

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-01**

### **BINDING ARBITRATION**

WHEREAS, Binding Arbitration was originally devised to provide an alternative for resolution of disputes between businesses of equal power and resources; and

WHEREAS, Binding Arbitration is now being forced on consumers by corporations of all sorts; and

WHEREAS, Binding Arbitration, as applied, results in unjust advantages to corporations while providing disadvantages to consumers; and

WHEREAS, Binding Arbitration unconstitutionally discourages consumers from seeking justice by the cost of filing fees that can go as high as \$5,000.00, and the paying of one-half the high price arbitrators charge which run hundreds of dollars per hour; and

WHEREAS, Binding Arbitration is further made unfair because arbitrators are ultimately chosen by the corporations; and

WHEREAS, Binding Arbitration provides no appeal from unjust decisions of unfairly chosen arbitrators; and

WHEREAS, Binding Arbitration steals the constitutional rights of trial by jury and serving on juries; and

WHEREAS, Binding Arbitration actually encourages corporations to abuse consumers in the name of quick resolution of disputes; and

WHEREAS, Binding Arbitration offers no litigation on a plane of equality which ultimately offers no justice.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL here and now, strongly opposes forced Binding Arbitration between corporations and consumers and/or big corporations and small corporations; and

BE IT FURTHER RESOLVED that NBCSL urges organizations across the United States of America to actively oppose Binding Arbitration as violations of our constitutional rights; and

BE IT FURTHER RESOLVED that NBCSL urges its members to petition their respective legislatures to pass laws opposing Binding Arbitration.

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Sponsored by:

Senator Vivian Davis Figures (AL)

Approved Wednesday, December 1, 1999 by the Committee on Business and Finance. Approval certified by:

Representative Edwin Murray (LA), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-02**

### **FINANCIAL SUPPORT FOR THE BLACK PRESS**

WHEREAS, a financially sound, responsive, and viable Black Press is absolutely essential to the empowerment of black communities and the preservation of the black family: and

WHEREAS, the Black Press is, and has traditionally been, the primary source of critical, balanced information vital to an informed community and the empowerment of a community; and

WHEREAS, the Black Press has been systematically excluded or underutilized by corporate America as a significant means of reaching the Black consumer market; and

WHEREAS, neither public nor private sectors have demonstrated substantive evidence of changing these unjust and exclusionary practices; and

WHEREAS, nationally, black buying power will reach over \$500 billion in 1999; and

WHEREAS, black organizations, community activists, political and religious leaders believe that it is their responsibility to help build and sustain a viable Black Press.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that members of NBCSL will hereby subscribe to at least one Black Newspaper; and

BE IT FURTHER RESOLVED that NBCSL will call upon public and private entities to guarantee a fair and equitable share of advertising revenue for the Black Press. We hereby urge other leaders and leadership organizations to join in supporting this initiative.

Sponsored by:

Representative Henrietta Turnquest (GA)

Approved Wednesday, December 1, 1999 by the Committee on Business and Finance. Approval certified by:

Representative Edwin Murray (LA), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-03**

**MINORITY CONTRACTING**

WHEREAS, the gaming industry is expanding as more states consider gaming as a means of economic development, which would result in increased contracting and entrepreneurial opportunities; and

WHEREAS, new opportunities are likely to be created for ownership and management within the ever-increasing gaming industry; and

WHEREAS, African Americans have been historically and systemically excluded from related decisions and resultant ownership, management, contracting, and entrepreneurial opportunities; and

WHEREAS, these enhanced gaming industry opportunities are expected to be tax revenue producing and capable of providing increased revenue to fund functions of government and other community-based programs.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL recognizes that significant opportunities for employment, contracting and entrepreneurial services will result from increased expansion of the gaming industry; and

BE IT FURTHER RESOLVED that African Americans aren't likely to benefit significantly from such; and

BE IT FURTHER RESOLVED that NBCSL urges that appropriate measures be implemented to provide for greater accountability, sensitivity and inclusion of the African American community; and

BE IT FURTHER RESOLVED that NBCSL wants to see greater efforts made in the areas of licensing, compliance, enforcement and the inclusion of African Americans, as it relates to new opportunities within the gaming industry; and

BE IT FURTHER RESOLVED that NBCSL encourages and supports the holding of a National Gaming Summit to address these and related issues; and

BE IT FURTHER RESOLVED that NBCSL urges that industry-based pools of capital be developed to provide for and enhance entrepreneurial opportunities for African Americans.

Sponsored by:

Representative Cynthia Willard (LA)

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Approved Wednesday, December 1, 1999 by the Committee on Business and Finance. Approval certified by:

Representative Edwin Murray (LA), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-04**

### **HEAD START QUALITY IMPROVEMENTS**

WHEREAS, the members of the National Black Caucus of State Legislators believe that all children can succeed and learn at high levels; and

WHEREAS, all children deserve good early education they can count on; and

WHEREAS, the federal government and many states are examining ways to expand access to and improve early childhood education; and

WHEREAS, high turnover rates for staff at Head Start and other early childhood education programs detract from a good learning environment; and

WHEREAS, Head Start workers often cite extremely low wages and limited opportunities for further training and career development as reasons for leaving Head Start employment; and

WHEREAS, research shows that Head Start and other early childhood education staff are invaluable partners in preparing children to succeed in school; and

WHEREAS, additional training and career development for these staff members would make them even more effective and improve the Head Start program overall; and

WHEREAS, Head Start grantees can access several federal funding sources for creating career ladders and educational opportunities for Head Start personnel, including Federal Head Start Quality Improvement Funds. These funds appropriated by Congress in the last Head Start reauthorization are available through grants from the Regional Offices of the Administration for Children and Families and state early education or anti-poverty appropriations.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that the members of the National Black Caucus of State Legislators encourage states to supplement federal funds to grantees and to increase funding in state-run programs in Ohio and Oregon, as part of a solution to early childhood education problems; and

BE IT FURTHER RESOLVED that NBCSL work with Head Start grantees within their districts and assist them in securing federal grants under the Head Start Quality Improvement Fund program; and

BE IT FURTHER RESOLVED that NBCSL support additional funding earmarked to provide Head Start personnel with resources and opportunities for further development and training; and

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

BE IT FURTHER RESOLVED that NBCSL encourage Head Start grantees to dedicate some of the Quality Improvement Funds to develop a career ladder and thereby improve the compensation of Head Start personnel who achieve higher levels of training and career development; and

BE IT FURTHER RESOLVED that NBCSL encourage grantees to establish on-site career development and training programs.

Sponsored by:

Senator C. J. Prentiss (OH)

Approved Wednesday, December 1, 1999 by the Committee on Elementary and Secondary Education. Approval certified by:

Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-05**

### **CHILDREN'S ACCESS TO BOOKS**

WHEREAS, the members of the National Black Caucus of State Legislators believe that all children can succeed and learn at high levels; and

WHEREAS, according to the National Institute for Literacy, more than 40 million Americans age 12 and older read at remedial levels; and

WHEREAS, scores of studies and bodies of research have demonstrated direct links between low literacy and higher probabilities of underemployment, unemployment, poverty, juvenile delinquency, criminal behavior and other social ills; and

WHEREAS, the issue of reaching achievement and literacy levels are of supreme importance to the African American community; and

WHEREAS, the 1998 National Assessment of Educational Progress (NAEP) Reading Report Card reflected that there is a reading achievement gap between white and black students which shows black children possessing lower scores than their white counterparts; and

WHEREAS, NBCSL has previously acknowledged that early reading difficulty represents the single biggest systemic problem faced by schools with large, high-poverty, at-risk student populations; and

WHEREAS, literacy experts agree that for children to learn to read and to reach the highest levels of reading achievement they must form a sustained reading habit; and

WHEREAS, the essential tools necessary for fostering a reading habit and enhancing children's reading abilities and achievement are quality books and reading materials; and

WHEREAS, books are often not readily available to children who are most at risk of reading failure as many of our nation's schools, particularly those in low-income areas, do not have sufficient reading materials in classrooms or libraries; and

WHEREAS, many economically disadvantaged children live in homes absent of books or where books are scarce; and

WHEREAS, the Commission on Reading found that children who read a lot – and, therefore, have better reading performance – tend to come from homes and communities where books are easily available.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1–3, 1999, that NBCSL calls for a



## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

range of intervention efforts aimed at putting books and other reading materials in the hands of children and providing children with exposure to literacy-rich environments that encourage learning and reading; and

BE IT FURTHER RESOLVED that legislators will work to authorize and appropriate funds for books and other reading materials in reading achievement-related legislation or initiatives; and

BE IT FURTHER RESOLVED that such legislation or initiatives will include provisions to ensure that books and other reading materials are available in classrooms, community centers, school libraries, and childcare facilities in sufficient numbers. Thus providing reading tools that are accessible to all children, with special priority given to those children most in need.

Sponsored by:

Senator C. J. Prentiss (OH)

Approved Wednesday, December 1, 1999 by the Committee on Elementary and Secondary Education. Approval certified by:

Senator C. J. Prentiss (OH), Chair

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Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-06**

### **COMMISSION ON ACADEMIC EXCELLENCE**

WHEREAS, the members of the National Black Caucus of State Legislators (NBCSL) believe that all children can succeed and learn at high levels; and

WHEREAS, many states have adopted extremely high requirements for promotion and or high school graduation; and

WHEREAS, an educated and qualified work force is essential for economic development in states; and

WHEREAS, students are required to pass high promotional and graduation requirements and deserve the best instructional preparation and academic practices available.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL hereby urges states to create high-level commissions on instruction improvement and academic excellence for public schools to determine the best instructional preparation methods and academic practices; and

BE IT FURTHER RESOLVED that the areas of review and study for such commissions include but are not limited to the following:

- The evaluation of instructional techniques that recognize that students learn in different ways and students should be taught in the manner by which they can learn most effectively;
- How to instill in teachers, administrators, and other instructional leaders the expectation that all students can learn at high academic levels;
- The evaluation of the student achievement process to insure that all students have an opportunity to complete rigorous education programs and successfully complete promotional and high school graduation requirements;
- Creating and implementing professional development plans to improve teaching methods and techniques including the use of individualized learning plans for improvement in student performance;
- Creating and implementing programs for identification of at-risk students and for delivery of effective programs to remove students from the at-risk category;

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

- The evaluation of instructional technology resources available to help all students to learn at high levels; and
- Creating and implementing procedures to involve parents, community leaders and community volunteers to improve instruction, to mentor students, and to ensure school safety to improve academic excellence.

BE IT FURTHER RESOLVED that the commissions' membership be representative of the demographics of its population and education stakeholders.

Sponsored by:

Senator C. J. Prentiss (OH)

Approved Wednesday, December 1, 1999 by the Committee on Elementary and Secondary Education. Approval certified by:

Senator C. J. Prentiss (OH), Chair

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Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-07**

### **FULL-DAY KINDERGARTEN**

WHEREAS, the members of the National Black Caucus of State Legislators (NBCSL) believe that all children can succeed and learn at high levels; and

WHEREAS, it is evident that national test scores consistently show students, especially minority students, testing at grade levels two to three levels or more below their current grade level; and

WHEREAS, many states have mandated that before students graduate from high school they must successfully pass a standardized test that will measure their educational aptitude.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that members of NBCSL are urged to introduce legislation which mandates for every child full-day kindergarten for four and five year olds; and

BE IT FURTHER RESOLVED that this state controlled and funded program will focus on math, reading and writing readiness.

Sponsored by:

Representative Leah Landrum (AZ)

Approved Wednesday, December 1, 1999 by the Committee on Elementary and Secondary Education. Approval certified by:

Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-08**

### **SUPPORT FOR THE CREATION OF MORE AFFORDABLE CHILDCARE WITH A FOCUS ON STRATEGIES TO INCREASE READING READINESS**

WHEREAS, the members of the National Black Caucus of State Legislators (NBCSL) believe that all children can succeed and learn at high levels; and

WHEREAS, NBCSL believes that an early start for learning in a safe and affordable environment is critical to building a strong foundation; and

WHEREAS, those persons now on public assistance are being encouraged, and in many instances required, to transition from welfare to work; and

WHEREAS, quality, affordable childcare with a focus on learning strategies to increase reading readiness is an essential support service needed by many parents seeking to become and/or remain gainfully employed; and

WHEREAS, the Departments of Human Services throughout the country have documented the shortage of spaces in affordable childcare centers with a focus on strategies to increase reading readiness given the level of increasing demand for these services; and

WHEREAS, quality childcare with a focus on learning strategies to increase reading readiness is known to contribute in important ways to early childhood development and a reduction in the rate of future welfare dependency; and

WHEREAS, quality childcare with a focus on learning strategies to increase reading readiness is known to contribute to the growth and sustainability of the local, regional and national economies by helping to support working families.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL declares its strong support for the development of new licensed childcare centers with a focus on learning strategies to increase reading readiness throughout the states which will increase the quantity of childcare services available to employers and their workers; and

BE IT FURTHER RESOLVED, that the National Black Caucus of State Legislators urge the Departments of Human Services throughout the country to work together with interested private organizations and partnerships to facilitate the creation of such centers, especially in those areas of the country with high percentages of persons currently on welfare and where major employers are located.

Sponsored by:

Representative Aisha Abdullah-Odiase (RI)

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Approved Wednesday, December 1, 1999 by the Committee on Elementary and Secondary Education. Approval certified by:

Senator C. J. Prentiss (OH), Chair

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Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-09**

### **OPPOSITION TO SCHOOL VOUCHERS**

WHEREAS, the members of the National Black Caucus of State Legislators (NBCSL) believe that all children can succeed and learn at high levels; and

WHEREAS, the American public and parents remain deeply attached to the institution of public education; and

WHEREAS, our cherished tradition of public schools that are free and equally open to all on the basis of equal citizenship continues to be vital to our pluralistic democracy; and

WHEREAS, the American public, parents, and school staff believe there are serious shortcomings in our public schools but want public schools fixed, not abandoned; and

WHEREAS, the education reform that the American public and parents, across all demographic groups, as well as school staff, overwhelmingly support is high standards of conduct and achievement in our public schools, and not vouchers or other forms of school privatization; and

WHEREAS, the evidence from here and abroad does not support the argument that vouchers and other methods to establish a market system of schools will improve school or student performance, while the evidence is incontrovertible that high standards of conduct and achievement do have that result; and

WHEREAS, elected officials in a democracy have a political and moral obligation to be responsive when popular will, the public interest and solid evidence of positive results all converge.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL and its members continue to work to defeat voucher and other radical, school privatization proposals; and

BE IT FURTHER RESOLVED that NBCSL continue to educate members, the public and parents about the evidence against vouchers as an instrument of educational and social improvement; and

BE IT FURTHER RESOLVED that NBCSL and its members pursue education reform that is the real “school choice” of parents and the public — high standards of conduct and achievement in our public schools as the alternative to vouchers; and

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

BE IT FURTHER RESOLVED that NBCSL and its members make opposition to vouchers and similar school privatization schemes and support for high standards of conduct and achievement in our public schools a key issue in educational materials.

Sponsored by:

Senator C. J. Prentiss (OH)

Approved Wednesday, December 1, 1999 by the Committee on Elementary and Secondary Education. Approval certified by:

Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President



# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-10**

### **RAISING READING ACHIEVEMENT**

WHEREAS, the members of the National Black Caucus of State Legislators (NBCSL) believe that all children can succeed and learn at high levels; and

WHEREAS, the ability to read is the fundamental building block upon which all other learning depends; and

WHEREAS, in today's society, the child who does not learn to read does not make it in life; and

WHEREAS, black children and other children of color, especially poor and immigrant children, represent a disproportionate percentage of those with the lowest levels of reading achievement; and

WHEREAS, these are the students whose futures most depend on receiving a quality education; and

WHEREAS, the findings of numerous research studies in such diverse fields as neuroscience, psychology, linguistics, cognitive science, and education have helped educators understand how children learn to read and what can be done to improve early reading instruction; and

WHEREAS, this research shows that every child can learn to read well by the third grade – including black and other children of color, especially poor and immigrant children – and this research also shows what can be done to improve early reading instruction.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL will work to support efforts to require that all students have access to the most effective reading instruction which shall include, but not limited to:

- Providing full funding for early childhood programs, such as prenatal health care, child nutrition, and other initiatives that work with families to help assure children's physical and cognitive health, including information about the critical importance of daily reading to children, from infancy on, and other research-based strategies that can be used at home so that all students are reading-ready when they enter first grade;
- Providing funds for quality preschool and full-day kindergarten programs that foster early literacy by developing children's language, vocabulary and conceptual skills, as well as helping to familiarize all students with books, the nature of print,

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

the letters of the alphabet and their sounds, and the kinds of stories that are inclusive and promote respect for different cultures;

- Ensuring that school districts have the financial and technical resources to employ periodic research-based screening and diagnostic assessments, and compile the data beginning in kindergarten, that can help discover reading problems early;
- Targeting sufficient funds to ensure that school districts can use the data from such assessments to provide effective early intervention programs to all students identified as at-risk of reading failure before they fall behind;
- Targeting funds to ensure that all high-poverty schools and all low-performing schools have small class sizes in the primary grades, staffed by fully qualified teachers who are proficient in the teaching of reading;
- Providing funds to ensure that research-based professional development and continuing education opportunities in reading and reading comprehension instruction are available to all reading specialists, teachers, and classroom teachers' aides/paraprofessionals in all elementary schools, with first priority given to K-2 staff and those who work with student populations who are at high risk of reading failure;
- Reforming the licensure requirements for beginning elementary teachers to include a clear statement of what teachers should know and be able to do with regard to the teaching of reading, a stipulation of required coursework in reading instruction that incorporates research based on effective instructional practices, and provisions for a well-supervised internship period to ensure that these instructional practices have been mastered and that these new teachers are effective with diverse student populations;
- Providing funds to help school districts adopt effective, research-based reading programs and materials, and to expand the availability of quality children's literature that celebrates diversity; and
- Providing funds to ensure that every school has a library that is fully staffed and fully stocked, and to ensure that all school libraries are accessible and convenient for students and their families.

