate forms that are more socially-oriented. A benefit corporation is a form of for-profit corporation that offers entrepreneurs and investors the option to build and invest in businesses that operate with a corporate purpose broader than maximizing profits and a responsibility to consider the impact of its decisions on all stakeholders, not just shareholders. Benefit corporations offer clear market differentiation, broad legal protection to directors and officers, expanded shareholder rights, and greater access to capital than current alternative approaches.

The major characteristics of the benefit corporation form are: (1) a requirement that the benefit corporation have a corporate purpose to create a material positive impact on society and the environment; (2) an expansion of the duties of directors to require consideration of non-financial stakeholders as well as the financial interests of shareholders; and (3) an obligation to report on its overall social and environmental performance using a comprehensive, credible, independent and transparent third-party standard. The enacting state's benefit corporation statute is placed within the existing state corporation code so that the code applies to benefit corporations in every respect except those explicit provisions unique in the benefit corporation form.

State • alicelaw.org/economic-and-workforce-development#3

Other Economic & Workforce Development Models

- Insurance tax credit proceeds for venture capital
State • alicelaw.org/catalog/559
- State banks
State • alicelaw.org/catalog/664
- Industry partnerships and career ladders
State • alicelaw.org/catalog/1811



Education

Pre-K for All

Children in poverty often begin school at a tremendous disadvantage. When they enter kindergarten, they are already one or two years behind more affluent students and most never catch up. There are many reasons why low-income pre-kindergarteners are unprepared to begin school, but one clear piece of the solution is universal, high-quality pre-K. Experts in early education overwhelmingly agree that children who have two years of a strong pre-K program start kindergarten with much better academic and social skills and that this improvement helps those children succeed later on in school and in life. Studies have shown that pre-K programs return benefits to the community of seven dollars for every dollar invested.

Yet, only 41 percent of America's 4-year-olds, and a mere 7 percent of 3-year-olds were enrolled in publically-funded preschool programs in the 2011-2012 school year. Almost half of these children were served in programs that failed to meet quality standard benchmarks. Exacerbating the achievement gap, low- and moderate-income children are far less likely to be enrolled in a pre-K program than higher-income children.

Legislation enacting Pre-K for All provides access to high quality free or affordable pre-kindergarten education to all three and four-year olds. It requires licensing and accreditation by state officials for both private and public pre-K programs, and uses nationally recognized quality standards benchmarks to develop curricula that balance direct instructional and play-based approaches to ensure children develop the cognitive, physical and social-emotional skills they need to succeed in school and later in life.

State and local

alicelaw.org/education#1

DREAM Act

Many foreign-born children who have lived in the United States most of their lives are denied in-state college tuition rates because of their immigration status. Such children are subject to international student rates, which are three-to-ten times greater than in-state tuition. As a result, many immigrant children are effectively denied the opportunity to get a college education.

These children did nothing wrong. They played no role in deciding whether and how their families would immigrate to the U.S. In fact, these children did a lot right: tuition rates only impact children who have worked hard, stayed out of trouble, and graduated high school with a level of achievement that interests a college. That kind of intelligence and hard work should be rewarded, not punished.

Furthermore, our own communities suffer when children who can excel in college are blocked from enrollment. College graduates make much higher salaries than high school graduates. With college degrees, these students will be able to pay substantially more in taxes, support their families, and be less likely to require government assistance. Moreover, with state colleges and universities competing to attract talented students from all over the world, states should do everything possible to enroll the brightest local students. A fair tuition policy for all in-state high school students ensures access to higher education and reduces "brain drain" to other states.

State DREAM Act legislation provides in-state tuition at state colleges and universities and access to state financial aid to certain in-state high school students regardless of immigration status.

State

alicelaw.org/education#2

Funding Youth Development Programs

Youth programs help to raise student achievement and attendance, create safe and enriching environments during out-of-school time, help students build important life and professional skills, and increase stability for working parents. Programs that prepare youth to avoid risky behaviors are increasingly popular and are significantly more efficient than reactive remediation services such as foster care and juvenile justice. Finally, investment in extracurricular youth development is an important step to minimize achievement gaps between low- and high-income students. Finding adequate, sustainable and coordinated funding sources for youth development programs, however, is an ongoing challenge. Current funding is fragmented and fluctuates with budget cycles and shifting spending priorities.

One solution is to create dedicated revenue sources that stabilize program funding, protect programs during appropriation battles, and help leverage additional investment from public and private matching grant programs. States and localities can implement special tax levies, usually an increase to an existing tax (e.g. property, sales, or business), earmarked for specified purposes. The City of San Francisco, for instance, enacted a .025% property tax increase with the revenues dedicated exclusively to services for children under 18, including childcare, health services, job training, educational programs, recreational and cultural programs, and delinquency prevention. Alternately, guaranteed expenditure minimums (GEMs) re-prioritize public spending by setting a floor below which public spending for youth programs cannot fall. A GEM can be set as a specific dollar amount or a percentage of a particular revenue or budget stream.

State and local
alicelaw.org/education#3

Other Education Models

- Pay It Forward college tuition
[State • alicelaw.org/catalog/1502](https://alicelaw.org/catalog/1502)
- Child educational activities leave
[State and local • alicelaw.org/catalog/1425](https://alicelaw.org/catalog/1425)
- Student electronic accounts and device privacy
[State • alicelaw.org/catalog/771](https://alicelaw.org/catalog/771)
- Prior learning assessment credits
[State • alicelaw.org/catalog/645](https://alicelaw.org/catalog/645)



Energy & Environment

Energy Benchmarking and Disclosure

With climate change legislation stalled at the federal level, states and municipalities are leading the way on clean energy. One important piece of the climate equation is legislation that supports energy efficiency in the built environment. Commercial buildings account for about 50 percent of all building energy use, 20 percent of total energy consumption, and a comparable amount of greenhouse gas emissions. But in order for building owners, consumers and state and local officials to make informed decisions, data on building energy performance is needed. One market-based solution that has been gaining traction is energy use benchmarking and reporting. By making building-specific energy performance data publicly available, private actors are motivated to improve their energy management practices and invest in energy efficiency retrofits in order to save money and streamline operations. And energy performance benchmarking allows businesses and renters to better account for a building's energy costs when comparing properties. Resulting investments in building efficiency create green jobs and generate higher property taxes when the newly efficient buildings are sold or reassessed.

Major elements in an energy benchmarking and disclosure law include requiring a report on energy performance for all government, commercial, and multifamily buildings over a specified square footage. Disclosure laws can require that energy performance data be made public or require only private point-of-sale disclosures from sellers to potential buyers. As with any disclosure law, strong reporting requirements and enforcement mechanisms are critical to effectiveness.

State and local

alicelaw.org/energy-and-environment-issues#1

Hydraulic Fracturing Disclosure

In just four years, between 2005 and 2009, major oil and gas companies pumped 780 million gallons of fracking fluids into the ground. These fluids are undeniably dangerous: they contain at least 13 different known carcinogens, and many more chemicals that are not disclosed or whose effects are not well understood. Famously, they have resulted in nearby residents being able to set fire to tap water coming out of their faucets. The toxic chemicals involved in the fracking process that are polluting our community's waterways and contaminating our groundwater pose an enormous risk to public health.

In order to provide the information necessary to assess the environmental risks of fracking, state legislation and regulations can be crafted to require companies to disclose all chemicals used in the fluid for each stage of fracking. While some states only require disclosure to state regulators, states with stronger levels of transparency require online chemical disclosure registries, such as FracFocus. States require various levels of information on the actual chemicals disclosed, with the more progressive laws requiring disclosure of the concentration and Chemical Abstract Service number of each chemical used. Some states also void so-called "trade secret" protection if a health care professional needs the information to provide medical care. Additional disclosure requirements could include the waste generated from fracking; information on local groundwater conditions, the location of wells and the distance from wells to aquifers, surface waters, and storm drains; and identification of abandoned oil and gas wells and drinking water sources nearby.

State and local

alicelaw.org/energy-and-environment-issues#2

Third-Party Power Purchase Agreements

America needs to encourage the production and use of renewable energy wherever it is economically feasible. In many places, it has become feasible for a single house to provide much of its own power through environmentally friendly sources like solar electric cells. Unfortunately, many families that might benefit from their own source of power generation cannot afford the upfront cost.

Increasingly, private third-party firms are willing to install renewable energy systems at no or low cost in exchange for leasing agreements that provide the firms with the right to sell the energy to the property owner. These leases, sometimes called “power purchase agreements,” have the potential to dramatically reduce barriers from upfront costs and increase adoption of renewable energy sources. Current state laws, however, often require these firms to be classified and regulated as utilities. These firms, often a combination of solar panel installers and financiers, are a far cry from traditional investor-owned utilities, and putting them in the same category stifles innovation by maintaining the utility monopoly on the distribution end of the grid.

To remedy this market failure, legislation can allow third-parties to install and operate solar energy systems, utilize state or local bonding facilities, and take advantage of renewable energy tax credits without being classified as utilities. This also allows customers to purchase electricity from the third-party owners of renewable energy systems that are built on premises owned by the customer, as long as the system does not exceed certain size limits.

State and local
alicelaw.org/energy-and-environment-issues#3

Other Energy & Environment Models

- Net metering
[State and local • alicelaw.org/catalog/769](http://alicelaw.org/catalog/769)
- Fossil fuel divestment
[State and local • alicelaw.org/catalog/1394](http://alicelaw.org/catalog/1394)
- Disclosure of public hazards
[State and local • alicelaw.org/catalog/1295](http://alicelaw.org/catalog/1295)



Government Performance

Anti-Privatization of Public Services

Since the Reagan era, state and local governments have been handing over a myriad of public functions to private corporations. American governments used to operate mostly through their own civil service employees. Today, of course, there is no area that has not been handed over to private for-profit enterprises, including running public schools and prisons—and on the federal level even military and spy missions.

The main argument for privatization is that it reduces costs. But this argument is rarely true, either because the contractor simply charges more than civil servants would cost (private contractors, unlike state and local governments, have to build a substantial profit margin into their costs, of course) or because the contractor pays such low wages that the employees and their families have to be supported by taxpayers with food stamps, Medicaid, Earned Income Tax Credits, and other programs.

Besides cost disadvantages, privatization means that the public loses control of important public services. Citizens lose the ability to find out what is being done with their money, and they are shut out of the decision-making process, resulting in little accountability for private contractors. And because a corporation's job is to make money, a privatized function is operated to maximize profits instead of public benefits, which may endanger public safety, reduce services, and increase user costs.

State and local governments can create a truly competitive bid process, limit the length of private contracts, analyze the impact of privatization, and give serious consideration to rolling back current privatization.

State and local

alicelaw.org/government-performance#1

Best Value Contracting

Many states and municipalities simply award public works contracts to the lowest bidder, without regard to other factors. This increases the risk of contract failure and results in the government supporting non-local businesses with poor working conditions, low wages and environmentally unsafe business practices.

Best value contracting allows agencies to award public works contracts to bidders that meet the best combination of price, technical qualifications, past performance, environmental impact, responsibility standards, and local economic benefits. This reduces the risk of contract failure, leads to better quality services, and ensures that contractors have a track record of providing employees with living wages and benefits. Information related to the contracting process should be as open as possible to allow for public input and to help hold contractors accountable. Best value contracting can be achieved through state legislation, local ordinances, or regulatory and administrative policy.