Sponsored by:

Senator C. J. Prentiss (OH)

Approved Wednesday, December 1, 1999 by the Committee on Elementary and Secondary Education. Approval certified by:

Senator C. J. Prentiss (OH), Chair

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:  
Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-11**

### **TRACKING AND SO-CALLED “ABILITY GROUPING”**

WHEREAS, the members of the National Black Caucus of State Legislators believe that all children can succeed and learn at high levels; and

WHEREAS, May 18, 2000 will mark the 104<sup>th</sup> anniversary of *Plessy vs. Ferguson*, a case in which the Supreme Court of the United States legitimized “Jim Crow” in America. Nearly forty-six years ago, on May 17, 1954, that same Court overruled the *Plessy* case in *Brown vs. Board of Education*, and declared separate but equal schools to be inherently unconstitutional. Nonetheless, education in America is still vastly unequal and segregated. More than forty years after *Brown*, tracking has replaced legal segregation as the chief perpetrator of a lower class status of African American and other people of color and poverty; and

WHEREAS, tracking is an insidious circumvention of the *Brown* decision that uses the pretense of ability to maintain vast inequality in public schools by sorting students of color and poverty into inferior and separate classes, courses of study, schools, and school systems, thereby lowering self-esteem and ill preparing them to compete with their more highly educated peers beginning in kindergarten; and

WHEREAS, white children who score miserably are often placed in the higher tracks because teachers and counselors, unconsciously enveloped in the racist ways of the competitive and hierarchical culture which produces and surrounds them, routinely assign children of color and poverty to the lower levels; and

WHEREAS, higher expectations, greater resources, the best teachers, smaller classes, and a livelier and more interesting hands-on style of education are all awarded to the upper tracks, while the lower tracks are stigmatized as dumb and inferior; and

WHEREAS, we have engaged in a life-taking and life-threatening struggle for equity and justice in public accommodations, employment, and voting, but never a grassroots movement to end the savage inequality in our public schools; and

WHEREAS, the crisis in Black America will not end until we end the tracking and mis-education of our children. Our economic dependence and our internalized oppression are sustained by an educational system designed to maintain the illusion of inferiority which results in catastrophic levels of poverty, unemployment, crime, drug abuse, teen pregnancy, school dropout and other social ills; and

WHEREAS, in spite of *Brown* and a gallant civil rights movement, significant and lasting change in the quality of lives of the vast majority of African Americans is not reality. Additionally, the heartbeat and pulse are still strong in America’s public schools, where the major-

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

ity of children of color and poverty receive a culturally biased education that has crushed the spirit and hope of our children and our people; and

WHEREAS, our children are at risk because of denied opportunity and preparation, not denied ability, and we absolutely reject notions and/or practices that treat them as inferior beings; and

WHEREAS, the glaring disparity between the numbers of blacks in low levels, vocational, and special education, and the numbers of whites in preparatory, gifted and college preparatory, attest to racism in our system not the shallowness of genes.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL will fight for policies that require that all students are educated to high academic standards; and

BE IT FURTHER RESOLVED that NBCSL will oppose miseducation, tracking and so-called “ability” grouping in public schools; and

BE IT FURTHER RESOLVED that NBCSL will fight to eliminate the misuse of testing as a means to screen poor and minority students into special education and out of challenging, gifted, advanced and college-preparatory courses; and

BE IT FURTHER RESOLVED that NBCSL will ensure that all students, including students of color and the poor, are provided with an education that will prepare them for a high quality of life. In addition to this, a higher education including a challenging culturally inclusive core curriculum beginning in pre-school and to college-preparatory and Advanced Placement courses in secondary school; and

BE IT FURTHER RESOLVED that NBCSL will urge support programs that encourage and prepare students to seek advanced knowledge and specialization as well as master the required core curriculum; and

BE IT FURTHER RESOLVED that NBCSL will work to abolish other sources of educational inequality, such as the failure to attract, train and retain a highly skilled, knowledgeable and experience teaching force sufficient to staff all high poverty and majority minority schools and districts; and

BE IT FURTHER RESOLVED that NBCSL urges and supports teacher incentives, resources, training and preparation needed to teach and expect all students to master high academic standards; and

BE IT FURTHER RESOLVED that NBCSL will declare a national state of emergency to strategize, resolve, educate and dramatize the catastrophic impact miss education and tracking have on the quality of life and the longevity and prosperity of African American people in these United States in the 21<sup>st</sup> century; and

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

BE IT FURTHER RESOLVED that NBCSL will condemn all acts and attempts to circumvent the letter and spirit of the *Brown* decision as illegal and immoral; and

BE IT FURTHER RESOLVED that NBCSL will recommit to resurrect the spirit, hope and joy of African American and all children of color and poverty by framing miseducation and tracking as human rights issues. Furthermore, insisting that education is a constitutional right, providing the legal foundation for demanding a high quality education for all children; and

BE IT FURTHER RESOLVED that NBCSL will help initiate a new civil rights movement, unparalleled in our time, to engage in a human rights struggle of massive proportion, to change our mental and educational condition; and

BE IT FURTHER RESOLVED that NBCSL on behalf of all children, all Americans, and the world will not stop until our children can claim victory.

Sponsored by:

Senator Henry Sanders (AL)

Approved Wednesday, December 1, 1999 by the Committee on Elementary and Secondary Education. Approval certified by:

Senator C. J. Prentiss (OH), Chair

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Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-12**

### **FAMILY LITERACY**

WHEREAS, the members of the National Black Caucus of State Legislators (NBCSL) believe that all children can succeed and learn at high levels; and

WHEREAS, parents or guardians are a child's first teachers; and

WHEREAS, the National Academy of Sciences and other literacy experts have found that one of the best ways to prevent reading difficulties in young children is to provide them with language and literacy-rich environments in their homes; and

WHEREAS, experts also agree that children learn to read and have overall higher academic achievement when they live in homes where good reading habits are practiced and they are read to and encouraged to read; and

WHEREAS, this does not often happen in families where parents or caregivers have limited resources and low literacy skills; and

WHEREAS, according to the National Institute for Literacy, more than 40 million Americans age 16 and older read at the most remedial levels; and

WHEREAS, research has shown that a child's literacy level is often linked to the educational level of the parent or caregiver; and

WHEREAS, studies by family literacy organizations have shown that when the reading and overall education levels of adults improves, their children's academic performance also improves.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL call for legislation and public policies that foster the growth of family literacy programs, particularly in high-need regions of the country; and

BE IT FURTHER RESOLVED that NBCSL calls for such measures to provide for the training of parents and caregivers in the various ways to foster literacy of their children; and

BE IT FURTHER RESOLVED that NBCSL calls for the implementation of awareness campaigns aimed at educating the public in general about the importance of reading to and with children; and

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

BE IT FURTHER RESOLVED that it should be of critical importance to policymakers to provide funding and support for cross-sector collaborations aimed at improving existing family literacy programs or creating programs in high-need areas where they do not exist.

Sponsored by:

Senator C. J. Prentiss (OH)

Approved Wednesday, December 1, 1999 by the Committee on Elementary and Secondary Education. Approval certified by:

Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President



# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-13**

### **SUPPORT FOR PARAPROFESSIONAL IN TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA)**

WHEREAS, the members of the National Black Caucus of State Legislators believe that all children can succeed and learn at high levels; and

WHEREAS, America's school children deserve a quality public education; and

WHEREAS, with the passage of Title I, the Elementary and Secondary Education Act (ESEA), over 33 years ago, the federal government made a commitment to disadvantaged children; and

WHEREAS, state legislatures, along with local school districts, must address the urgent needs of America's children by investing in public elementary and secondary education; and

WHEREAS, teachers' aides/paraprofessionals, are invaluable partners in the educational experience of school children and provide assistance to teachers and support them in classroom management, administration and discipline; and

WHEREAS, ongoing professional development and training for teachers and paraprofessionals are key components of any effective Title I program; and

WHEREAS, Congress is considering new rules for the participation of teachers' aides/paraprofessionals in Title I that may impose additional educational requirements for existing teachers' aides/paraprofessionals. However, these new rules may not provide adequate resources for training to ensure that dedicated teachers' aides will not be displaced due to the inability to complete federally mandated education requirements; and

WHEREAS, teachers' aides/paraprofessionals are primarily women of color, single parents, and individuals who live in the community the public school serves and are working to support their families and improve the educational opportunities for their children and the children they work with in the classroom;

THEREFORE BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL write to Congress to urge that if any new educational requirements are imposed on Title I teachers' aides/paraprofessionals, Congress will provide adequate new resources for the professional development and education of such personnel to meet these requirements; and

BE IT FURTHER RESOLVED that NBCSL urge state legislatures to set aside in their state budgets resources to support professional development for teachers' aides/paraprofessionals and insure that training includes on-site reimbursable affordable education/training.

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Sponsored by:

Senator C. J. Prentiss (OH)

Approved Wednesday, December 1, 1999 by the Committee on Elementary and Secondary Education. Approval certified by:

Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-14**

### **ADEQUATE STAFFING STANDARDS FOR DIRECT CARE NURSING**

WHEREAS, nursing home residents need 24-hour care every day, seven days a week; and

WHEREAS, the nursing home industry should be held accountable for providing quality care; and

WHEREAS, adequate nursing home staffing is needed for quality patient care; and

WHEREAS, in order for nursing homes to guarantee quality care, reimbursement levels must be adequate at all levels; and

WHEREAS, short staffing leads to preventable illnesses which actually increase the costs of care and the nursing home industry wastes up to \$12 billion per year treating preventable bedsores caused by a lack of care; and

WHEREAS, the role of the nurse's aide and nurse are clearly defined in the delivery of quality care; and

WHEREAS, quality patient care is directly tied to enactment of minimum nursing standards.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that the attached document serve as the standard for workers providing direct care and that legislators be encouraged to pass legislation which enacts and implements these standards; and

BE IT FURTHER RESOLVED that NBCSL members introduce and support state legislation which guarantees quality nursing home care and provides adequate reimbursement levels; and

BE IT FURTHER RESOLVED that Legislators establish study groups or task forces to examine this issue; and

BE IT FURTHER RESOLVED that NBCSL go on record in support of any federal legislation enacting nursing homes standards for staff providing direct health care.

Sponsored by:

Senator Roscoe Dixon (TN)

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Approved Wednesday, December 1, 1999 by the Committee on Health. Approval certified by:

Senator Roscoe Dixon (TN), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

## THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS

### *Proposed Minimum Staffing Standards*

*Minimum standards should be in place for all residents, regardless of payment source and no waivers of these standards should be allowed. Staffing needs should be ADJUSTED UPWARD for residents with higher nursing care needs.*

#### Direct Care Standard

*Minimum Level Direct Care Staff (Registered Nurses, Licensed Vocational Nurses, Licensed Practical Nurses or Certified Nursing Assistants):*

*Day Shift        1 Full-time equivalent position for each 5 residents  
Evening Shift   1 Full-time equivalent position for each 10 residents  
Night Shift     1 Full-time equivalent position for each 15 residents*

*Minimum Licensed Nurses (Registered Nurses and Licensed Vocational Nurse or Licensed Practical Nurses) providing direct care, treatments and medications, planning, coordination and supervision at the unit level:*

*Day Shift        1 Full-time equivalent position for each 15 residents  
Evening Shift   1 Full-time equivalent position for each 20 residents  
Night Shift     1 Full-time equivalent position for each 30 residents*

#### Mealtime Nursing Staff

*Direct care staffing standards will take into account specific needs of residents at mealtimes. At all mealtimes, there will be:*

*1 Nurse Full-time equivalent position for each 2-3 residents who are entirely dependent on assistance.*

*1 Nurse Full-time equivalent position for each 2-4 residents who are partially dependent on assistance.*

#### Education and Training

*All licensed nurses in nursing homes must have continuing education in the care of the chronically ill and disable and/or gerontology nursing (at least 30 hours every two years)*

*Nursing assistants should have a minimum of 160 hours of training, including training in appropriate feeding techniques (at least 12 hours relevant training every year).*

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

### *Disclosure: Public Right to Staffing Levels*

*A long-term care nursing facility should post in a public place the current number of licensed and unlicensed nursing staff directly responsible for resident care and the current ratios of residents to staff. This information shall be displayed on a uniform form supplied by the licensing agency.*

*In addition, such information shall be posted for the most recently concluded cost reporting period in the form of average daily staffing ratios for that period. This information must be posted in a manner, which is visible and accessible to all residents, their families, caregivers and potential consumers in each facility.*

*A poster provided by the licensing agency, which will describe the minimum staffing standards and ratios and shall also be posted in the same vicinity.*

## THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS

### Nursing Home Staffing and Wage Legislation in SEIU States

SEIU STATES	BILL STATUS	POLICY
California	Budget Language Passed Fall '99 AB 1160 passed legislature, Gov. did not sign	Budget language increased total nursing hours per patient day to 3.2, eliminating double counting of RN hours, included \$36 million wage pass through.
Florida	Passes funding for wages or staffing in April 1999	\$32 million for staffing or wage/benefit enhancements
Illinois	Planning to introduce nursing home legislation in 2000	Under discussion
Maryland	HB 1971 passed, March 1999	Two year study on staffing in nursing homes
Massachusetts	House Bill 2516, sponsored by Rep. Ruth Provost, expected to be reported out by March 2000	Ratios of 5:1 mornings, 8:1 days and 12-15:1 evenings, staffing disclosure, whistleblower protections and stronger enforcement.
Michigan	HB 4176 passed the State House of Representatives 96-2 on 5/28/98	Would increase required hours of direct care from 2.25 to 3.0 per resident per day and define "direct caregivers".
Minnesota	Passed funding for wages in 1998 and 1999	1999 formula states that 80% of the inflation increase provided to facilities must be used to increase wages and compensation, and that the homes must submit a plan in writing before receiving the funding. In the first year, that translates into a 4.843% increase in wages and benefits, and a 3.632% increase in 2000.
Missouri	Planning to introduce nursing home legislation in 2000	Under discussion
New Jersey	S 1755 sponsored by Rep. Vitali introduced. Passed through committee in June 1999	Would establish ratios of 1:5, 1:8, 1:12 and call for the establishment of acuity based staffing system.
New York	A 7689, passed through committee on Assembly side 6/99, S. 4926 headed for Senate health committee, lobby day planned in June	Would establish ratios of 1:5, 1:8, 1:12 and call for the establishment of acuity based staffing system.
Ohio	HB 468 introduced and headed to committee in	Increase ratios of residents to unlicensed nursing personnel morning 5:1,

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

	Fall 1999	afternoon 10:1 night – 15.1, plus public right to staffing information, and penalties for enforcement.
Pennsylvania	SB 815, sponsored by Schwartz, introduced 9/99	Increase ratios of residents to unlicensed nursing personnel morning 5:1, afternoon 10:1 night – 15.1, plus public right to staffing information, and penalties for enforcement.
West Virginia	Died in 1999, will re-introduce in 2000	Would establish ratios of 1:5, 1:8, 1:12 and call for the establishment of acuity based staffing system.
Wisconsin	Passed in staffing bill in 1998, wage pass through in 1999	Raised total staff hours per day per resident from 1.25 to 2.00 for limited nursing care, from 2.25 to 2.5 for skilled care, and adds a new category called intensive skilled nursing with a requirement of 3.25 hours. Wage pass through is \$24 million per year.