State and local

alicelaw.org/government-performance#2

Genuine Progress Indicator (GPI)

States, cities and counties don't have an accurate, comprehensive way to measure progress in their own jurisdictions. Currently, most states use gross domestic product (GDP) as a central measure for not only economic activity, but also the states' general well-being. The problem is, GDP measures the wrong things.

It does not differentiate between economic activities that add to a community's welfare and activities that detract from its quality of life. For example, natural disasters, crime, and car accidents all cause individuals to spend money and therefore increase the GDP, but these events do not add to our well-being. On the flip side of the coin, GDP fails to account for undeniably beneficial activities like charity work and childcare in the home, since these do not involve the expenditure of money. In addition, average citizens do not benefit when increased wealth within the economy is diverted almost entirely to the rich, which has been the case for the past 30 years. What's important is not the total amount of wealth across the economy, but the amount that is going to the average citizen.

To better measure a community's welfare, several states have started using the genuine progress indicator (GPI) to supplement Gross Domestic/State Product. Unlike traditional measures of development which capture only economic growth, the GPI measures economic, environmental and social development costs and benefits, and combines them into a single standardized set of indicators that states can use to better evaluate and compare policy interventions and track the state's relative progress.

State and local

alicelaw.org/government-performance#3

Other Government Performance Models

- Linked deposit programs
[State and local](https://alicelaw.org/catalog/647) ● alicelaw.org/catalog/647
- No offshoring
[State and local](https://alicelaw.org/catalog/760) ● alicelaw.org/catalog/760



Health

Expand the Dental Workforce

Almost 47 million Americans live in areas with a shortage of dentists. This shortage is especially harmful for the 15 million children, mostly from low-income families, who go without annual dental visits leading to life-long dental problems.

The ratio of dentists to the general population is at its lowest in 100 years and the ratio is not expected to improve since the number of new dentists cannot keep pace with expected retirements in coming years.

States can expand dental services by increasing the workforce authorized to provide dental care. Primary care physicians can provide certain dental services by authorizing Medicaid to reimburse for dental care. Policies in Minnesota, Alaska and more than 50 countries have expanded the dental workforce by creating new intermediary positions between dental hygienists and dentists called dental therapists, analogous to nurse practitioners in the medical field. Minnesota's policy focuses on increasing dental care accessibility by requiring dental therapists to practice in rural and low-income communities where dentist shortages are most acute.

State

alicelaw.org/health-issues#1

Health Impact Assessments (HIA)

Too often, policy decisions are made without regard for the implications for the health of the community and its members. To avoid implementing policies or programs that negatively affect a population's health, city, state and local policymakers can initiate health impact assessments (HIAs) when contemplating policy changes. HIAs provide policymakers with comprehensive information about the potential health impacts of their decisions so that they are better informed when determining the best policy solution.

HIAs use a variety of survey methods and tools to engage experts and community stakeholders in gathering information about potential health effects of new policy proposals. Since HIAs engage community members, they can help build consensus on policy changes and create a more transparent and democratic decision-making process. Some states and localities initiate HIAs for specific projects; more progressive policies require HIAs as a standard part of the policymaking process.

State and local

alicelaw.org/health-issues#2

End-of-Life Palliative Care

All too often, terminally ill people are not provided adequate information about their physical condition or counseling about palliative care and end-of-life options. Too often they feel abandoned by the healthcare system and suffer unnecessary physical or psychological pain. This happens because most doctors are trained to cure, not to care for patients they cannot cure. People have a right to know when treatments offer only a tiny chance of prolonging their lives for a few weeks or months. And they have a right to know palliative therapies could make them feel a lot better for the time remaining.

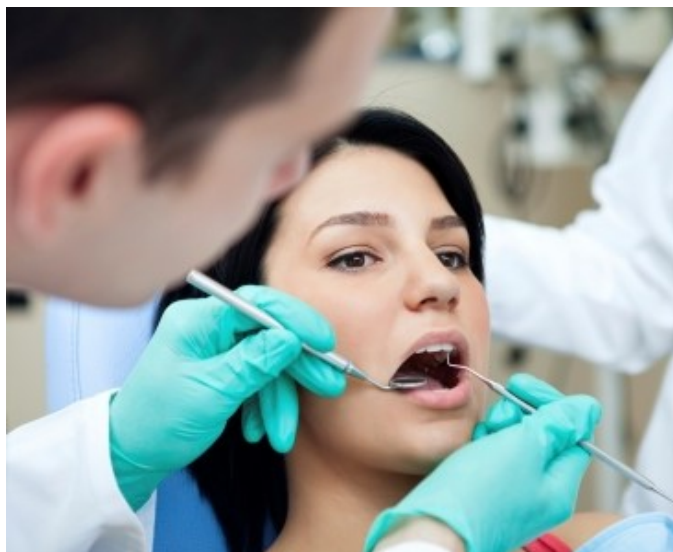
Five states now require healthcare providers to address the needs of the terminally ill. In New York, for example, when a disease is terminal and patients are unlikely to survive six months, doctors must offer to inform them of this, and advise them of available medicines and treatments that comfort rather than cure. Palliative treatment can ease anxiety and pain, and can be administered at home, a hospice, or a specialized hospital unit. A good law also encourages the creation of interdisciplinary palliative care teams to provide medical, spiritual, psychological, and practical support to patients and their families. And just incidentally, by eliminating medical procedures that patients don't want, it also saves many millions of dollars.

State

alicelaw.org/health-issues#3

Other Health Models

- Health care database and advisory committee
[State and local • alicelaw.org/catalog/950](https://alicelaw.org/catalog/950)
- Academic detailing for pharmaceutical sales
[State • alicelaw.org/catalog/1497](https://alicelaw.org/catalog/1497)
- Healthy choices, healthier kids
[State and local • alicelaw.org/catalog/1267](https://alicelaw.org/catalog/1267)
- Death with dignity
[State • alicelaw.org/catalog/1470](https://alicelaw.org/catalog/1470)
- Health insurance language access
[State • alicelaw.org/catalog/1830](https://alicelaw.org/catalog/1830)



Immigrant Rights

Municipal ID Cards

Immigrant populations are often unable to access city services, programs, and benefits—despite making up significant portions of their communities and contributing substantially to local economies—because they lack adequate identification. Most government-issued IDs, like driver's licenses, require applicants to submit a social security number, which is not possible for a significant portion of immigrants. Moreover, IDs are required for a variety of services necessary for community life, ranging from accessing city recreation centers to checking out library books. Many immigrants lack adequate identification to open a bank account, which forces them to use alternative and often expensive financial services, such as payday lending, pawn shops, and check-cashing businesses. Moreover, undocumented immigrants without banking services are often targeted for robberies because they carry significant amounts of cash with them and are less likely to contact law enforcement to report a crime.

Offering a municipal ID card to anyone able to show they are a city resident is the first step in addressing these issues. Cities can allow municipal IDs to serve as identification for entering public buildings and parks, opening library accounts, and accessing other city services. Cities can also work with financial institutions to create an ID card that doubles as a prepaid debit card. In addition to allowing immigrants opportunities to integrate into community life, ID cards may also help undocumented immigrants feel it is safe to contact city officials to report crimes, fire hazards, contagious illnesses, and housing violations.

Local

alicelaw.org/immigrant-rights-issues#1

Limit Inquiries into Immigration Status

Until recently, it was generally accepted that only the federal government had the authority to enforce immigration law. Over the past several years, however, local law enforcement agencies have begun to play a significant role in immigration enforcement. This new role comes at the high cost of trust between immigrant communities and law enforcement, and often, government generally.

As a result, crime victims and witnesses are far less willing to come forward for fear of harassment or deportation, undermining law enforcement's ability to investigate crimes. Furthermore, this fear will often spread beyond contact with police to other public services, including fire departments, hospitals, social services, and public school systems.

To support law enforcement's efforts to protect public safety and to ensure all individuals have access to public services, states and cities can adopt policies prohibiting government agencies, officers, and employees from inquiring into an individual's immigration status unless their status is pertinent to a criminal investigation or they are otherwise required to do so under federal or state law. If necessary, policies can also be service area specific (e.g., law enforcement or health service providers). In addition, states may want to consider making violators of these policies liable, where feasible, for civil damages.

State and local

alicelaw.org/immigrant-rights-issues#2

Language Access

Millions of Americans do not speak English well enough to navigate state and local government bureaucracies. Limited English Proficient (LEP) individuals—people who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English—represent approximately nine percent of the U.S. population. Once concentrated in only a few states, these Americans are now spread across the country, playing vital roles in our local economies. They own and operate businesses, represent significant buying power in consumer markets, produce a variety of goods and services, and pay millions of dollars in taxes. Despite this, many LEP individuals have a hard time accessing government services, programs and benefits due to an absence of government translators and translated materials. This presents a problem for those individuals trying to apply for a driver's license, business license, or social supports, but it also represents a problem for the public, for instance, if a victim or witness to a crime is not able to communicate with law enforcement authorities.

The best option for addressing these issues is for cities and states to require all public agencies and departments providing services, programs or benefits to offer comprehensive access to translators and translated materials. In addition, cities and states can require private sector service providers receiving public funds to comply with language accessibility requirements (or heightened requirements where federal law already sets some language requirements). Where comprehensive language access is not practical, jurisdictions can target specific sectors or agencies through legislation or executive order.

State and local

alicelaw.org/immigrant-rights-issues#3

Other Immigrant Rights Models

- Prohibit honoring of detainer requests
State and local • alicelaw.org/catalog/614
- Immigrant driver's license authorization
State and local • alicelaw.org/catalog/1114
- Prenatal care regardless of immigration status
State and local • alicelaw.org/catalog/632



Infrastructure & Smart Growth

Complete Streets

The streets of our cities and towns ought to be for everyone, whether young or old, motorist or bicyclist, walker or wheelchair user, bus rider or shopkeeper. But too many of our streets are designed only for speeding cars, or worse, creeping traffic jams.

While some communities wait until wrongful death lawsuits force them to make costly retrofits of existing infrastructure, other states, cities and towns are asking their planners and engineers to build road networks that are safer, more livable, and welcoming to everyone.

This holistic design policy for new streets, roads, and highways, called “complete streets,” requires transportation projects to improve safety, access, and mobility for users of all ages and abilities, including pedestrians, bicyclists, and public transportation vehicles and their passengers. Complete streets are often part of broader “healthy communities” initiatives that look at ways to improve public health through transportation planning systems. Model complete streets policies are: (1) inclusive in nature, focusing on the health, safety and convenience of all users; (2) applied to more than just new construction by including repairs, major maintenance and rehabilitation projects; (3) written to include flexibility but not loopholes; and (4) part of a network of multimodal transportation options.

State and local

alicelaw.org/infrastructure-and-smart-growth#1

Infrastructure Bank

America’s infrastructure is the backbone of its economy. But today, America’s infrastructure is woefully underfunded and its condition is severely degraded. The American Society of Civil Engineers estimates that the national infrastructure investment shortfall will be \$1.1 trillion by 2020, increasing to \$4.7 trillion by 2040. This dangerous scenario is not merely some abstract concern. Investment shortfalls mean that much-needed maintenance and modernization are not being done and our infrastructure systems are deteriorating. The bottom line, according to ASCE, is that if investments in surface transportation aren’t made in conjunction with significant policy reforms, families will have a lower standard of living, businesses will be paying more and producing less, and our nation will lose ground in the global economy. But that does not mean we need “more.” Rather, we need to build and rebuild better, not bigger. We need to maintain, upgrade, and replace our aging outmoded infrastructure with greener, more efficient, and more effective infrastructure.