Services Employees International Union, Health Care Division, November 1999



# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-15**

### **ENSURING UNRESTRICTED ACCESS TO PRESCRIPTION MEDICINES IN PUBLIC PROGRAMS FOR THE POOR AND UNDERSERVED**

WHEREAS, prescription medicines are a particularly cost-effective component of health care (at a cost of approximately 7 cents of every health care dollar, pharmaceuticals offer potential savings of many millions of dollars in cures of disease, relief, pain, and empowerment of people to function and lead productive lives); and

WHEREAS, scientific innovation is continually yielding new remedies, including AIDS drugs that prolong life substantially, and more effective treatments for mental illness, heart disease, stroke, diabetes, respiratory disease, and other devastating illness; and

WHEREAS, the Food and Drug Administration has approved more than 39 new drugs in 1998; and

WHEREAS, as these new remedies become available, many of our poorest citizens cannot afford basic health care services (some 44.3 million Americans still lack basic health insurance coverage, and even those who do have some insurance often lack coverage for prescription drugs); and

WHEREAS, in the face of increasing public demand for access to health care, public programs also face ever-tighter budgets and are reacting to these dual pressures by restricting beneficiaries' access to services, including access to prescription drugs, in a short-sighted effort to control costs; and

WHEREAS, Medicaid, the nation's largest health program for the poor and underserved, has undergone fundamental changes in recent years as states have contracted out the management of their programs to private-sector managed care organizations, who agree to deliver comprehensive services for a fixed price for each enrollee, regardless of the services actually provided or the specific procedures performed; and

WHEREAS, state Medicaid managed care programs are now expanding to include not only mothers and children, but the disabled, AIDS patients, the elderly and mentally ill — groups with greater need for services and an ongoing need for prescription drugs; and

WHEREAS, if these managed care programs are not adequately funded, and if quality safeguards are not in place, the quality of care Medicaid patients receive may be reduced; and

WHEREAS, other state-sponsored programs of pharmacy assistance for the elderly, for the disabled, and for AIDS patients are also facing cost-containment pressures, leading to restrictions on access to appropriate medications; and

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

WHEREAS, all public programs will save money in the long run by ensuring that low-income patients receive health care in appropriate settings as part of an integrated system, with prescription drugs provided as each patient's physician judges necessary; and

WHEREAS, African Americans are disproportionately represented among both Medicaid populations and the uninsured; and

WHEREAS, African Americans are disproportionately affected by diseases such as cardiovascular disease, diabetes, stroke, cancer, AIDS/HIV infection, glaucoma, and tuberculosis that can be successfully prevented or treated with appropriate pharmaceutical care; and

WHEREAS, the AIDS epidemic is having a devastating effect on the African American community, and is now the leading cause of death of young adult African Americans just as new remedies are becoming available that could extend their lives in the hope of an eventual cure; and

WHEREAS, pharmaceutical companies have more than 150 medicines in development in major diseases that disproportionately affect African Americans; and

WHEREAS, individuals differ in their response to different medications and, therefore, unrestricted access to prescription medicines and respect for the physician's judgement in choosing the appropriate medicine for each patient is a crucial element of high quality health care for African Americans; and

WHEREAS, the membership of the National Black Caucus of State Legislators may differ on the specifics of effective health care programs but are united in their commitment to first and foremost protect the rights of patients, and particularly African American and other underserved patients.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL urges its members to advocate adequate public funding of health care programs for low-income citizens and high standards of quality in all such programs, including Medicaid, federal-state assistance programs for AIDS patients and pharmaceutical assistance programs for the low-income elderly; and

BE IT FURTHER RESOLVED that these programs include requirements that patients have access to medically necessary treatments, including prescription medicines; and

BE IT FURTHER RESOLVED that patients in publicly funded health care programs are fully informed about the scope of their pharmaceutical benefit; and

BE IT FURTHER RESOLVED that patients have an opportunity to voice their grievances and to appeal denials of care, including denials of brand-name prescription drugs; and

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

BE IT FURTHER RESOLVED that publicly funded health care programs make their decisions about patient care, and about pharmaceutical therapy, by a process that ensures the scientific and clinical integrity of those decisions.

Sponsored by:

Senator Roscoe Dixon (TN)

Approved Wednesday, December 1, 1999 by the Committee on Health. Approval certified by:

Senator Roscoe Dixon (TN), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-16**

**PATIENT SAFETY**

WHEREAS, asthma, heart disease and stroke affect African Americans to a greater extent than most Americans; and

WHEREAS, pharmaceuticals provide valuable therapeutic treatment of these and other diseases; and

WHEREAS, certain critical dose drugs require a narrowly prescribed dosage for therapeutic success where subtle changes may lead to life-threatening events. Too little of the drug may result in a sub-therapeutic effect; too much may result in a toxic reaction. They require highly individualized dosing, and close supervision by the physician or healthcare provider to ensure their safe use; and

WHEREAS, many of those critical dose drugs treat chronic diseases such as asthma, epilepsy, heart-related diseases, stroke, mental illness and rejection of organ transplants; and

WHEREAS, prescribers and patients should be aware of any substitution to ensure proper control if different formulations introduce clinically significant changes in the patient's response to therapy; and

WHEREAS, the Food and Drug Administration approves drug products for marketing and the states regulate the conditions under which those products may be prescribed and substituted; and

WHEREAS, this requirement does not prevent changes between formulations or prohibit substitutions, it merely ensures that the physician and patient are in control of therapy.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL supports state policies that require prescriber consent prior to the substitution of critical dose drugs; and

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to each state black legislative caucus urging their membership support on this patient safety issue.

Sponsored by:

Senator Roscoe Dixon (TN)

Approved Wednesday, December 1, 1999 by the Committee on Health. Approval certified by:

Senator Roscoe Dixon (TN), Chair

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:  
Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-17**

### **PREVENTION AND TREATMENT DOLLARS FOR UNDERSERVED WOMEN AT RISK FOR BREAST AND CERVICAL CANCER**

WHEREAS, identification of resources within the states to provide culturally competent diagnostic and treatment services for women diagnosed with breast or cervical cancer is a labor intensive process; and

WHEREAS, time spent searching for treatment diverts resources away from the screening program and fails to adequately address the needs of African-American and other minority women, age 30 and over, for these services through the health care provider; and

WHEREAS, the National Breast and Cervical Cancer Early Detection Program (NBCCEDP) currently serves only 12 to 15 percent of age-eligible, uninsured women nationally due to already limited resources; and

WHEREAS, NBCCEDP brings critical breast and cervical cancer screenings, follow-up services and information to those women at highest risk for these types of cancer, particularly African-American women in their 30's, older women, low income, uninsured and underserved women, and racial and ethnic minority women; and

WHEREAS, inadequate resources for the program and the current system of getting women to treatment are jeopardizing the viability and sustainability of the program as well as the health and well-being of the women it serves; and

WHEREAS, data have shown that most women diagnosed with cancer through the program initiate treatment, and that treatment is often provided in an ad hoc and unreliable manner; and

WHEREAS, the Breast and Cervical Cancer Treatment Act gives women served through the NBCCEDP a greater peace of mind by providing explicit access to and coverage of treatment services through evaluation components like the Bronx Lebanon Hospital and Howard University Medical School; and

WHEREAS, the Breast and Cervical Cancer Treatment Act frees up resources so that case and program managers can focus efforts on bringing more women into the programs so they can take advantage of early detection of cancer, because our goal is 100 percent access for all women and zero percent disparity among racial groups.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, December 1-3 1999, that NBCSL recognizes the devastating impact that breast and cervical cancer is having in minority communities and,

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

upon enactment by Congress of the Breast and Cervical Cancer Treatment Act, NBCSL places as a national priority the elimination of all health disparities; and

BE IT FURTHER RESOLVED that federal and state policymakers be encouraged to ensure the availability of treatment funds for women receiving breast and cervical cancer services under NBCCEDP.

Sponsored by:

Senator Roscoe Dixon (TN)

Approved Wednesday, December 1, 1999 by the Committee on Health. Approval certified by:

Senator Roscoe Dixon (TN), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-18**

### **ADEQUATE PUBLIC FUNDING OF SUBSTANCE ABUSE TREATMENT PROGRAMS FOR LOW-INCOME CITIZENS**

WHEREAS, more than four million Americans are addicted to drugs, and fewer than half of them have received any treatment. Many of the remaining millions have actively sought treatment, but have been turned away for lack of programs and resources, and the consequences of this severe nationwide shortfall in resources is unnecessary devastation for the addicts, their families, employers and communities; and

WHEREAS, lost workforce productivity due to drug abuse costs the nation at least \$14 billion annually, including losses due to unemployment, impairment, absenteeism, and premature deaths. On the other hand, research shows that treatment increases the likelihood of employment by forty percent (40 percent) or more; and

WHEREAS, crime related to drug addiction costs the nation an estimated \$57 billion per year, not including victims' and law officers' medical cost. However, research has shown that addicts who undergo treatment are forty percent (40%) less likely to be arrested for violent or nonviolent crimes; and

WHEREAS, according to several conservative estimates, every one dollar invested in addiction treatment yields a return of four to seven dollars in reduced crime and criminal justice costs; and

WHEREAS, drug abuse treatment reduces injection drug users' risk of spreading the human immunodeficiency virus (HIV) and other infections by as much as sixty percent (60%), and abstaining addicts do not need costly emergency room treatment for overdoses; and

WHEREAS, addicts who receive appropriate treatment while in prison are fifty to sixty percent (50-60%) less likely to be arrested again during the eighteen months following their release.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that the members of NBCSL strongly advocate for the Congress of the United States of America to increase public funding for substance abuse treatment programs for low-income citizens; and

BE IT FURTHER RESOLVED that medical research is continually improving addiction treatment methods. In addition, science is equipping treatment providers with more and better tools with which to tailor treatment methods to individual patients' needs based on such factors as choice of drug, addiction history, current medical diagnoses and history, and environment; and



## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

BE IT FURTHER RESOLVED that public funded substance abuse treatment programs should:

- Receive increased financing for more treatments slots;
- Expand the breadth and usefulness of treatment research;
- Equalize health insurance coverage for drug addiction treatment when compared with other medical treatments; and
- Expand treatment for addicts involved in the criminal justice system.

Sponsored by:

Representative Omeria L. Scott (MS)

Approved Wednesday, December 1, 1999 by the Committee on Health. Approval certified by:

Senator Roscoe Dixon (TN), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-19**

**CONCERNING FEDERAL HOUSING AND COMMUNITY PROGRAMS**

WHEREAS, HUD and Congress are well-intentioned in their housing programs; and

WHEREAS, where these programs have assisted in the rebuilding of many urban and rural communities; and

WHEREAS, these programs also have caused significant unintended social, economic, political and environmental consequences; and

WHEREAS, HUD programs, particularly the Hope Six and Smart Growth initiatives, need to be more carefully assessed and evaluated before, during and after implementation of programs.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS (NBCSL) ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL urges HUD to implement a formal public hearing process within the affected community, with full and thorough public notice of hearing dates and locations, to provide public disclosure of the proposed HUD action and enable local comments and recommendations concerning the proposed project and its potential ramifications to the affected community.

Sponsored by:

Assemblywoman Gloria Davis (NY)

Approved Wednesday, December 1, 1999 by the Committee on Housing. Approval certified by:

Assemblywoman Gloria Davis (NY), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL)

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-20**

**ACCESS TO FINANCIAL SERVICE PRODUCTS**

WHEREAS, home ownership and small business entrepreneurship are key components to realizing the American dream; and

WHEREAS, home ownership should be available to all women, especially African American women; and

WHEREAS, the availability of capital and access to financial services is essential to purchasing homes and creating new business enterprises; and

WHEREAS, many citizens of low and moderate income are frustrated in their inability to find conveniently located banking and financial service providers, which are essential to realizing the dream of home ownership and business ownership; and

WHEREAS, women, in particular African-American women and other minorities, do not believe that their particular circumstances and needs are recognized and understood by financial services providers, including insurers, banks, savings and loans, credit unions, consumer finance companies, mortgage lenders and mortgage brokers; and

WHEREAS, many in our society do not understand the personal factors which they have control over that can ease the path to securing home mortgages, business finance or insurance coverage, and are in dire need of information, personal financial education, home ownership, legal counseling and credit counseling.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL urges the financial services, banking and insurance industries to initiate programs to educate urban residents on how to obtain essential financial services and to make provisions for their employees to be sensitive in addressing the needs of housing applicants and to implement programs to facilitate and assure convenient access and availability of their products and services in urban communities; and

BE IT FURTHER RESOLVED that each state should enact legislation to prohibit unfair, deceptive and fraudulent acts and practices by predatory mortgage lenders.

Sponsored by:

Assemblywoman Gloria Davis (NY)

Approved Wednesday, December 1, 1999 by the Committee on Housing. Approval certified by:

Assemblywoman Gloria Davis (NY), Chair

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:  
Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-21**

### **HUNGER IN THE UNITED STATES**

WHEREAS, hunger is a national problem that undermines the ability of children to learn and grow, of adults to be productive, and of elderly persons to live in dignity; and

WHEREAS, despite the economic recovery that our nation has experienced, that economic recovery has not reached all people in our nation; and

WHEREAS, local emergency food program operators report a continuing strong need and long lines of working families, children and elderly in need of food assistance; and

WHEREAS, U.S. Census Bureau/U.S. Department of Agriculture (USDA) research documents state-by-state percentages of households which are “food insecure,” i.e., those who, for economic reasons, lack access to enough food to fully meet basic needs; and

WHEREAS, nationally during the three-year period between 1996 to 1998, 9.7 percent of Americans were food insecure — hungry or on the edge of hunger; and

WHEREAS, national data shows that three million more adults and two million more children lived in food insecure households in 1998 than in 1997; and

WHEREAS, an Urban Institute survey of former cash assistance recipients found that in 1997 one-third (33.4 percent) had to cut the size of meals or skip meals because there was not sufficient food; and

WHEREAS, lack of information to potentially eligible clients and overly restrictive state practices were identified by the General Accounting Office (GAO) as among factors contributing to the 27 percent drop in Food Stamp Program participation in the last three and a half years; and

WHEREAS, in its report released August 1999, GAO said, “there is a growing gap between the number of children living in poverty – an important indicator of children’s need for food assistance – and the number of children receiving food stamp assistance;” and

WHEREAS, a recent report for USDA by Mathematical Policy Research, Inc. found that nearly three-quarters of those eligible, but not participating in the Food Stamp Program, were not aware that they were eligible.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3 1999, that NBCSL calls for measures to strengthen the nutrition safety net to assist families and communities, including enactment of two major Food Stamp Program improvements:

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

- The Kennedy-Specter/Walsh-Clayton Hunger Relief Act (S 1805, H.R. 3192), which would address major gaps in the current Food Stamp law, by restoring food stamp eligibility for low-income legal immigrants (regardless of entry date to the U.S.); updating vehicle value resource rules for food stamp households; increasing food stamp allotments for families with children with high shelter costs; and supplementing funding for The Emergency Food Assistance Program (TEFAP); and
- The Graham/Levin-Coyne-Clayton Food Stamp Outreach and Research for Kids Act (FORK) (S. 1800, H.R. 2738), which would enhance outreach and monitoring in the Food Stamp Program, initiatives vital to address problems among those eligible but not served by the Food Stamp Program.

Sponsored by:

Senator Gwen Moore (WI)

Approved Wednesday, December 1, 1999 by the Committee on Human Services. Approval certified by:

Senator Gwen Moore (WI), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-22**

### **FAMILY VIOLENCE — THE EFFECT ON POVERTY, HUNGER, WELFARE, CHILD WELFARE AND HOMELESSNESS**

WHEREAS, one out of every four women will be victims of domestic violence in their lives according to the Family Violence Prevention Fund of 1996; and

WHEREAS, women sustain an average of 2.5 million violent crimes against women each year; and

WHEREAS, in 29 percent of all violence against women by a lone offender, the perpetrator was a husband, ex-husband, boyfriend or ex-boyfriend; and

WHEREAS, 25 to 45 percent of battered women are assaulted while they are pregnant; and

WHEREAS, men who witnessed violence in their childhood homes are three times more likely to batter their wives and/or girlfriends; and

WHEREAS, 63 percent of males incarcerated between the ages of 12 to 20 were there for assaulting or killing their mother's abuser; and

WHEREAS, between 24 and 30 percent of battered women surveyed had lost their job, due at least in part, to domestic violence according to the report Domestic Violence: An Occupational Impact Study of 1992; and

WHEREAS, domestic violence leads to unemployment either because abusers interfere with or sabotage women's work lives and because employers fail to grant sufficient time off to attend civil or criminal proceedings or for safety planning; and

WHEREAS, 1995 public opinion research conducted by a major insurance company found that 91 percent of consumers surveyed believe that it is a good idea for companies to support domestic violence awareness programs; and

WHEREAS, the total health care costs of family violence are estimated in the hundreds of millions each year and much of that cost is paid by the employer.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL strongly supports the reauthorization of the Violence Against Women Act of 1994 (VAWA); and

BE IT FURTHER RESOLVED that this new legislation include a national hotline, essential funding for shelters and programs, shift resources from criminal justice approaches and in-

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

crease direct services to traditionally underserved, particularly rural women, women of color, women with limited English proficiency and women with disabilities; and

BE IT FURTHER RESOLVED that NBCSL also urges all states to honor the “full faith and credit” provisions of the VAWA of 1994.