One mechanism that can use private dollars to expand limited resources, while incenting more efficient infrastructure investment, is a state or municipal infrastructure bank. Infrastructure banks or funds can be configured in a number of ways, but are usually run by public officials and publicly-appointed board members with knowledge in infrastructure finance, capital markets and public finance. These infrastructure funds are able to raise capital through bond issuances and leverage public and private investments to support public infrastructure projects through direct loans, credit supports and grants.

State and local

alicelaw.org/infrastructure-and-smart-growth#2

Split-Rate Property Tax

The traditional property tax penalizes owners with higher taxes when they construct, improve or maintain buildings, while rewarding owners who sit on undeveloped land or allow buildings to deteriorate. Owners of boarded-up buildings and vacant lots typically pay much less in property tax than their more responsible neighbors. The “upside-down” economic incentives associated with the traditional property tax can be corrected by breaking the current property tax into two separate rates, called “split-rate property tax” or “land value taxation,” and reducing the property tax rate on building values while increasing the tax rate on land values.

The lower tax rate on buildings makes it cheaper to construct, improve and maintain, resulting in more affordable rents for both residents and businesses. It also reduces incentives for speculative development on the outskirts of cities—where improving now-more-expensive land results in relatively modest gains—and increases incentives to develop closer to transit nodes and city centers. Because land values are created by the community through zoning and through access to public goods and services, higher taxes on land values can help to recapture publicly-created appreciation in land values, while making infrastructure improvements more financially self-sustaining. Split-rate property taxes shift the tax off of privately-created building values and onto publicly-created land values, thereby making the property tax more like an equitable public services user fee.

State and local

alicelaw.org/infrastructure-and-smart-growth#3

Other Infrastructure & Smart Growth Models

- Accessory dwelling units
[State and local • alicelaw.org/catalog/72](https://alicelaw.org/catalog/72)
- Location efficient subsidies
[State and local • alicelaw.org/catalog/198](https://alicelaw.org/catalog/198)
- Inclusionary zoning
[State and local • alicelaw.org/catalog/721](https://alicelaw.org/catalog/721)
- Housing + transportation affordability index
[State and local • alicelaw.org/catalog/440](https://alicelaw.org/catalog/440)



Labor Rights & Protections

Living Wage

Millions of Americans who work full-time don't earn enough to climb out of poverty. A minimum wage earner who works full-time at \$7.25/hour earns approximately \$15,000 a year—at least \$500 below the 2013 poverty level for a family of two and \$8,500 below poverty for a family of four.

It makes no sense for a state, city or county government to encourage the creation of sub-poverty jobs. Families of workers who are paid less than a living wage must rely on taxpayer-funded programs like Medicaid, subsidized housing, subsidized childcare and free school lunches, just to survive. So, when public money helps pay for sub-poverty jobs, states and cities have to pay a second time for the same jobs through government supports to low-wage working families.

Living wage laws ensure that taxpayer dollars do not flow to companies unwilling to pay their workers a living wage. Contractors and subcontractors, holders of leases and concessions, recipients of subsidies or tax breaks—there is no reason or excuse for any of these employers to pay workers a sub-poverty wage. Living wage laws are now well established in the U.S., having been enacted in at least 140 cities, counties, and states. Many studies have demonstrated the positive impact living wage laws have in raising earnings for low-wage workers. And despite the claims of opponents, studies have clearly demonstrated that living wage laws don't reduce employment and have a minimal impact on public budgets. That is because higher wages lead to higher worker productivity and less turnover, and because living wage laws actually increase competition for public contracts by drawing in more high-road firms.

State and local

alicelaw.org/labor-rights-and-protections#1

Earned Sick Leave

More than 40 percent of the 100 million private-sector workers in the United States do not have access to paid sick time. Too many working people are faced with a terrible choice when they or a family member gets sick: stay home and suffer income loss and negative fallout at work, or go to work and send the kids to school sick.

The denial of sick leave is bad for business. When sick employees continue to work, they take longer to recover and may spread their illness to co-workers. Businesses that rely on sick workers suffer lower productivity, higher employee turnover, and decreased morale. Aside from the toll this takes on workers and businesses, it is an absurd public health situation: sick workers infect people on their way to, and at, work. This is especially true in industries where workers handle food or personal items, and food service and hospitality are two of the worst industries with regard to earned sick leave.

State and local

alicelaw.org/labor-rights-and-protections#2

Ban the Box

One in four adult Americans has an arrest or conviction record. Each year another 700,000 people are released from U.S. prisons looking for work. Most employers now conduct criminal background checks and the mere existence of a criminal record, even for a minor offense that would not jeopardize their ability to do a job successfully, often will weed out an otherwise-qualified job candidate. This hurts employers, who lose out on qualified candidates. And it is a serious barrier to individuals with criminal records trying to re-enter the workforce and rebuild their lives.

Ten states and more than 40 cities and counties around the country have moved to “ban the box,” that is, remove the check boxes on application forms that commonly ask candidates whether they have a criminal record, and restrict consideration of an individual's criminal history for most jobs until the final stages of the hiring process and then only to offenses pertinent to the job. Banning the box also helps put a city or state in compliance with requirements of Title VII, which mandates that any reliance on conviction records in hiring decisions be job-related. Public employers have found that banning the box increases the number of qualified applicants with criminal records applying for jobs. And in Minneapolis, banning the box reduced the time and resources needed to process job applicants by 28 percent.

State and local
alicelaw.org/labor-rights-and-protections#3

Other Labor Rights & Protections Models

- Domestic worker job standards
[State and local • alicelaw.org/catalog/1469](https://alicelaw.org/catalog/1469)
- Social networking privacy
[State and local • alicelaw.org/catalog/1024](https://alicelaw.org/catalog/1024)
- Strong minimum wage
[State • alicelaw.org/catalog/756](https://alicelaw.org/catalog/756)
- Pregnant workers fairness
[State and local • alicelaw.org/catalog/1835](https://alicelaw.org/catalog/1835)
- Ban employer credit checks
[State and local • alicelaw.org/catalog/1729](https://alicelaw.org/catalog/1729)



Public Safety

Bail Reform

About 60 percent of inmates in local jails are not there because they've been convicted of a crime, but because they're waiting for trial and cannot afford bail. About three-fourths of these pretrial detainees are charged with nonviolent offenses and are of little danger to the public. Requiring money bail without using evidence-based risk assessment often results in keeping low risk, low income individuals locked up while allowing those who are able to pay, regardless of whether they pose a risk to public safety, to go free. People who are imprisoned before trial are likely to lose their jobs, be unable to support their families, and lose places to live. At the same time, their imprisonment costs taxpayers billions of dollars each year.

To best address these issues, states can adopt policies requiring that money bail be decided, not based on a crime-by-crime rate chart, but through the use of evidence-based risk assessments. These policies also prohibit the release of certain individuals who, based on risk assessment outcomes, are found to pose a serious risk to the public. For those eligible for release, these policies permit the use of money bail only as an incentive to appear, requiring that money bail be set at the lowest possible level.

State

alicelaw.org/public-safety#1

Repeal Stand Your Ground

Everyone has a right to self-defense, and every state specifies the circumstances under which individuals can use deadly force in defense of themselves or others. But since 2005, the American Legislative Exchange Council (ALEC) and the National Rifle Association (NRA) have fought to enact laws which make it much easier to assert self-defense even when the “defender” could have easily backed off and prevented violence. While these laws are supposed to protect victims of violent crimes, they have been found to actually increase violent crime rates. Moreover, rather than protecting victims of crime, in certain states, these laws go so far as to allow a person to use deadly force in an altercation in which that person was the original aggressor.

Florida's Stand Your Ground law, for example, tends to encourage people to shoot first and ask questions later. Self-defense claims have tripled there since the law was enacted. And as demonstrated by the case of Trayvon Martin, it is very difficult to prosecute a shooter who has no legal “duty to retreat” and who claims that he felt threatened—especially when the other person cannot testify because he is dead.

To curb this unprecedented escalation in use of deadly force, states can adopt policies which amend self-defense laws to require an individual to exhaust all reasonable opportunities for retreat before using force against another individual. They can also remove language that creates a presumption in favor of a reasonable belief that there is a threat of physical violence.

State

alicelaw.org/public-safety#2

Electronic Recording of Interrogations

Every year, hundreds of innocent people are jailed because of false confessions. Many more are imprisoned because of false confessions and later released. There are many reasons why innocent people “confess,” ranging from exhaustion to mental illness. Psychologists report that standard police interrogation tactics regularly elicit false confessions from the developmentally disabled, mentally ill, juveniles and other suspects who may not understand the legal system. Suspects who suffer from alcohol or drug problems are especially susceptible. Confessions are taken as such powerful evidence of guilt that, once made, prosecutors, jurors and judges are often reluctant to identify the false ones. In approximately 25 percent of wrongful convictions overturned with DNA evidence, defendants made false confessions or statements at some point during the interrogation process. Wrongful convictions not only send innocent people to jail, but also allow the guilty to go free, jeopardizing the public safety.

Electronic recording of interrogations helps to protect the innocent and convict the guilty. When interrogations are audio- or videotaped, police and prosecutors have a permanent record of a suspect’s statements and gestures. For law enforcement agencies, recording interrogations can prevent disputes about how a suspect was treated, create a clear record of a suspect’s statements and increase public confidence in the criminal justice system. Recording interrogations can also deter officers from using illegal tactics to secure a confession. In addition to requiring electronic recording of interrogations, jurisdictions can amend the rules of evidence to encourage compliance.

State and local

alicelaw.org/public-safety#3

Other Public Safety Models

- Independent police review commission
[State and local • alicelaw.org/catalog/801](http://alicelaw.org/catalog/801)
- Pay-for-performance for private detention jails
[State • alicelaw.org/catalog/1829](http://alicelaw.org/catalog/1829)
- Child waiver of counsel prohibition
[State • alicelaw.org/catalog/165](http://alicelaw.org/catalog/165)
- Limits on juvenile detention
[State • alicelaw.org/catalog/210](http://alicelaw.org/catalog/210)
- Job training for prisoners
[State • alicelaw.org/catalog/593](http://alicelaw.org/catalog/593)
- Consent to search
[State and local • alicelaw.org/catalog/804](http://alicelaw.org/catalog/804)
- Officer identification
[State and local • alicelaw.org/catalog/803](http://alicelaw.org/catalog/803)



Reproductive Rights

EC for Sexual Assault Survivors

Every year, approximately 300,000 women are raped; about 25,000 of those women become pregnant as the result of the sexual assault. Almost half of those pregnancies end in abortion.

Emergency contraception (EC) is a safe, relatively inexpensive medication that prevents unwanted pregnancies. Emergency contraception is birth control; it does not induce abortion. Instead, it inhibits ovulation, fertilization or implantation *before* a pregnancy occurs. Emergency contraception has been proven by use over decades. Although it is most effective within 24 hours, if taken within 120 hours after intercourse, emergency contraceptive pills substantially reduce the risk of pregnancy.

Despite its benefits, a large proportion of hospitals do not offer emergency contraception, or even explain to survivors of sexual assault that it is sold over-the-counter in pharmacies. This is absolutely contrary to the policies recommended by the American Medical Association, American Nurses Association, American College of Emergency Physicians, and many other medical authorities. It is patently unfair to withhold information about emergency contraception from a rape survivor, and yet it happens all the time.

EC in the ER policies require hospital emergency rooms to provide emergency contraception-related services to sexual assault survivors. Some policies require emergency rooms to only provide information about EC; better policies mandate that health facilities distribute the medication at the request of the patient. EC in the ER policies can also include provisions requiring pharmacies and pharmacists to fill all valid prescriptions.