Sponsored by:

Senator Gwen Moore (WI)

Approved Wednesday, December 1, 1999 by the Committee on Human Services. Approval certified by:

Senator Gwen Moore (WI), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President



# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-23**

### **BANANA WARS**

WHEREAS, the ongoing protests against the Seattle Roundtable of the World Trade Organization (WTO) have signaled to the world the tremendous damage inflicted upon American workers and the non-industrialized world by the WTO; and

WHEREAS, the Caribbean governments have warned for the past four years that the ruling of WTO with reference to bananas could destabilize the entire Caribbean, with severe social, political, and economic consequences for the people of the Caribbean; and

WHEREAS, a destabilized Caribbean would make it easier for international drug shippers to send illegal drugs to the United States via the Caribbean archipelago, with particularly devastating consequences for inner-city communities; and

WHEREAS, a strong Caribbean is good for America, and a destabilized Caribbean will severely complicate US/Caribbean relations.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL call upon President Clinton to instruct the United States Trade Representative (USTR), Ambassador Charlene Barshefsky, to ensure that ongoing negotiations between the USTR and the Caribbean be provided with a tariff rate quota that would guarantee continued access to the European banana market at a viable price.

Sponsored by:

Delegate Shirley Nathan-Pulliam (MD)

Approved Wednesday, December 1, 1999 by the Committee on International Affairs. Approval certified by:

Representative Reggie Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-24**

### **HBCU CONSORTIUM AND INTERNATIONAL CENTER FOR STUDY ABROAD IN AFRICA AND THE CARIBBEAN**

WHEREAS, NBCSL Resolution 97-38 called for establishment of a Joint Consortium to Protect Historically Black Colleges and Universities (HBCUs); and

WHEREAS, an International Consortium of public and private HBCUs was established in 1994 by the International Education Resource Center (IERC); and

WHEREAS, Florida A&M University (FAMU) is the first public HBCU to receive a grant from the U.S. Department of Education to establish an overseas “study abroad” center which serves as a centralized office of international programs for members of the HBCU International Consortium.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL collectively support FAMU (the first public HBCU to establish AN overseas center funded by the U.S. Department of Education) and cooperate with IERC which has been contracted by FAMU to manage the overseas center and establish the first HBCU international clearinghouse for study abroad in Africa and the Caribbean; and

BE IT FURTHER RESOLVED that NBCSL use its Web Pages and other methods to inform students attending colleges and high schools across the nation about opportunities for study abroad in Africa and the Caribbean through programs sponsored by the FAMU/HBCU International Consortium; and

BE IT FURTHER RESOLVED that NBCSL members help the IERC assist public HBCUs by establishing University Business Partnerships to raise funds for scholarships to enable children from African-American families to study abroad in Africa and the Caribbean.

Sponsored by:

Representative Beryl Roberts (FL)

Approved Wednesday, December 1, 1999 by the Committee on International Affairs. Approval certified by:

Representative Reggie Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-25**

### **IMMIGRATION LAWS**

WHEREAS, recent Congresses have passed legislation which represent severe limitations on the rights and opportunities of immigrants; and

WHEREAS, long-term lawful permanent residents are being deported in the thousands for minor offenses classified as misdemeanors in various states. These offenses are classified as “aggravated felonies” under new federal immigration law; and

WHEREAS, these federal laws have thrown many families into hardship when the family provider is detained and deported from the United States. Many children, who are United States citizens, are left without either a mother or a father due to deportation; and

WHEREAS, H.R. 1485, the “Family Reunification Act of 1999,” sponsored by Congressmen Frank and Frost, make it possible for the Attorney General and Immigration Judges to exercise discretion to cancel removals or deportations; and

WHEREAS, the Bill was introduced yet has not received a hearing in the House subcommittee on Immigration and Claims and no date has been scheduled to hear the Bill.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL members urge their Congressional representatives to notify them of the importance of H.R. 1485.

Sponsored by:

Delegate Shirley Nathan-Pulliam (MD)

Approved Wednesday, December 1, 1999 by the Committee on International Affairs. Approval certified by:

Representative Reggie Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-26**

### **AFRICAN AFRICAN-AMERICAN LEGISLATIVE, EDUCATIONAL AND ASSISTANCE EXCHANGES**

WHEREAS, NBCSL is one of the most recognized and largest organizations of black elected officials; and

WHEREAS, NBCSL has over 600 members from 41 states, the District of Columbia, and the U.S. Virgin Islands; and

WHEREAS, at the request of Rev. Leon H. Sullivan, Chair of the 5<sup>th</sup> African-African American Summit, President James Thomas led a delegation of 35 NBCSL members to Accra, Ghana; and

WHEREAS, NBCSL members are promoting cultural, educational and economic exchanges between their respective states and African countries; and

WHEREAS, NBCSL members are desirous of beginning exchanges throughout Africa; and

WHEREAS, on their return, NBCSL members who traveled to the 5<sup>th</sup> African African-American Summit have mobilized churches and other organizations to go back to Africa and to provide needed assistance and resources.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that:

- NBCSL adopt and provide assistance to the Maternal and Children's Health clinic in Kumasi, Ghana, as a beginning project to enhance this activity;
- Begin a legislative/educational exchange program with African Legislators; and
- Build legislative support for the 6<sup>th</sup> African African-American Summit to be held in Africa in May 2001.

Sponsored by:

Representative Henri Brooks (TN)

Approved Wednesday, December 1, 1999 by the Committee on International Affairs. Approval certified by:

Representative Reggie Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-27**

### **LIBERIA**

WHEREAS, over the last 10 years, many Liberians have been forced to flee their country due to civil war and wide spread violence. From 1991 through 1999, the United States of America provided Liberians in the United States with temporary protection status because of these difficulties; and

WHEREAS, this policy was well meaning, nevertheless, Liberians fleeing from violence, including genocide, should have been granted refugee status the same as that granted to refugees from Kosovo, Bosnia and the former Soviet Union; and

WHEREAS, President Clinton did act in a humane manner on September 27, 1999, when he issued a memorandum to the Attorney General to defer her order to deport certain Liberians in the United States for one year; and

WHEREAS, the National Black Caucus of State Legislators opposes the inequitable treatment of African refugees no matter what country of origin.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that H.R. 919, the "Liberian Refugees Immigration Protection Act of 1999" and S. 656, introduced as the "Refugee Immigration Fairness Act of 1999," introduced by Congressman Patrick Kennedy and Senator Jack Reed respectively, be passed by the Congress of the United States.

Sponsored by:

Representative Ben Swan (MA)

Approved Wednesday, December 1, 1999 by the Committee on International Affairs. Approval certified by:

Representative Reggie Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-28**

### **PARTNERSHIP FOR EXCELLENCE IN AFRICAN CHILDREN'S EDUCATION (PEACE)**

WHEREAS, the United States is forging a comprehensive and strategic partnership with Africa through the U.S. Agency for International Development (USAID) and other agencies of the U.S. government and is making substantial financial investments under the Education for Development and Democratic Initiatives (EDDI) to improve African education and strengthen African access to technology; and

WHEREAS, President Clinton who demonstrated his commitment to Africa during his tour has specifically noted the importance of a broad constructive partnership with Ghana, a premier country in West Africa for direct foreign investment and trade; and

WHEREAS, Ghana, like many African nations, is burdened with insurmountable foreign debt that siphons financial resources which are needed to invest in education and other human capacity development initiatives; and

WHEREAS, human capacity development is a fundamental building block of any stable society and education and training are required to enable full participation by its citizens in the world and in community, national and global affairs; and

WHEREAS, the National Black Caucus of State Legislators (NBCSL) brought thirty-five (35) members to the 5th African American Summit who were received by the Ghanaian Parliament and conducted cultural and informational exchanges with its residents who expressed education as a top priority.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL agrees that access to quality education must be made affordable and available to all children of Ghana, especially for girls and other underserved and disadvantaged youth, to maximize their long-term social and economic development potential; and

BE IT FURTHER RESOLVED that NBCSL calls upon the United States Congress to provide financial incentives to all U.S. enterprises doing business in Ghana if such enterprises partner with USAID and make private financial and in-kind contributions to the EDDI to be used in Ghana for providing primary education in the core areas of reading, writing, math, communication and computer literacy. This includes U.S. foundations such as the Emissary Foundation and NBCSL, faith-based, civic and other nonprofit entities that provide computer and educational program in Ghana; and

BE IT FURTHER RESOLVED that NBCSL encourages the United States to forgive all existing debt of African countries.

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Sponsored by:

Representative Henri Brooks (TN)

Approved Wednesday, December 1, 1999 by the Committee on International Affairs. Approval certified by:

Representative Reggie Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-29**

### **SIERRA LEONE**

WHEREAS, the West African country of Sierra Leone has been ravished by a terror campaign which has resulted in tremendous loss of life and destruction of property; and

WHEREAS, the government of Sierra Leone and rebel forces have signed a treaty, and a United Nations peace keeping force led by West African states have entered Sierra Leone to help preserve peace; and

WHEREAS, the U.S. government should contribute a sufficient amount of financial and material support to the United Nations peace keeping force; and

WHEREAS, the United States should refrain from imposing various terms on the government of Sierra Leone to include terrorists in the coalition government.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL memorializes Congress and the President of the United States to contribute sufficient resources to the United Nations peace keeping force in Sierra Leone; and

BE IT FURTHER RESOLVED that NBCSL memorializes Congress and the President not to impose terms which require the Sierra Leone government to include terrorists in the coalition government.

Sponsored by:

Representative Opio Toure (OK)

Approved Wednesday, December 1, 1999 by the Committee on International Affairs. Approval certified by:

Representative Reggie Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President



# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-30**

### **SUDAN**

WHEREAS, the U.S. State Department is currently contemplating relations with the people of the nation of Sudan; and

WHEREAS, starvation brought on by warfare in that nation is a major problem amounting to genocide; and

WHEREAS, the central government has reached a peace accord with all opposition forces with the exception of the Sudanese People Liberation Army (SPLA) which is headed by John Garang; and

WHEREAS, other nations are making an effort to negotiate a peace accord in the Sudan, and the United States through its current contemplation is in an excellent position to influence peace in that part of the world.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL support a fair and just peace in the Sudan; and

BE IT FURTHER RESOLVED that NBCSL urges the U.S. government to use all resources available to bring about negotiated peace in the Sudan.

Sponsored by:

Representative Ben Swan (MA)

Approved Wednesday, December 1, 1999 by the Committee on International Affairs. Approval certified by:

Representative Reggie Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-31**

### **FOREIGN ACCOUNTABILITY**

WHEREAS, the U.S. government has provided billions of dollars in aid to numerous nations; and

WHEREAS, some of this aid has not gone for its intended purposes thus frustrating the intent of the aid and leaving people in want; and

WHEREAS, many nations have worked diligently to locate and recover some of these unexpended funds and regain additional assistance to aid these efforts.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL encourages the U.S. government to provide technical and other support to nations engaged in endeavors to identify and recover foreign assistance monies.

Proposed by:

Representative Penfield Tate (CO)

Approved Wednesday, December 1, 1999 by the International Affairs Committee. Approval certified by:

Representative Reginald Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-32**

### **UNITED STATES REFUGEE POLICY TOWARD AFRICAN NATIONS**

WHEREAS, on December 1, 1999, the U.S. government terminated family reunions for African refugees from Liberia, Djibouti, Somalia, Chad, Uganda, Cameroon, and Nigeria, while family reunion continues for many European countries almost indefinitely; and

WHEREAS, the U.S. Department of State has established two standards, separate and unequal for war victims with similar situations seeking refuge in America — there is one standard for people of color and there is a totally different standard for Europeans; and

WHEREAS, as of January 1, 1997, of 13.2 million refugees in the world, the largest number (4.3 million) were from Africa; yet the number of refugees admitted from Eastern Europe was almost 750 percent of those who were admitted from the entire continent of Africa; and

WHEREAS, the current U.S. State Department policy amounts to officially sanctioned racial discrimination which must be eliminated before the dawn of the new millennium.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL demands the institution of a fair system which sets one standard for all refugees; and

BE IT FURTHER RESOLVED that the United States immediately institute a refugee admission policy which offers fair and equitable treatment of all war victims irrespective of race, religion, and national origin, beginning with an immediate hearing on the radical quota system of the U.S. Department of State; and

BE IT FURTHER RESOLVED that NBCSL insist on the immediate resumption of the African refugee family reunion, automatic citizenship for all Liberians of American descent and Visa waivers for all other citizens of Liberia as a customary reciprocation for over one hundred forty years of automatic citizenship to American natives.

Sponsored by:

Representative Benjamin Swan (MA)

Representative Gloria Fox (MA)

Approved Wednesday, December 1, 1999 by the Committee on International Affairs. Approval certified by:

Representative Reginald Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-33**

### **FACILITY SAFETY LEGISLATION**

WHEREAS, the federal Chemical Safety and Hazard Investigation Board reports that there have been more than 600,000 recorded accidents and incidents in the chemical industry between the years of 1987 and 1996; and

WHEREAS, there is no central resource in the United States for information about preventing serious chemical accidents; and

WHEREAS, the available data does not provide an accurate picture of how seriously these accidents have affected our nation in terms of environmental damage and economic loss resulting from these events; and

WHEREAS, many chemical accidents, most of which occur during normal business hours, are unreported and, consequently, the country's understanding of the frequency and severity of chemical accidents that occur throughout the nation is incomplete; and

WHEREAS, about 29 percent of the accidents (176,183) resulted in at least one death or injury (9,705), evacuation of workers and/or the public (4,167), or property damage (164,082); and

WHEREAS, over the ten-year period from 1987 through 1996, approximately 2,550 people each year were killed or hurt, with 2,565 deaths and 22,949 injuries; and

WHEREAS, all states have experienced chemical accidents over that ten-year period with seven states accounting for nearly one-half of the total, including California, Texas, New York, Illinois, Michigan, and Louisiana; and

WHEREAS, commercial chemical accidents occur all over the country, in every state, on railways, highways and waterways, and in all kinds of industry – government and commercial facilities – more frequently than most Americans would ever imagine; and

WHEREAS, commercial chemical accidents occur tens of thousands of times each year, often with devastating and exorbitantly expensive consequences to workers, companies, the public, emergency response organizations, and all levels of government; and

WHEREAS, the frequency of serious chemical accidents is significant enough to warrant national concern.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that the members of NBCSL believe it is the role of government to ensure that these facilities be constructed and

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run in a manner that ensures safe operation to preserve the livelihood and the health and safety of the workers and the full protection of the communities that host these facilities; and

BE IT FURTHER RESOLVED that NBCSL joins Congress and other appropriate state agencies in the mandate to protect lives, property and the environment by supporting a demonstrable decrease in deaths, injuries, property and environmental damage due to chemical accidents.

Sponsored by:

Representative Anthony Hill (FL)

Approved Wednesday, December 1, 1999 by the Committee on Labor and Management.