State and local

alicelaw.org/reproductive-rights#1

Protecting Access to Clinics

A persistent campaign of violence, vandalism and harassment endangers reproductive healthcare providers and patients. Despite the 1994 federal Freedom to Access Clinic Entrances (FACE) Act, which established federal protections for reproductive health clinics, staff and patients are still vulnerable to attacks. Between 1993 and 2011, abortion providers and clinics experienced 12 bombings, 195 death threats, 51 arsons, 96 cases of assault and battery, and 893 acts of vandalism.

This conduct is part of a deliberate effort to curtail women's access to abortion by terrorizing healthcare providers and closing clinics. As a result, physicians and other clinic workers must take extraordinary measures for their patients, their facilities, and themselves. Clinics spend small fortunes on bulletproof glass, armed guards, security cameras, metal detectors, and other security measures.

States and localities can supplement the FACE Act by enacting laws that expand the number of prohibited activities or create stronger penalties for violation of the law. Some state and local policies also prohibit activities such as telephone harassment of clinic staff or protesting within a defined buffer or bubble zone around the entrances of the clinic. The most progressive laws establish criminal penalties for violation of the law and allow for arrest and prosecution for violations without requiring a show of intent.

State and local

alicelaw.org/reproductive-rights#2

Crisis Pregnancy Centers

Crisis pregnancy centers (CPC) are non-profit organizations that promote an anti-choice agenda by counseling and misleading pregnant women away from seeking abortion services. CPCs steer women from abortion by providing misinformation about reproductive health services available to women, frightening women with false information about the effects of an abortion, discouraging women from using certain methods of safe and effective birth control, and falsely informing women that they are not pregnant or have miscarried so they will be delayed from obtaining an abortion within the legal time limit. CPCs use false advertising, stating or implying that they provide full abortion services. Women have a right to accurate medical information and the right to choose whether to terminate a pregnancy. These rights are endangered by the misinformation and intimidation campaigns of CPCs.

States and localities can prevent CPCs from misleading women by enacting laws that prohibit their false advertising. These policies prevent CPCs from making, disseminating, or causing to be made or disseminated information about their services that are untrue or misleading, whether through affirmative statement or omission. States and localities can also require organizations that contract with the government for reproductive health services to provide comprehensive, non-directive reproductive health information.

State and local
alicelaw.org/reproductive-rights#3

Other Reproductive Rights Models

- Medically accurate sex education
[State and local • alicelaw.org/catalog/134](https://alicelaw.org/catalog/134)
- Expanding the number of trained health providers authorized to perform first trimester abortions
[State • alicelaw.org/catalog/1491](https://alicelaw.org/catalog/1491)



Revenue & Budget

Millionaires' (High-Income) Tax Bracket

States and localities across America have been squeezed and depleted by the economic downturn that started during the Bush Administration.

Hemmed in by caps on revenue-raising and well-funded anti-tax movements, state and local governments have responded with deep and wide-ranging cuts to services, including education, trash collection, parks and public safety. They have also massively eliminated public-sector jobs, shedding more than three percent of the public workforce since September 2008.

Meanwhile, since the 1980s, the richest Americans have seen their incomes grow dramatically, while low- and middle-income individuals, on average, have seen almost no gains. States and localities have failed to tailor their fiscal policies to meet the new realities, and instead have tended to increase tax breaks and lower tax rates for the rich. For example, from 1995 to 2010, families in the top one percent saw state and local taxes as a share of their income drop by nearly 30 percent—from 7.9 percent to 5.6 percent. Over the same period, middle-income families saw almost no decrease in state and local taxes as a share of family income—from 9.8% to 9.4 percent. This is not what Americans want: polling consistently demonstrates widespread support for higher tax rates for top earners.

States, cities and counties can update their tax systems and reduce budgetary pressures by asking the most fortunate families to pay their fair share. This could take the form of one or more new tax brackets above the current top bracket, and/or raising the tax rate of the top bracket.

State and local

alicelaw.org/revenue-and-budget#1

Disclosure of Corporate Taxes Paid

Americans believe that large corporations are not paying their fair share of taxes, and they're right. Studies indicate that corporations are contributing less and less to pay for the services provided by state and local governments. In the late 1970s, the corporate income tax accounted for 10 percent of revenue collected in the 45 states with such a tax. By 2010, only Alaska generated more than 10 percent of revenue from the corporate income tax; in 36 states, the tax accounted for less than four percent of total revenue. The situation in Illinois is typical: 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 necessary step to fix our broken system is transparency. We don't know enough details about how and to what extent corporations are evading taxes. Certain corporate tax subsidies may be justifiable, but it is impossible to know which ones work well and which ones don't because most data about corporate tax payments are not public information. To bring some fundamental fairness to our tax system, we need public disclosure of this information. To be specific, all large companies should disclose a summary of the amount they pay in state income taxes, including their tax rate and basis (income, credits and deductions), all tax credits, abatement, exemptions and reductions received, and how income is allocated among subsidiaries. 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.

State

alicelaw.org/revenue-and-budget#2

Tax Expenditure Sunset

A “tax expenditure” is a form of government spending accomplished through a federal, state or local tax code. Giving exemptions, deductions or credits to certain groups or for certain activities has the same effect as handing them money.

Governments divert billions of dollars from general funds through the back door as tax expenditures.

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. This leads to ineffective and inefficient policy, while costing states and localities billions of dollars in potential revenue. So each tax exemption, deduction and credit should be examined periodically to weigh its costs, benefits and relevance to community goals in the same way that budget expenditures are.