Approval certified by:

Representative Anthony Hill (FL), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-34**

### **WORKERS' FREEDOM TO CHOOSE A UNION**

WHEREAS, federal law protects employees' rights to form and join a union; and

WHEREAS, the right to organize a union is a basic civil and human right; and

WHEREAS, many employers interfere with employees' efforts to exercise their right to unionize by threatening to close their facilities, to terminate union activists or to otherwise retaliate against them, or in some cases by carrying out these threats; and

WHEREAS, as a result of employers' intrusion into the employees' decision, employees are often deprived of an opportunity to choose a union free from intimidation or coercion; and

WHEREAS, employers often stall or delay the proceedings before the National Labor Relations Board which are intended to allow employees an expeditious means of selecting a union to represent them; and

WHEREAS, unions provide employees with a voice on the job and encourage job innovation and productivity growth; and

WHEREAS, unionized employees generally earn more than their non-union counterparts, and contribute to the economic vitality of our communities; and

WHEREAS, unionized African-American workers make 45 percent more than their non-union counterparts; and

WHEREAS, workers trying to organize to improve their lives and working conditions are disproportionately women and people of color; and

WHEREAS, unions have contributed to the growth of democracy, the well-being of America's working families and our communities generally.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL supports the efforts of working people in our community who seek to unionize to better their conditions of employment; and

BE IT FURTHER RESOLVED that NBCSL calls on all employers within our community to provide their employees the opportunity to choose whether to unionize free from intimidation or coercion; and

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BE IT FURTHER RESOLVED that NBCSL calls on all employers to clearly communicate to their employees that they are neutral on their employees' choice, and will deal fairly with any union that they may select; and

BE IT FURTHER RESOLVED that NBCSL calls on all employers to abide by their employees' decisions when a majority has signed union authorization cards or otherwise indicated their desire to be represented by a union, and to refrain from using NLRB hearings, elections and appeals as a means for delaying or avoiding union representation for their employees; and

BE IT FURTHER RESOLVED that NBCSL use the full moral and legal authority of our offices to support workers who are organizing a union including:

- meeting with workers who are organizing,
- publicly speaking out in support of workers who are organizing,
- meeting with employers to ensure their neutrality and that they respect the rights of employees to organize free of fear and intimidation,
- providing independent verification of whether a majority of workers indicate their desire to unionize through signatures on union authorization cards, a community election, or any other non-coercive process of free choice,
- introducing and supporting legislation that supports a worker's right to organize and/or choose a union, and
- supporting initiatives that support a worker's right to organize and/or choose a union.

Sponsored by:

Senator Kendrick Meek (FL)

Approved Wednesday, December 1, 1999 by the Committee on Labor and Management.

Approval certified by:

Representative Anthony Hill (FL), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-35**

### **POSTAL SERVICE PRIVATIZATION**

WHEREAS, individual states have entered into agreements and passed legislation to encourage their congressional delegations to support legislation which would place unreasonable rules on the United States Postal Service (USPS), such as granting the Postal Rate Commission unrestricted final authority over all postal rates; and

WHEREAS, this shift in authority would serve as another method to attack universal mail service for all of the American public; and

WHEREAS, the drastic change prompted by powerful-sector lobbyists would alter the checks and balances of the original Postal Reform Act; and

WHEREAS, the present process of a Presidential appointment of a Board of Governors, with input from the private sector and the general public, to make recommendations to the Postal Rate Commission of any new postal rate changes and the U.S. General Accounting Office which reports to the Congress on the USPS fiscal activities and can be challenged in federal courts has proved adequate; and

WHEREAS, the United State Postal Service employs 800,000 taxpaying employees whose jobs would be threatened and operates Post Offices in most all communities in America, yet over half of these leased Post Offices subsidized by the USPS are a financial loss, thus indirectly the USPS is paying to stabilize those communities through property taxes; and

WHEREAS, the USPS over the past few years has produced surpluses and used them to pay down past losses, better their infrastructure and improve the service standards of the world's greatest universal mail service.

THEREFORE BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL opposes legislative initiatives designed to privatize postal functions through misinformation; and

BE IT FURTHER RESOLVED that NBCSL opposes any and all attempts to dictate postal policy by those who seek to enrich their shareholders at the expense of the American people.

Sponsored by:

Representative Anthony Hill (FL)

Approved Wednesday, December 1, 1999 by the Committee on Labor and Management.  
Approval certified by:

Representative Anthony Hill (FL), Chair



**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:  
Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-36**

### **SUPPORT FOR CENSUS 2000**

WHEREAS, the U.S. Census Bureau is required by the Constitution of the United States to conduct a census of the population every 10 years; and

WHEREAS, census data are used for reapportionment of seats in the Congress, drawing federal, state and local legislative districts, and monitoring and enforcing civil rights statutes, including the Voting Rights Act of 1965; and

WHEREAS, census data are used for making decisions at all levels of government — the federal government uses census data to allocate billions of dollars in federal funds annually for community programs and services including education programs, housing and community development, health care, services for the elderly, and many more; and

WHEREAS, state, local, and tribal governments use census data for planning and allocating funds for school construction, public building such as libraries, highway safety and public transportation systems, new roads and bridges, location of police and fire departments, and many others; and

WHEREAS, community organizations use census data for developing social service programs, community action projects, and childcare center locations; and

WHEREAS, census data are held confidential for 72 years and, by law, the Census Bureau cannot share your individual records with any other government agency including welfare agencies, the Immigration and Naturalization Service, courts, police departments and the military.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that we create a subcommittee of the Committee on Law and Justice on the 2000 Census, and join the U.S. Census Bureau in its goal of a complete and accurate count for Census 2000, particularly among population groups that have been traditionally undercounted in past censuses; and

BE IT FURTHER RESOLVED that NBCSL supports the use of data sets that have been corrected for overcounted and undercounted persons through statistical sampling. These data sets are used for the purposes of making decisions at all levels of government including, but not limited to, funding levels, social service programming, reapportionment of districts and seats, and the enforcement of civil rights statutes; and

BE IT FURTHER RESOLVED that NBCSL will publicize its endorsement of Census 2000 through its own publications, urging its full membership and the public to cooperate; and

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

BE IT FURTHER RESOLVED that NBCSL will assist the Census Bureau with recruiting and promotion efforts and will encourage local chapters and affiliates to work with the local Census staff in their areas to obtain a full and accurate count for Census 2000.

Sponsored by:

Senator Roger Smitherman (AL)

Approved Wednesday, December 1, 1999 by the Committee on Law and Justice. Approval certified by:

Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-37**

### **DON KING**

WHEREAS, Don King was the first African American to dominate the economics of a major sport; and

WHEREAS, Don King has always been outspoken on the critical issues which face black people; and

WHEREAS, Mr. King was the first person in the history of sports to pay African American professional athletes what they were worth and has consistently paid African American and Hispanic boxers the largest purses in the history of the sport; and

WHEREAS, his willingness and ability to pay African American boxers purses commensurate with their talent and market value has led to the same phenomenon in other sports such that both black and white professional athletes are now uniformly paid their market value without exploitation; and

WHEREAS, his marketing genius in globalization and internationalizing the sport of boxing has caused him to be recognized as one of the greatest, if not the greatest, promoters of all time; and

WHEREAS, he has from the beginning of his career and without seeking credit for doing so, generously donated his wealth to worthy causes of all kinds, across racial, ethnic, religious and cultural lines, including repeated and generous contributions to a wide array of black causes; and

WHEREAS, he was recognized and honored in 1997 by the NAACP, National Urban League, Rainbow Push Coalition, National Council of Negro Women and the Southern Christian Leadership Conference for his considerable good will; and

WHEREAS, Don King's domination of boxing, his refusal to be intimidated and co-opted by hostile forces and his outspokenness of this country's treatment of its black citizens has made him a perennial target of federal law enforcement and a subject of repeated negative media coverage by hostile press; and

WHEREAS, all efforts by the federal government to prosecute him have resulted in humiliating defeats for the government in court; and

WHEREAS, Mr. King is now the subject of another federal criminal investigation; and

WHEREAS, in the last thirty years, the federal government has paid scant, if any, attention to the prosecution of any other important figures in boxing who are white, including other promoters such as Bob Arum who have admittedly been involved in criminal conduct; and

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

WHEREAS, the federal government has used offensive and racially motivated tactics to pursue its criminal investigation against Don King including a recent overtly racist encounter with the FBI with Carolyn Kelly, a respected veteran African American community leader in Newark whom the government is trying to recruit as a witness against him; and

WHEREAS, when Don King was prosecuted in 1995 and 1998, the collective African American leadership implored Attorney General Janet Reno to prevent the prosecution of Don King because he had been targeted for investigation and prosecution in violation of the internal guidelines of the Justice department; and

WHEREAS, Attorney General Reno unfairly rejected the legitimate attempt by African American leadership to prevent these prosecutions; and

WHEREAS, the collective African American leadership of this country once again wishes to register its strongest opposition for the federal government's targeting of Mr. King and other important black political and economic leaders; and

WHEREAS, the Congressional Black Caucus and the NAACP have adopted this resolution regarding the continued prosecution of Mr. King.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL demands an immediate investigation and re-evaluation of the pending federal criminal investigation against Don King, including an immediate meeting with Attorney Janet Reno to present its legitimate position to: 1) prevent yet another prosecution against Don King and 2) present objection to a continuing pattern of unfair criminal investigation and prosecution against black and economic leaders; and

BE IT FURTHER RESOLVED that NBCSL recognizes the need for an increased number of African American attorneys trained in the defense of cases involving unfair prosecutions in the federal court system.

Sponsored by:

Senator Larry Seabrook (NY)

Approved Wednesday, December 1, 1999 by the Committee on Law and Justice. Approval certified by:

Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-38**

### **BLACK FARMERS**

WHEREAS, the U.S. Department of Agriculture (USDA) has systematically discriminated against black farmers for many years; and

WHEREAS, in spite of the failure of the U.S. government to deliver the former enslaved African the proverbial 40 acres and a mule, the African American farmer gained over 16 million acres of land by 1910 and grew in number to nearly 900,000, but by 1992 the unimaginable discrimination of USDA had reduced black farm ownership to less than 3 million acres and black farmers to fewer than 18,000; and

WHEREAS, the USDA even abolished the mechanisms for those black farmers discriminated against to petition for redress; and

WHEREAS, several black farmers filed a lawsuit in the U.S. District Court in Washington, D.C. in 1997; and

WHEREAS, the federal judge handling this case certified it as a class action on behalf of all black farmers; and

WHEREAS, the case was mediated and settled with provisions for each black Farmer who qualified to receive \$50,000 and other relief as compensation or to have their claim resolved by arbitration; and

WHEREAS, the U.S. Department of Agriculture retained certain rights to review the claims for legitimacy and accept or deny the claims based upon certain standards and guidelines; and

WHEREAS, the USDA is denying 35 to 40 percent of the claims on technicalities and often in an arbitrarily and capricious manner for insubstantial reasons; and

WHEREAS, there are appeal rights for claims denied which may be exercised by black farmers, however, the denials of such a large proportion of black farmers on such flimsy grounds further intensified the great harm already done to black farmers and both delays and denies justice.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that the USDA and the U.S. Justice Department are urged to fairly review the claims of black farmers not already reviewed; and

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

BE IT FURTHER RESOLVED that the USDA and the U.S. Justice Department are also urged to again review the denied claims of black farmers to insure that justice and fairness are accomplished; and

BE IT FURTHER RESOLVED that NBCSL hereby urges the Congressional Black Caucus and other caring organizations to intercede with the USDA and U.S. Justice Department to fairly and justly review the black farmers' claims; and

BE IT FURTHER RESOLVED that NBCSL urges its members to adopt resolutions in their respective states in support of fair and just resolution of black farmers' claims; and

BE IT FURTHER RESOLVED that the USDA and the U.S. Justice Department are strongly urged to determine and discipline appropriately those USDA officials who committed and continue to commit repeated serious and systematic acts of discrimination against black farmers; and

BE IT FURTHER RESOLVED that NBCSL hereby urges the USDA and the U.S. Justice Department to establish a strong and effective complaint and redress procedure to allow past, present and future redress to black farmers who continue to be victimized by the discriminatory practices of the USDA.

Sponsored by:

Senator Hank Sanders (AL)

Approved Wednesday, December 1, 1999 by the Committee on Law and Justice. Approval certified by:

Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-39**

### **CONFIRMATION OF AFRICAN-AMERICAN FEDERAL JUDGES**

WHEREAS, African Americans are severely underrepresented on the Federal Bench at the district court and appellate court levels; and

WHEREAS, President Clinton has submitted nominations of African Americans to the Federal Bench that are pending before the U.S. Senate Judiciary Committee which include, but are not limited to, Judges Legron Davis and Patrice Tucker of Pennsylvania, and Judge James Wynn, Jr. of North Carolina; and

WHEREAS, President Clinton has nominated Judge James Wynn, Jr. to serve as a federal judge on the Fourth Circuit Court of Appeals; and

WHEREAS, the Fourth Circuit has the highest number of African-American residents of any circuit, but has never had an African-American judge in the history of this country; and

WHEREAS, the Fourth Circuit Bench is composed of all Caucasian judges and the confirmation of Judge Wynn would desegregate the Fourth Circuit Court of Appeals; and

WHEREAS, the U.S. Senate has failed to hold confirmation hearings or votes on these and other African-American judicial nominees.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL strongly urges the U.S. Senate to hold immediate hearings on all of the African-American nominees to the Federal Bench and to vote on their confirmation; and

BE IT FURTHER RESOLVED that all NBCSL members contact their U.S. Senators to urge immediate confirmation hearings on African-American judiciary nominees.

Sponsored by:

Representative Andrew Carn (PA)

Approved Wednesday, December 1, 1999 by the Committee on Law and Justice. Approval certified by:

Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President



# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-40**

### **VOTING RESTRICTIONS ON EX-OFFENDERS**

WHEREAS, 46 out of 50 states have some form of voting restrictions on ex-offenders; and

WHEREAS, voting disenfranchisement laws are fundamentally unfair because they further punish individuals who have served the time for their crime and paid their debt to society; and

WHEREAS, voting disenfranchisement for ex-offenders disproportionately impacts African Americans since African Americans are six times more likely to be jailed than whites; and

WHEREAS, the Sentencing Project reports that over one million African American men in our country cannot vote due to these laws, some of which permanently bar ex-offenders from ever voting again.

THEREFORE BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3,1999, that NBCSL supports the 1965 Voting Rights Act and other relevant statutes that guarantee the fundamental right of eligible citizens of this country to cast votes for representatives of their choice; and

BE IT FURTHER RESOLVED that legislation be drafted by members of NBCSL in their respective states to eliminate the unfair voter disenfranchisement of ex-offenders who have paid their debt to society.

Sponsored by:

Representative Andrew Carn (PA)

Approved Wednesday, December 1, 1999 by the Committee on Law and Justice. Approval certified by:

Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-41**

### **STATE BIAS CRIME SENTENCING**

WHEREAS, hate, terrorism and bias have been expressed in violent acts against persons and property on the basis of race, gender, ethnicity, national origin, sexual orientation, disability, religion and age; and

WHEREAS, many states and the District of Columbia have enacted laws to recognize and penalize bias crimes which include civil and criminal penalties for violent actions to persons and property motivated by bias; and

WHEREAS, numerous bias-motivated hate and terrorist incidents by members of the general public, including recognized members of law enforcement have been reported but not prosecuted or penalized as hate crimes at the state level; and

WHEREAS, in a landmark decision the U.S. Supreme Court upheld Wisconsin's sentencing enhancement provisions stating that the First and Fourteenth Amendments of the Constitution do not prohibit sentencing enhancement provisions; and

WHEREAS, the state should perform the primary role in the prosecuting and penalizing of bias-motivated crime and several states are currently without any statutory provision to address such crimes; and

WHEREAS, in 1998 at its Annual Meeting in Cleveland, Ohio, NBCSL adopted Resolution 99-23 entitled "Support for Legislative Initiatives to Address Hate Crimes" and Terrorism in support of the federal Hate Crimes Prevention Act of 1998 which was endorsed by such organizations as the National Association of Human Rights Workers (NAHRW) and the Justice Campaign of America (JCA).

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL supports enactment by individual state legislatures of state laws to prosecute and enhance sentences to penalize violent acts motivated by hate, terrorism and bias perpetrated by members of the general public including recognized members of law enforcement.

Sponsored by:

Representative Henri Brooks (TN)    Representative David Haley (KS)

Approved Wednesday, December 1, 1999 by the Committee on Law and Justice. Approval certified by:

Senator Charles Jones (LA), Chair

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:  
Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-42**

### **TITLE VI COMPLIANCE SPECIAL TASK FORCE**

WHEREAS, Title VI of the 1964 Civil Rights Acts states that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance”; and

WHEREAS, African Americans have experienced great difficulty in penetrating the economic mainstreams of our nation’s cities; and

WHEREAS, billions of dollars have been appropriated by federal, state and local governmental agencies to fund the infrastructure needs of these United States; and

WHEREAS, the overall economic impact of these expenditures has been job creation in the public and private sectors and an increase in business opportunities; and

WHEREAS, despite these massive expenditures of money, many African Americans still encounter great difficulty in obtaining gainful employment, and the small business community remains a closed market, in large part, for African Americans; and

WHEREAS, this inability of African Americans to penetrate the economic mainstream is a source of grave concern to NBCSL.

THEREFORE BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that there is hereby created a special task force to examine compliance, monitoring, and enforcement of Title VI of the 1964 Civil Rights Act from a public policy planning perspective, and the past and present roles of African Americans relative to economic development objectives; and

BE IT FURTHER RESOLVED that during the course of its deliberations, the task force shall study the following topics in addition to any other topics the task force deems relevant:

1. Federal financial assistance used as incentives to expand and attract new industry to inner city and rural areas;
2. Federal financial assistance as it relates to federal, state and local transportation initiatives on inner city and rural economic objectives;
3. Federal financial assistance used to promulgate or otherwise impact environmental policy on African Americans (hazardous waste, waste-water, and sewage treatment);
4. Special federal/state funded initiatives for inner city economic development;
5. Federal financial assistance used to advance or otherwise support investment and infrastructure development;
6. Federal financial assistance used to support or otherwise advance state and local government boards, commissions, authorities, and quasi-public entities;

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

7. Federal financial assistance to African American consultants, contractors and subcontractors for economic development; and
8. The lending practices of federally insured financial institutions relative to African American as well as the effectiveness of the Community Reinvestment Act; and

BE IT FURTHER RESOLVED that this special task force shall be comprised of twenty (20) members appointed by NBCSL's president in conjunction with the founding member of the task force on Title VI of the 1964 Civil Rights Act to be divided thus:

- One (1) Representative and one (1) Senator from the Northern, Southern, Eastern, Central and Western United States, with at least one (1) Senator and Representative being from the Southeastern United States;
- Six (6) members from public and private economic development entities from the Northern, Southern, Eastern, Western and Central United States with at least two (2) members being from the Southeastern United States; and
- At least two (2) members with demonstrated expertise in Title VI policy, monitoring and enforcement; and

BE IT FURTHER RESOLVED that at the request of the chair, all appropriate agencies of state governments may be asked to provide staff assistance to the task force.

Sponsored by:

Representative Henri Brook (TN)

Approved Wednesday, December 1, 1999 by the Committee on Law and Justice.

Approval certified by:

Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-43**

**NATIONWIDE AFFIRMATIVE ACTION INITIATIVES**

WHEREAS, affirmative action programs and policies continue to come under attack throughout the country; and

WHEREAS, a number of states have been targeted for lawsuits or campaigns calling for the elimination of affirmative action programs designed to remedy the under representation of minorities in higher education, scholarship, contracting, and public employment opportunities; and

WHEREAS, signature-gathering is underway for ballot initiatives that would repeal or significantly restrict affirmative action programs and policies, especially in the state of Florida under the misnamed "Civil Rights Initiative."

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that we restate our support for affirmative action programs and policies that serve to correct and prevent the under representation of minorities; and

BE IT FURTHER RESOLVED that NBCSL strongly opposes the ballot initiatives in circulation in the state of Florida to repeal and reduce the effectiveness of existing affirmative action policies and programs; and

BE IT FURTHER RESOLVED that NBCSL encourages its members to make clear their own positions on affirmative action and to identify and expose for the public benefit any opposition to affirmative action within their caucuses and state legislatures.

Sponsored by:

Senator Charles Jones (LA)

Approved Wednesday, December 1, 1999 by the Committee on Law and Justice. Approval certified by:

Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-44**

### **LEGISLATIVE PROPOSALS REGARDING RACIAL PROFILING**

WHEREAS, the National Black Caucus of State Legislators (NBCSL) passed Resolution 99-25 which denounced the use of racial profiling by law enforcement officials and expressed extreme concern about the disproportionate number of African Americans and other minority motorists victimized by this practice; and

WHEREAS, since the last annual conference of this body, the state of Connecticut has enacted Public Act 99-198, prohibiting traffic stops or detentions motivated solely by the race of a person, and North Carolina has enacted SB 76 to maintain various data regarding state law enforcement officer traffic stops; and

WHEREAS, there is a pressing need for improved collection of data on traffic stops in local and state law enforcement jurisdictions, and there is a pressing need to educate law enforcement officers in preventing instances of racial profiling.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL commends Senator Alvin Penn and the state of Connecticut and the state of North Carolina, on the successful authorship and enactment of legislation to correct and prevent injustices caused by the practice of racial profiling; and

BE IT FURTHER RESOLVED that NBCSL encourages the remaining states to adopt legislation prohibiting the practice of racial profiling by state and local law enforcement officers; and

BE IT FURTHER RESOLVED that NBCSL supports legislative efforts to require training in the prevention of racial profiling in the educational process of police officers.

Sponsored by:

Representative Harold James (PA)

Approved Wednesday, December 1, 1999 by the Committee on Law and Justice.

Approval certified by:

Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-45**

### **EQUITY AND OPPORTUNITY IN POST-SECONDARY EDUCATION**

WHEREAS, as the Southern Education Foundation has documented in two comprehensive studies, *Redeeming the American Promise* and *Miles to Go*, the representation of black students in four-year public post-secondary institutions in the 19 states with histories of dual higher education systems has barely increased in two decades; and

WHEREAS, the ratio of black faculty at majority institutions has similarly stagnated; and

WHEREAS, the graduation rate for black students has shown little increase; and

WHEREAS, an achievement gap persists among various racial and ethnic groups at every stage of the educational continuum; and

WHEREAS, increased educational access and success for all students should result when educational policy is made pursuant to strategies grounded in sound research and tested educational theory; and

WHEREAS, educational policy that promotes equity should look to systemic approaches to education, yield improved teacher preparation and development programs, and provide adequate financial support to all needy and qualified students; and

WHEREAS, the Southern Education Foundation, working with its Maryland Leadership Group which consists of legislative, education, and policy leaders from throughout the state, has demonstrated that these alliances can result in policy changes in states that can promote equal opportunity and increased equity in higher education; and

WHEREAS, the Southern Education Foundation is using a similar process in other states, and in so doing is drawing on experiences with the Maryland Leadership Group.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL recognizes the urgent crisis in access to and success in public higher education for black students; and

BE IT FURTHER RESOLVED that the Caucus recognizes the powerful impact that state-based alliances can have on promoting access and opportunity for black students in post-secondary higher education, and urges their formation in all states with a history of dual higher educational systems; and

BE IT FURTHER RESOLVED that NBCSL affirms its commitment to the establishment among educators from all sectors, legislators and other policymakers of alliances and part-



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nerships that are designed to eliminate achievement gaps among various races and ethnic groups; and

BE IT FURTHER RESOLVED that NBCSL urges its members to participate in state-based planning and strategies for opportunity in public higher education similar to those implemented by the Southern Education Foundation and its Maryland Leadership Group; and

BE IT FURTHER RESOLVED that NBCSL reaffirms its commitment to higher educational access and success for all.

Sponsored by:

Representative Barbara Boyd (AL)

Approved Wednesday, December 1, 1999 by the Committee on Post-Secondary Education.

Approval certified by:

Delegate Howard P. Rawlings (MD), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-46**

### **AFFIRMATIVE ACTION IN HIGHER EDUCATION**

WHEREAS, affirmative action is necessary for opening equal opportunity doors to higher education for admitting many qualified ethnic minority students and for hiring qualified ethnic minority faculty who are underrepresented on higher education campuses; and

WHEREAS, affirmative action policies by state university systems are being eroded, if not eliminated by court decisions, gubernatorial executive orders such as Florida E.O. 99-281, and mounting publicity against affirmative action; and

WHEREAS, affirmative action by state governments across the country is being challenged, since 1997, by the widespread introduction of anti-affirmative action legislation in at least 17 states including Alabama, Alaska, Arizona, Colorado, Georgia, Kansas, Michigan, Missouri, Montana, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, and Tennessee.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL members actively work to preserve affirmative action in higher education by reporting to the National Conference of State Legislatures the introduction of seemingly anti-affirmative action legislation in their states and by working to defeat such legislation; and

BE IT FURTHER RESOLVED that NBCSL members actively work to preserve affirmative action in higher education by speaking out for affirmative action and by publicly supporting state and local coalitions working to preserve affirmative action.

Sponsored by:

Representative Barbara Boyd (AL) Delegate Howard P. Rawlings (MD)

Approved Wednesday, December 1, 1999 by the Committee on Post-Secondary Education.

Approval certified by:

Delegate Howard P. Rawlings (MD), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-47**

### **POST-SECONDARY EDUCATION OPPORTUNITIES FOR WOMEN ON WELFARE**

WHEREAS, without some post-secondary education, most women who leave welfare for work will earn wages far below the federal poverty line, even after five years of working; and

WHEREAS, only 22 percent of new jobs expected to be created through 2006 will be available to women with “basic skills” (defined as those of a high school graduate); and

WHEREAS, according to the Department of Labor, 53 percent of women receiving welfare are already high school graduates or have GEDs; and

WHEREAS, research studies of college graduates who had been welfare recipients when they were enrolled in school reported that attending college increased their self-esteem, made them feel proud of themselves, and more confident in their ability to succeed; and

WHEREAS, the benefits of post-secondary education extend to the children of educated parents, as they are more likely to take education seriously and aspire to go to college themselves; and

WHEREAS, under the final federal TANF regulations, states possess tremendous flexibility and discretion to tailor their welfare programs to provide post-secondary education opportunities to women.

THEREFORE, BE IT RESOLVED BY THE 23<sup>rd</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that post-secondary education is a cost-effective strategy to move women from welfare to work at a decent wage; and

BE IT FURTHER RESOLVED that post-secondary education breaks the cycle of poverty for many women and their children; and

BE IT FURTHER RESOLVED that NBCSL supports federal and state legislation and administrative initiatives that further enhance post-secondary education opportunities for women recipients of welfare; and

BE IT FURTHER RESOLVED that NBCSL supports approaches that allow post-secondary education to count as a work activity, create separate state programs for recipients in post-secondary education using Maintenance of Effort funds, and encourage a combination of post-secondary education and allowable work activities.

Sponsored by:

Delegate Howard P. Rawlings (MD)

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Approved Wednesday, December 1, 1999 by the Committee on Post-Secondary Education.  
Approval certified by:

Delegate Howard P. Rawlings (MD), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:  
Representative James Thomas (AL), President

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-48**

**REAFFIRMING ACCESS AND OPPORTUNITY**

WHEREAS, educational opportunity requires the City University of New York (CUNY) to make available quality remedial instruction to students who need it; and

WHEREAS, restrictions on remedial instruction are being implemented at the CUNY; and

WHEREAS, the denial of remedial instruction of entering freshmen from working families and people of color will have a profoundly negative impact on civil rights in our states and the nation.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that any structural changes in remedial offerings be accompanied by enhanced financial aid determinations that will assist the student in meeting the cost of remediation and the cost of completing the baccalaureate degree; and

BE IT FURTHER RESOLVED that NBCSL affirms its commitment to academic access and opportunity, which require the provision of remedial instruction at the college level.

Sponsored by:

Representative Barbara Boyd (AL) Delegate Howard P. Rawlings (MD)

Approved Wednesday, December 1, 1999 by the Committee on Post-Secondary Education.

Approval certified by:

Delegate Howard P. Rawlings (MD), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-49**

### **ENERGY SECTOR**

WHEREAS, the National Black Caucus of State Legislators adopted a resolution of principles (Resolution 98-41) in 1997 that addressed competition in the electric power industry in the United States; and

WHEREAS, the National Black Caucus of State Legislators reinforced its commitment to those principles (Resolution 99-39) in December, 1998; and

WHEREAS, those aforementioned principles primarily addressed consumer protection, including protection for small business; and

WHEREAS, NBCSL historically has supported African American owned business, including Resolution 99-43 (“African-American Business Development”) which called for the development of “a practical and operational plan for the involvement of African American owned businesses and economic growth;” and

WHEREAS, federal and state policies have been developed to promote national air pollution standards, power generation facilities, transmission distribution assets, and all phases of the energy sector associated with wholesale power generation; and

WHEREAS, participation in the energy sector should be a component of any plan for the growth of African American owned businesses; and

WHEREAS, companies within the energy sector in many instances have functioned as protective monopolies; and

WHEREAS, those protective monopolies in the energy sector have had, with few exceptions, an abysmal record of procurement contracting with African American owned businesses; and

WHEREAS, federal and state legislation, regulation, and policies have done little to correct the historic imbalance of the lack of involvement of African American owned businesses in the energy sector; and

WHEREAS, federal and state legislation, regulation, and policies instead have contributed to the perpetuation of the exclusion of African American owned businesses from the energy sector; and

WHEREAS, federal and state legislation, regulation, and policies take into consideration a range of factors including subjective factors (environmental, stranded costs, consumer protection, etc) to promote social well-being and economic opportunities.

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

THEREFORE BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL resolves to support federal and state legislation, regulations, and policies that encourage, promote, and provide opportunities for African American owned businesses and joint ventures; and

BE IT FURTHER RESOLVED that this resolution encompasses ownership of gas pipe lines, power generation facilities, transmission and distribution assets, and all phases of the energy sector associated with wholesale power generation.

Sponsored by:

Assemblyman Al Vann (NY)

Approved Wednesday, December 1, 1999 by the Committee on Telecommunication and Energy. Approval certified by:

Assemblyman Al Vann (NY), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-50**

### **IMPROVING HEALTH THROUGH BETTER TRANSPORTATION PLANNING**

WHEREAS, increased automobile usage by suburbanites commuting to the urban centers has increased the ozone level and pose a major health hazard to residents of large cities, particularly children; and

WHEREAS, studies by the Centers for Communicable Disease and Prevention (CDC) have documented the connection between increased auto emission and the increase in asthma-related illnesses and deaths; and

WHEREAS, the data shows that African-American children visiting emergency rooms increased by more than 20 percent during high pollution days and by 17 percent in pediatric emergency rooms for asthma-related illnesses; and

WHEREAS, in Atlanta, African-American children are absent from school six times as often as white children due to asthma attacks and death rates are 40 per cent higher than for Caucasian children; and

WHEREAS, “Zap Asthma” education campaigns in cities such as Atlanta and New York have been instrumental in reducing severe asthma related illness; and

WHEREAS, the tremendous growth in the sales of SUVs among suburbanites who commute to the cities increased auto emissions problems because of their exemption from EPA mileage and other standards, thereby exacerbating the hazardous health conditions of African-American urban residents.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999 that the EPA and Secretary of Health and Human Services make available additional funding for the “Zap Asthma” program; to improve education about asthma in large cities; and

BE IT FURTHER RESOLVED that the U.S. Congress and EPA enact legislation and promulgate regulation of SUVs to reduce auto emissions and higher mileage per gallon; and

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Administrator of EPA, the Secretary of HHS and the Chamber of the appropriate Congressional jurisdictional committees and appropriation subcommittees.

Sponsored by:

Representative Joe Armstrong (TN) Representative Earl Harris (IN)  
Senator Donzella James (GA)



**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Approved Wednesday, December 1, 1999 by the Committee on Transportation and the Environment. Approval certified by:

Representative Bob Holmes (GA), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-51**

### **TRANSPORTATION PLANNING REFORM**

WHEREAS, Metropolitan Planning Organizations (MPOs) play a major role in determining transportation planning and allocation of funds for highway and public transit systems; and

WHEREAS, the data show major inequities in the distribution of transportation-related dollars which benefit suburbanites compared to people of color in urban centers; and

WHEREAS, transportation planning has resulted in unacceptable burdens on African Americans, such as freeways splitting communities, increased air pollution, worsening pedestrian safety problems, promotion of segregated housing patterns, inadequate funding of mass transit, prevention of access to jobs in the suburbs, disinvestment in cities and reduction of the tax base, and, generally, a deterioration of the health, economic development, and quality of life in the major cities.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that the U.S. Department of Transportation (DOT) and the Department of Housing and Urban Development (HUD) require that all MPOs adopt the following Principles of Transportation Justice for Cities:

#### **Principles of Transportation Justice for Cities**

1. Urban public transit systems should receive a more equitable share of transportation funds.
2. Federal transportation planning should ensure equity in transportation systems to better serve low-income and people of color communities, particularly increasing their mobility and accessibility to jobs.
3. Promote clean fuels to reduce human health risks.
4. Choose transportation that enhances neighborhoods, particularly nodal economic development.
5. Make streets safer for mass transit users, walkers and bicyclists by reducing the number of lanes and speed of vehicles.
6. End the car-centered planning approach, which destroys neighborhoods, increases pollution and makes public transit a low priority; and

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the U.S. Secretary of DOT, Rodney Slater, and Rep. James Clyburn, Chair of the Congressional Black Caucus.