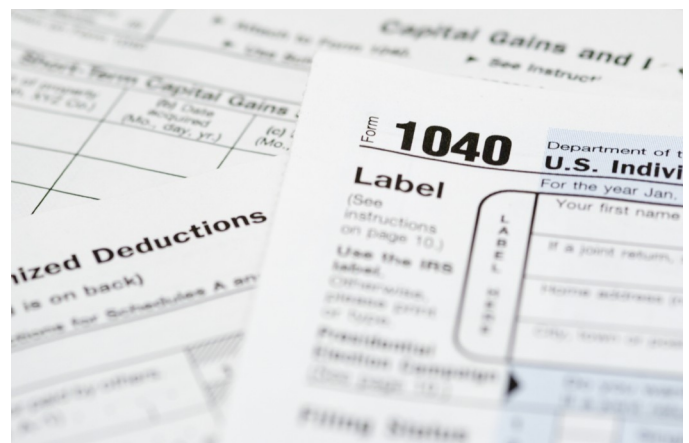
The only effective way to bring fairness to the tax expenditure system is to require each to undergo a thorough review and be re-approved through the legislative process to ensure they are meeting their goals. This is accomplished by making all tax expenditures “sunset,” or expire, every few years unless they are renewed by the legislature after reappraisal. Moreover, cities and states can require that new bills enacting tax expenditures clearly state their purpose, name the class of taxpayers who stand to benefit, and provide criteria for appraising whether or not the purpose is still being served.

State and local

alicelaw.org/revenue-and-budget#3

Other Revenue & Budget Models

- Property tax circuit breaker
[State and local • alicelaw.org/catalog/1022](http://alicelaw.org/catalog/1022)
- Regional tax-base sharing
[State and local • alicelaw.org/catalog/32](http://alicelaw.org/catalog/32)
- Taxing income in tax havens
[State • alicelaw.org/catalog/1757](http://alicelaw.org/catalog/1757)
- Property tax limitation/deferral
[State and local • alicelaw.org/catalog/1021](http://alicelaw.org/catalog/1021)
- State Earned Income Tax Credit
[State • alicelaw.org/catalog/1503](http://alicelaw.org/catalog/1503)



Voting & Elections

Public Financing of Elections

Money has an outsized influence on our current electoral system, endangering our representative democracy. Americans are disgusted by the way massive campaign contributions corrupt the democratic process and give unfair advantages to the wealthy and well-connected. Poll after poll shows that voters think the political system is controlled by big companies, political action committees, and rich individuals. And they are right. Candidates in most gubernatorial and state legislative races receive the bulk of their campaign funding via large donations or from non-party entities like PACs. The growing cost associated with running for office makes campaigns prohibitively expensive for most Americans, thus restricting elected officials 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. Because of the Supreme Court's *Citizens United* ruling and the activism of ultra-right billionaires, the amount of money pouring into political campaigns has grown exponentially. Americans want and expect us to do something about it.

Public funding of state and local elections works. New York City's law, for example, requires participating candidates to limit campaign spending; in exchange, a public fund will match each dollar a city resident contributes to the candidate up to \$175 with six dollars in public funds for a maximum of \$1,050 in public funds per donor. This kind of system increases the value of small donations and encourages more people at varying income levels to participate in the electoral process. In addition, government contractors are forbidden from contributing to municipal campaigns.

State and local

alicelaw.org/voting-and-elections-issues#1

Online Voter 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—misplacing a form or a data entry error—paper-based voter registration systems bar many citizens access to the ballot box. In fact, in 2008, three million people were denied the right to vote because of problems with registration.

At the same time, the systems of paper registration forms that most jurisdictions continue to use simply cost too much. They require millions of person-hours by government employees or contractors to maintain and use. In this era of electronic databases, it makes no sense to pay workers to type information from paper forms when voters can easily type their own information—making far fewer mistakes than government clerks—by using a simple web-based form.

Fortunately, states can curb these costs while producing fewer errors by adopting automated online voter registration systems. By converting to an automated online system, states can eliminate the need for almost all physical forms related to registration and minimize the need for employee form-processing. The registration system should include a secure and accessible online portal for individuals to register to vote, update their voter registration information, and check necessary voting information such as polling location.

State

alicelaw.org/voting-and-elections-issues#2

Expanded Absentee and Early Voting

Although 58 percent of the voting age population turned out to vote in the 2012 presidential election—an improvement over the 1992, 1996 and 2000 elections—turnout levels are still lower than they were in the 1960s when nearly 70 percent of Americans regularly voted in presidential elections. Turnout is even lower in off-year elections and is terrible during primary and special elections.

The fact is, millions of Americans don't vote because it is inconvenient or impossible for them to appear in-person at their polling place on Election Day. In the 2012 election, many voters reported waiting over an hour to vote with some polling stations reporting waits of up to four hours. This is an impossibly long time for many people to be away from work and home. In urban areas, long commutes and bad traffic often make Election Day voting difficult and time-consuming. In rural areas, citizens may live prohibitively far from their polling places. But two simple policies, no-excuse absentee voting and early voting, can help solve these problems.

Early voting policies allow residents to vote at a designated location for a number of days prior to Election Day. No-excuse absentee ballots enable individuals to mail in or drop off official ballots prior to the election without providing an excuse for not voting on Election Day. Early voting and absentee ballots are proven to shorten waiting times on Election Day, reduce administrative costs and hassle, and are popular among voters. In the 2012 general election, almost 32 percent of ballots were cast before Election Day.

State

alicelaw.org/voting-and-elections-issues#3

Other Voting & Elections Models

- National Popular Vote
[State • alicelaw.org/catalog/707](http://alicelaw.org/catalog/707)
- Registration forms at many government offices
[State and local • alicelaw.org/catalog/477](http://alicelaw.org/catalog/477)
- Same-day registration
[State • alicelaw.org/catalog/703](http://alicelaw.org/catalog/703)
- Voter protection from intimidation and misrepresentation
[State and local • alicelaw.org/catalog/1486](http://alicelaw.org/catalog/1486)





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