Sponsored by:

Representative Joe Armstrong (TN)    Representative Earl Harris (IN)  
Senator Donzella James (GA)        Representative Bob Holmes (GA)  
Representative Eric Fleming (MS)    Representative Joe Armstrong (TN)  
Senator Gloria Butler (GA)

Approved Wednesday, December 1, 1999 by the Committee on Transportation and the Environment. Approval certified by:

Representative Bob Holmes (GA), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-52**

**RAILROAD TRAFFIC SAFETY**

WHEREAS, railroad crossings have become a major safety hazard for the American populace in general and African Americans in particular; and

WHEREAS, in the United States, approximately every 115 minutes a train collides with a person or vehicle, with a motorist 40 times more likely to die in a train collision than with another motor vehicle; and

WHEREAS, nine more people die in highway-rail crossings each year than in airline crashes; and

WHEREAS, there were 3,508 highway railroad crossings collisions in 1998 resulting in 431 persons killed and 1,303 seriously injured, and 536 people were killed and 513 injured while trespassing on railroad rights of way.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL supports a significant increase in federal funding for railroad crossing gates and other safety features; and

BE IT FURTHER RESOLVED that the Transportation Departments of the various states make it a priority traffic safety issue and allocate more funds to resolve this transportation hazard; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the U.S. Secretary of Transportation, the Commissioners of Transportation of each of the 50 states and the Chair of the U.S. House and Senate Transportation Committees.

Sponsored by:

Representative Bob Holmes (GA)    Representative Eric Fleming (MS)

Approved Wednesday, December 1, 1999 by the Committee on Transportation and the Environment. Approval certified by:

Representative Bob Holmes (GA), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-53**

**THE 2000 CENSUS**

WHEREAS, the 2000 Census is about to be taken; and

WHEREAS, the minority population, including the youth and the poor, have been traditionally undercounted.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3 1999, that NBCSL supports the complete and accurate counting of all persons, particularly the traditionally undercounted minorities; and

BE IT FURTHER RESOLVED that NBCSL strongly supports the Year 2000 Partnerships Program and other programs designed to facilitate an accurate count and appropriate data dissemination projects after the census.

Sponsored by:

Representative LaNette Stanley (GA)

Approved Wednesday, December 1, 1999 by the Committee on Youth. Approval certified by:

Representative LaNette Stanley (GA), Chair

Ratified in Plenary Session Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-54**

**ADDRESSING THE DISPROPORTIONATE CONSUMPTION OF MALT LIQUOR IN  
URBAN AFRICAN-AMERICAN COMMUNITIES**

WHEREAS, African Americans in urban communities make up almost 75percent of the malt liquor market and, according to a recent federal government survey, are four times as likely to consume it as the general population; and

WHEREAS, malt liquors, often sold in and consumed directly from 40 oz. bottles, are beer-like beverages that range in potency from about six to eight percent alcohol by volume, compared with American beer's usual four to 4.5 percent; and

WHEREAS, for example, one 40 oz. bottle of Old English 800, a popular brand with young African-American males, has about the same amount of alcohol as six 12 oz. cans of Budweiser; and

WHEREAS, content such as that found in malt liquor exceeds the federal government's standard for moderate alcohol consumption, thereby jeopardizing the health of those who consume it on a regular basis.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1 – 3, 1999, that NBCSL denounces the prevalence of malt liquor in urban communities and strongly urges manufacturers to rethink their strategy of targeting African-Americans in urban communities; and

BE IT FURTHER RESOLVED that NBCSL urges its members to focus attention on this issue, including encouraging the decreased consumption of these liquors in their respective states through the use of the media and/or legislation that would target malt liquor in regard to its high alcohol content.

Sponsored by:

Representative LeAnna Washington (PA)

Approved Wednesday, December 1, 1999 by the Committee on Youth. Approval certified by:

Representative LaNette Stanley (GA), Chair

Ratified in Plenary Session Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-55**

### **THE USE OF PSYCHIATRIC DRUGS ON SCHOOL-AGE CHILDREN**

WHEREAS, psychiatric drugs are prescribed to between five million and six million children each year – about ten percent of the school-age population; and

WHEREAS, Ritalin, perhaps the most common of these drugs, currently is administered to more than 2.5 million Americans, including more than one in every 30 children between the ages of five and 18; and

WHEREAS, the International Narcotics Control Board of the World Health Organization (WHO) has warned about our nation's trend of overusing stimulants for children. According to WHO, the United States uses 90 percent of the world's Ritalin; and

WHEREAS, Ritalin is a schedule II drug, in the same category as opium, morphine and cocaine; and

WHEREAS, it has been suggested that recent incidents of school violence and other occasions of violence are the result of children being unnecessarily medicated by such drugs.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL strongly urges a national examination of the use of psychiatric drugs and their effects on children in this nation; and

BE IT FURTHER RESOLVED that NBCSL affirms that Ritalin is a class II drug, and we resist the effort to have it downgraded to a lesser category.

Sponsored by:

Representative LaNette Stanley (GA)

Approved Wednesday, December 1, 1999 by the Committee on Youth. Approval certified by:

Representative LaNette Stanley (GA), Chair

Ratified in Plenary Session Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-56**

### **DEVELOPING ENTREPRENEURIAL PROGRAMS FOR YOUTH**

WHEREAS, African-American youth need to have skills and training in becoming entrepreneurs to become functioning adults and contributors to our community; and

WHEREAS, African-American communities need services provided by members of our community to increase the economic well-being of our communities; and

WHEREAS, African-American youth are consumers and need to have the understanding of business finance, product development, marketing skills and business ownership; and

WHEREAS, the members of NBCSL represent the policy leaders and program developers in communities across the country.

THEREFORE BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL re-authorize its previously ratified resolution regarding the set-up of a national strategy to provide entrepreneurial opportunities for African American youth; and

BE IT FURTHER RESOLVED that NBCSL develop a Youth Entrepreneurial Program and the President of NBCSL appoint a committee of legislators and members of the CRT to outline a specific plan and program by December 2000 to operate a Youth Entrepreneurial Program.

Sponsored by:

Representative Kenneth Green (CT)

Approved Thursday, December 2, 1999 by the Task Force on African American Males. Approval certified by:

Representative Spencer Coggs (WI), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President



# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-57**

### **RESEARCH AND INFORMATION TECHNOLOGY**

WHEREAS, the Internet and computer age symbolize the influence of science and technology on the societal trends of African Americans, so much so that perhaps no advancements have contributed more to the acceleration of economic growth and have become key drivers of the economy; and

WHEREAS, such technology continues to grow in size and scope in terms of commercial influence and in terms of cultural impact in the development of the untapped economic markets, social services, employment, and the health and welfare of African-American communities nationwide; and

WHEREAS, NBCSL shall provide leadership in use of and advancement of technology that is as important as reading, writing, and arithmetic for the African-American community as it pertains to advocacy support in the 21<sup>st</sup> century.

THEREFORE BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that the President of NBCSL shall within 120 days from the date of this resolution appoint a committee to establish a strategic plan to determine appropriate directions for a research and information technology department arm of NBCSL; and

BE IT FURTHER RESOLVED that NBCSL, 60 days from the date from the receipt of the recommended appropriate directions, shall establish a research and development committee that will seek and/or develop linkages with other organizations for a research and information technology department; and

BE IT FURTHER RESOLVED that the research and information technology committee should work to establish linkages with other public and private agencies, universities and governments to develop a state of the art African-American advocacy information system; and

BE IT FURTHER RESOLVED that as we approach the 21<sup>st</sup> century, information technology will accelerate the leadership of NBCSL for the African-American community.

Sponsored by:

Representative John Barnes, Jr. (OH)

Approved Thursday, December 2, 1999 by the Task Force on African American Males. Approval certified by:

Representative Spencer Coggs (WI), Chair

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:  
Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-58**

### **SUBMITTAL OF MODEL LEGISLATION**

WHEREAS, there is an incredible realization that African-American state legislators can expand their legislative effectiveness by a systematic sharing of proposed legislation that is generated from their respective state capitols; and

WHEREAS, the effect of sharing legislative successes and the comparing of “best practices” legislation can only benefit black state legislators across the country.

THEREFORE BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that all NBCSL members shall submit a copy of any and all legislative initiatives introduced in their legislatures to the national offices of NBCSL for the purpose of having all of said initiatives distributed to the total membership at the end of the opening plenary of the Annual Conference of that given year.

Sponsored by:

Representative Spencer Coggs, (WI)

Approved Thursday, December 2, 1999 by the Task Force on African American Males. Approval certified by:

Representative Spencer Coggs (WI), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-59**

### **CAMPAIGN FINANCE REFORM**

WHEREAS, the cost of campaigning for public office has increased tremendously in recent years; and

WHEREAS, black candidates generally have less access to private funding sources compared to white candidates and are therefore at a severe disadvantage in black-white electoral races; and

WHEREAS, there is a need to examine the impact that such funding disparities have had on the outcome of such election contests; and

WHEREAS, there is a need to expand campaign finances reform, including public financing of elections at the state level.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL form a committee or task force to acquire information and data, conduct research and make recommendations to the 2000 business meeting concerning the position that NBCSL should take on the issue and legislation that its membership should support on the issue in their respective states.

Sponsored by:

Representative Bob Holmes (GA)

Approved Thursday, December 2, 1999 by the Task Force on Alternative Election Systems.

Approval certified by:

Representative Bob Holmes (GA), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-60**

### **NATIONAL VOTING RIGHTS CELEBRATION**

WHEREAS, thirty-five years ago many Americans of African descent were prohibited by state laws from voting and fully participating in the political processes of this nation; and

WHEREAS, a great struggle for the right to vote took place throughout the South in the early to mid-sixties; and

WHEREAS, that struggle culminated in the Voting Rights Act which has not only provided the right to vote to millions but made meaningful the right to vote to millions more and indeed changed this nation for the better; and

WHEREAS, the voting rights struggle was given great impetus by events that occurred in Selma, Alabama, on March 7, 1965, on the Edmond Pettus Bridge, when more than 500 children, women and men were brutally beaten by state troopers, sheriff's deputies, posse men and others for marching for the right to vote and protesting the brutal murder of Jimmy Lee Jackson in Marion, Alabama; and

WHEREAS, this event, now known as "Bloody Sunday," led to the Selma to Montgomery March and both have come to symbolize the Voting Rights Movement and are celebrated annually by a National Voting Rights Celebration also known as the Bridge Crossing Jubilee; and

WHEREAS, few members of the National Black Caucus of the State Legislators would be elected without the voting rights struggle in general, and "Bloody Sunday" and the Selma to Montgomery March in particular; and

WHEREAS, all elected officials, and African Americans in particular, should celebrate the right to vote and rededicate ourselves to the fullest use of that right to lift our communities.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that a national call be sent for all elected officials, African Americans in particular, to journey to Selma, Alabama, for the National Voting Rights Celebration (Bridge Crossing Jubilee) on the first weekend in March (March 3-5, 2000) to remember, celebrate and rededicate ourselves to the full use of the right to vote in lifting our communities; and

BE IT FURTHER RESOLVED that members of the National Black Caucus of State Legislators are urged to pass resolutions in their respective states in support of the Right to Vote and the National Voting Rights Celebration; and

## **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

BE IT FURTHER RESOLVED that the National Black Caucus of State Legislators shall also march as a group across the Edmond Pettus Bridge with appropriate signs to further symbolize our commitment to the full right to vote in the new century and new millennium; and

BE IT FURTHER RESOLVED that while elected officials must remember and celebrate the right to vote at the National Voting Rights Celebration, we must also meet unofficially on that occasion to further develop plans to more fully and effectively utilize the right to vote.

Sponsored by:

Senator Hank Sanders (AL)

Approved Thursday, December 2, 1999 by the Task Force on Alternative Election Systems.

Approval certified by:

Representative Bob Holmes (GA), Chair

Ratified in Plenary Session, Friday December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-61**

### **REGIONAL WORKSHOPS ON ETHICS**

WHEREAS, the apparent targeting of black elected officials for criminal prosecution threatens to deprive Black America of some of its most effective political leaders; and

WHEREAS, testimony about black legislators who have been prosecuted or who have been the subject of legislative expulsions would serve as real examples of conduct to avoid; and

WHEREAS, black state legislators should be educated about the nature of prosecutions against elected officials by attorneys who have experience in defending such cases; and

WHEREAS, black state legislators should also be educated about how the news media can “shape” public perception about their alleged guilt and should be educated about methods that can be used to combat the shaping of public perception in this manner; and

WHEREAS, it appears that the best way to provide this type of necessary education would be to sponsor a series of regional workshops on ethics.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL should sponsor a series of regional workshops on ethics education, beginning in the spring of the year 2000; and

BE IT FURTHER RESOLVED that NBCSL should seek the assistance of the National Bar Association and black media representatives in conducting any workshops held; and

BE IT FURTHER RESOLVED that the knowledge obtained from these regional workshops be used to establish an ethics manual to be distributed to each state caucus.

Sponsored by:

Senator McKinley Washington (SC)

Approved Thursday, December 2, 1999 by the Task Force on Ethics. Approval certified by:

Senator McKinley Washington (SC), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-62**

**ESTABLISHMENT OF A LEGAL DEFENSE FUND**

WHEREAS, the apparent targeting of black elected officials for criminal prosecution threatens to deprive Black America of some of its most effective political leaders; and

WHEREAS, many of these prosecutions are without merit, yet are costly to defend because of the subtlety of the issues involved and because of the amount of resources committed by the prosecution; and

WHEREAS, there should be a coordinated effort to provide legal assistance to those black state legislators who are unfairly targeted for prosecution.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that a legal defense fund should be established to assist black state legislators who have been wrongfully and unfairly targeted for criminal prosecution.

Sponsored by:

Senator McKinley Washington (SC)

Approved Thursday, December 2, 1999 by the Task Force on Ethics. Approval certified by:

Senator McKinley Washington (SC), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President



# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-63**

### **ETHICS STANDING COMMITTEE**

WHEREAS, the issue of ethics is one that affects every member of the National Black Caucus of State Legislators (NBCSL); and

WHEREAS, there are serious issues that should be thoroughly examined by the members of NBCSL, particularly regarding the apparent targeting of black elected officials for prosecution; and

WHEREAS, testimonies of black legislators who have been prosecuted would serve as real examples of conduct to avoid; and

WHEREAS, in some instances, seemingly legal behavior can be linked to the receipt of financial consideration to establish "improper intent" and all members should be made aware of such circumstances; and

WHEREAS, the current status of "ethics" as a task force at the annual NBCSL Legislative Conference limits the exposure of this important issue; and

WHEREAS, ethics education for members should be placed at the forefront of NBCSL agenda.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that the Task Force on Ethics should be elevated to a standing committee of NBCSL; and

BE IT FURTHER RESOLVED that this Ethics Committee should be given a prominent place on the agenda at the annual NBCSL Legislative Conference so that as many members as possible can receive ethics education.

Sponsored by:

Senator McKinley Washington (SC)

Approved Thursday, December 2, 1999 by the Task Force on Ethics. Approval certified by:

Senator McKinley Washington (SC), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-64**

### **CAMPAIGN CODE OF ETHICS**

WHEREAS, electoral campaigns throughout the nation are subject to unacceptable levels of negativism, attack advertising, and other practices which demean representative democracy; and

WHEREAS, negative campaigns are directly related to the cynicism, alienation, and decreasing participation rates among American voters; and

WHEREAS, all Americans have a stake in positive electoral practices by or on behalf of the candidate's campaign; and

WHEREAS, the five core values of honesty, respect, responsibility, fairness, and compassion are fundamental to our society and are shared throughout the United States.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that the members of NBCSL subscribe to the following Code of Election Ethics as follows:

My campaign will be committed to the principles of honesty, fairness, respect for my opponents, responsibility, and compassion.

#### Honesty and Fairness

I shall emphasize my views, beliefs, and experiences. I am committed to an open and public discussion of issues and presenting my record with sincerity and frankness.

I shall not use or agree to let third parties use subtle deceptions, half-truths, falsifications, or such practices as push polling. If such practices are used by third parties without approval, I shall repudiate those practices immediately and publicly upon knowledge of their occurrence.

Factual claims made by my campaign will be supported by publicly available documents provided by my campaign office.

#### Respect

I shall avoid demeaning references to my opponents and demeaning visual images of my opponents.

## THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS

I shall respect my opponents. I shall not use or allow to be used personal attacks, innuendo, or stereotyping.

### Responsibility

I shall ensure that my campaign staff and campaign supporters will observe these principles of fair campaign practices. I take full responsibility for all advertising created or used on my behalf by staff and supporters.

I shall conduct my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear and without malice the record and policies of my opponents and their political parties that merit such criticism.

I will not condone or allow third-party advertising which does not meet the principles contained in this document. If such practices are used by third parties without my approval, I shall repudiate those practices immediately and publicly upon my knowledge of their occurrence.

### Compassion

In the conduct of my candidacy, I shall show compassion at all times for my opponent. I shall remember that the campaign process is fundamental to representative democracy and that my behavior in the campaign affects the integrity of our society.

Sponsored by:

Senator McKinley Washington (SC)

Approved Thursday, December 2, 1999 by the Task Force on Ethics. Approval certified by:

Senator McKinley Washington (SC), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 65**

### **PRIVATIZATION OF SOCIAL SERVICES**

WHEREAS, the Temporary Assistance for Needy Families (TANF) program permits states to privatize all TANF services; and

WHEREAS, states are signing TANF contracts that have incentives for private contractors to reduce or deny services to poor children and their families in order to generate more profits; and

WHEREAS, the TANF contractors in Milwaukee, Wisconsin, the first state to privatize TANF, generated more than \$13 million in profits in profits by denying and reducing services to TANF applicants and is pressuring the federal government to add food stamps functions; and

WHEREAS, Arizona law has incentives for TANF contractors to reduce caseloads and keep the savings generated from the caseload reduction; and

WHEREAS, states want to privatize eligibility functions for food stamps and Medicaid and turn over all functions to for-profit companies who will reduce or deny services to generate profits.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL rejects the notion that for-profit companies can generate profits by functioning as the gatekeeper for services benefiting poor children and their families; and

BE IT FURTHER RESOLVED that NBCSL call upon President Clinton and the Congress to enforce and retain the public administration requirements in food stamps and Medicaid; and

BE IT FURTHER RESOLVED that the Clinton Administration require states to provide applications for all working families and TANF recipients on the availability of food stamps, childcare and Medicaid benefits; and

BE IT FURTHER RESOLVED that all public assistance programs be administered and operated by the public sector and accountable to the public rather than corporate stockholders.

Sponsored by:

Senator Gwen Moore (WI)

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Approved Thursday, December 2, 1999 by the Task Force on Welfare Reform. Approval certified by:

Representative JoAnn Bowman (OR), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-66**

### **WELFARE REFORM**

WHEREAS, the Temporary Assistance for Needy Families (TANF) program greatly weakened protections for permanent workers against displacement by workfare workers and thousands of public employees have been replaced by workfare workers; and

WHEREAS, new federal regulations implementing TANF weaken the minimum wage protections for workfare workers by permitting states to sanction families to avoid compliance with the minimum wage requirement; and

WHEREAS, many politicians are heralding the dramatic drop in welfare caseloads as a measure of success of the new welfare program without concrete evidence that the families who have left or have been dropped from the welfare rolls have found jobs or are better off; and

WHEREAS, thousands of families denied TANF benefits remain eligible for food stamp and Medicaid benefits but are denied access to these programs.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL call upon the Clinton Administration and Congress to strengthen the displacement protections for current workers and strengthen and enforce the requirement that states set up a grievance procedure for workers alleging displacement; and

BE IT FURTHER RESOLVED that TANF workers be guaranteed jobs with full employment rights, including the right to a decent wage, a safe workplace, and collective bargaining rights; and

BE IT FURTHER RESOLVED that NBCSL rejects workfare for TANF recipients because they are not real jobs and workfare workers do not have full employment protections available to other workers; and

BE IT FURTHER RESOLVED that the Clinton Administration and Congress require states to report on what happened to families who have left the welfare rolls, so that the country has a clear picture of whether people leaving the TANF rolls are working or have moved deeper into poverty, and

BE IT FURTHER RESOLVED that the Clinton Administration require states to provide applications for all working families and TANF recipients on the availability of food stamps, childcare and Medicaid benefits; and

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BE IT FURTHER RESOLVED that transportation assistance through the United States Department of Transportation, for purposes of assistance to recipients of TANF, Welfare-to-Work and other low wage workers, be reauthorized and expanded; and

BE IT FURTHER RESOLVED that all candidates for federal office, in the year 2000, submit a position paper on the reauthorization of the TANF law to the Executive Committee to be disseminated to NBCSL membership; and

BE IT FURTHER RESOLVED that NBCSL call upon the Clinton Administration and Congress to create new public service jobs for TANF families and expand supports for all working families.

Sponsored by:

Senator Gwen Moore (WI)

Approved Thursday, December 2, 1999 by the Task Force on Welfare Reform. Approval certified by:

Representative JoAnn Bowman (OR), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-67**

### **ENDORSEMENT OF THE PUBLIC INFLUENCES OF AFRICAN-AMERICAN CHURCHES PROJECT — THE LEADERSHIP CENTER AT MOREHOUSE COLLEGE**

WHEREAS, African-American churches have been credited with influencing public events throughout American history, ranging from the antislavery activism of the 1700s and 1800s to the twentieth century civil rights activism that produced the Civil Rights Act of 1964 and the Voting Rights Act of 1965; and

WHEREAS, since this landmark legislation of the 1960s, there have been dramatic increases in the number of African-American voters, African-American officeholders and public administrators and the number of African-American advocacy organizations; and

WHEREAS, church-based activists and other African-Americans have had the benefit of an unprecedented capacity for influencing formal public debates and policies; and

WHEREAS, substantial scholarship exists on the formal public influences of African-American churches through the 1960s, much less research has been done on church influences during the very different political circumstances of the last 30 years; and

WHEREAS, the political context continues to shift and it is crucial that the relationship between churches and the public sector, as well as the religious and political implication of that relationship, be carefully analyzed and discussed; and

WHEREAS, the Public Influences of African-American Churches is a project the Leadership Center at Morehouse is undertaking to research, document and analyze this influence; and

WHEREAS, the Project has designed and distributed surveys to African-American public officials and members of the African-American religious community; and

WHEREAS, the Project has secured the support of numerous religious organizations.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL endorse the Public Influences of African-American Churches, a project of the Leadership Center at Morehouse College, Atlanta, Georgia; and

BE IT FURTHER RESOLVED that NBCSL members actively fill out and return the surveys and encourage their clergy to also participate in the project.

Sponsored by:

Representative Henrietta Turnquest (GA)



**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

Approved Friday December 3 1999 by the Executive Committee. Approval certified by:  
Representative James Thomas (AL), President

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:  
Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-68**

### **IN SUPPORT OF THE NATIONAL BLACK FAMILY EMPOWERMENT AGENDA NETWORK**

WHEREAS, in the belief that black communities everywhere must be empowered if we are to begin to deal effectively with the growing problems of our people; and

WHEREAS, the Black Church is our community's strongest, best organized, and most enduring institution; and

WHEREAS, the National Black Family Empowerment Agenda represents a workable community empowerment strategy through a faith-based networking initiative; and

WHEREAS, the black people of the sixties changed the course of history by starting the Second Great Emancipation – the liberation of black minds; and

WHEREAS, black people today stand ready to initiate the Third Great Emancipation – economic self-determination.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL hereby adopts the National Black Family Empowerment Agenda as its own and hereby urges and encourages other leaders and leadership organizations to join in supporting our agenda.

Sponsored by:

Representative Henrietta Turnquest (GA)

Approved Friday December 3 1999 by the Executive Committee. Approval certified by:

Representative James Thomas (AL), President

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-69**

### **GEORGE WASHINGTON CARVER DAY**

WHEREAS, on December 28, 1945, the 79<sup>th</sup> Congress passed Public Law 290 to declare January 5 as an annual federal day of recognition for Dr. George Washington Carver. The death of Dr. Carver of Tuskegee, Alabama, on Friday, January 5, 1943, terminated a brilliant career that continues to have existential significance for on-going generations of Americans in the field of creative chemistry and humanitarian service. His death brought grief to a nation which has long revered him, not only for his material accomplishments, but also for the majestic dignity of spirit which characterized his daily life; and

WHEREAS, this man of humble origin surmounted obstacles which severely tried his fortitude and would have daunted and vanquished anyone not imbued with his zeal to realize and perpetuate the economic and social well-being of his fellow men. His agricultural experiments made possible the development of numerous new industries and foreshadowed an era of prosperity for many who previously had been resigned to a struggle for survival on sub-marginal lands: and

WHEREAS, by his own efforts and genius, he rose to become one of the greatest scientist and benefactors of mankind in the history of human progress. To the region of his humble birth and love of life, he showed how chemistry could alleviate the menace of one-crop agriculture. He lived to exemplify and personify the contribution of the African-American race to American democracy. Decades ago, he showed the South how to cook, dry and preserve foodstuffs. To the fields and farms of the South he applied the almost magical possibilities of chemistry that have, as a result then and today, helped thousands of American families across the country become healthier, happier and more prosperous; and

WHEREAS, from the clays of the state of Alabama this internationally famed scientist fashioned pigments, paints, powders and stains, and from the humble peanut he brought forth three hundred and eighteen products including starch, tapioca, mock coconut and flour. From cotton he made paving blocks, and insulation boards, cordage and paper from wood shavings, he made artificial and beautiful wall hangings from feed sacks, and his numerous processes for the use of the soy bean are still being used today; and

WHEREAS, he is one of the world's greatest scientists, and one of the greatest Americans of all time, whose scientific interest led him to be known as "the Father of Chemurgy," and his agricultural experimentation resulted in a lasting and imperishable benefit not only to agriculture but to other industries and to the public at large; and

WHEREAS, we are proud not only of his accomplishments but of his memory, proud that such a career was brought to fruition in our country, proud of his life stories which carry the life, legacy and legend of a truly great American citizen who was born of slave parentage in Missouri. He made himself, by sheer force of brain and character, one of the great figures in the international world of science, who overcame not only obscurity and poverty, but preju-

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dice, misunderstanding and the unkindness that mankind too often offers to the struggling; and

WHEREAS, he achieved his education in spite of all obstacles. He climbed from one eminence to another, eventually overcoming all opposition. He won the appreciation of former detractors by not only the power of his intellect, but the sheer sweetness of his character, and when he passed away, he was held in affection as well as in respect by all; and

WHEREAS, he devoted his genius and his indefatigable capacity for research to humble things, to scientific developments destined to improve not only his own people but the people of the entire world. He showed farmers how to raise better crops. He found new and hitherto unheard uses for such everyday articles as peanuts, sweet potatoes, cotton stalks and yellow pine. Years before synthetic plastics and wood wastes were first attempted, Dr. Carver was making synthetic by-products from them. These facts illustrate both the greatness and humility of the man's character, perseverance and dedication.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that January 5 be recognized as "Dr. George Washington Carver Day" in honor and celebration of his many accomplishments and contributions to the people of America and the world. We join the Healing Institute for Jobs, Recovery, Academics and Housing in its campaign to ask the President of these United States to issue a resolution in support of this day and have it placed on the memorial calendar to display the flag at half-staff on all government buildings to publicly reestablish Federal Law 290.

Sponsored by:

Representative James Thomas (AL)

Approved Friday December 3 1999 by the Executive Committee. Approval certified by:

Representative James Thomas (AL), President

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-70**

### **HURRICANE RELIEF FUNDS FOR NORTH CAROLINA**

WHEREAS, the state of North Carolina was stricken by Hurricane Floyd on the morning of September 15, 1999; and

WHEREAS, this mammoth storm coupled with rains from an earlier storm, Hurricane Dennis, caused record flooding along most of the rivers and streams in central and eastern North Carolina; and

WHEREAS, the devastation from this event far surpassed what was hereto hailed as the state's worst flood disaster of 1999, prompting President Clinton to sign a declaration authorizing Emergency Protective Measures for 66 of North Carolina's 100 counties; and

WHEREAS, that damage included more than 50 human deaths and other losses estimated at approximately \$4 billion – 20,000 damaged homes (most were primary residences), including approximately 3,000 deemed destroyed; livestock, poultry and crop losses totaling \$812.6 million and infrastructure damage totaling \$204.6 million; and

WHEREAS, the state remains in a state of emergency with hundreds of families in temporary housing, many having lost employment because businesses were destroyed and cannot re-open; and

WHEREAS, limited-income families and African Americans, in particular, have suffered perhaps the most grave hardship because of the lack of personal income to provide temporary relief for their families; and

WHEREAS, the agricultural losses threaten to force some African-American farmers out of business; and

WHEREAS, while the Federal Emergency Management Agency, the North Carolina Emergency Management Division, the American Red Cross, the Salvation Army, the U.S. Department of Agriculture and numerous state agencies have made a credible effort to provide resources to relieve the suffering that families, businesses and farmers have sustained, those efforts have fallen woefully short and thousands of people remain in crisis; and

WHEREAS, the North Carolina Legislative Black Caucus has weighed in on the relief efforts and is committed to staying in the relief process until families, businesses and farmers are back on their feet.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL by this resolution joins the North Carolina Legislative Black Caucus in seeking Congressional funding

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appropriate to empower federal, state and local agencies to partner with families, businesses and farmers in this crisis; and

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the leadership of the U.S. Senate, the U.S. House of Representatives and the President of the United States.

Sponsored by:

Representative Larry Womble (NC)

Approved Friday, December 3, 1999 by the Executive Committee. Approval certified by:

Representative James Thomas (AL), President

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-71**

**PRINCEVILLE, NORTH CAROLINA**

WHEREAS, the Town of Princeville, North Carolina was the first town in America settled by blacks (former slaves and freedman) in 1865; and

WHEREAS, the majority of the 2100 residents and 30-plus businesses in town were destroyed by the flood of Hurricane Floyd in September 1999; and

WHEREAS, the majority of the residents of the town have been displaced and their families displaced in a low-wealth rural community lacking all of the needed resources to address affordable rental and home ownership rehabilitation and construction, resources to rebuild and expand viable businesses, yet with the passion and unwavering commitment to do so; and

WHEREAS, the Town of Princeville has officially given notice of its intent to rebuild; and

WHEREAS, the National Black Caucus of State Legislators (NBCSL), collectively and individually among its members, has some of the resources and/or relationships with potential resources to support the rebuilding of the Town of Princeville; and

WHEREAS, NBCSL can seek the support of the black media to assure the accurate and continued reporting on the status, efforts, and challenges facing this community; and

WHEREAS, NBCSL can promote and encourage the provision of voluntary assistance and expertise from the individuals, organizations and institutions with whom its membership has relationships; and

WHEREAS, NBCSL can encourage and promote the tracking and documentation of challenges and lessons learned through Princeville's rebuilding process that may be transferred and shared to support the ongoing work of black legislators throughout the nation.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL commits its knowledge, human and financial resources, and spiritual support through the complete rebuilding of the Town of Princeville, North Carolina.

Sponsored by:

Representative Larry Womble (NC)

Approved Friday, December 3, 1999 by the Executive Committee. Approval certified by:

Representative James Thomas (AL), President

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Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:  
Representative James Thomas (AL), President



**THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

**RESOLUTION 00-72**

**VISAS**

WHEREAS, U.S. Visa waivers are granted to many other foreign countries but not to countries of the Caribbean Islands.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1-3, 1999, that NBCSL members urge the U.S. State Department to grant similar visa waivers to the Caribbean Islands.

Proposed by:

Senator George Goodwin (VI)

Approved Friday, December 3, 1999 by the Executive Committee. Approval certified by:

Representative James Thomas (AL), President

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President

# **THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS**

## **RESOLUTION 00-73**

### **FEDERAL AND STATE LEGISLATION TO PREVENT NEEDLESTICK INJURIES TO HEALTH CARE WORKERS**

WHEREAS, health care workers suffer preventable needlestick injuries annually; and

WHEREAS, engineered safety mechanisms for needles and needleless devices are available; and

WHEREAS, each year 600,000 to 1 million health care workers are accidentally stuck by needles; and

WHEREAS, more than 1,000 of those health workers each year who are stuck contract HIV, Hepatitis C, Hepatitis B, and other life-threatening infections; and

WHEREAS, the states of California, Tennessee, Maryland and Texas have passed and signed into law safer needle legislation and the state of Hawaii, passed a joint resolution on workplace needlesticks; and

WHEREAS, a study by the State of California's Occupational Safety and Health Standards Board estimated that a net savings of \$106 million will be derived from implementing safe needles in all health care facilities, with savings of \$291 million for the cost of diagnosis and treatment of needlestick injuries, and a cost of \$185 million for new, safer technology and associated expenses; and

WHEREAS, legislation has been or will be introduced in 25 states and the District of Columbia and more action is anticipated in early 2000; and

WHEREAS, Veterans Hospitals and Kaiser Permanente, the nation's largest health maintenance organization, are rapidly moving toward the adoption of safer needles; and

WHEREAS, a federal bill requiring the use of safer needle in health care facilities has been introduced in both the U.S. House of Representatives and Senate.

THEREFORE, BE IT RESOLVED BY THE 23<sup>RD</sup> ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN BALTIMORE, MARYLAND, DECEMBER 1<sup>ST</sup> – 3<sup>RD</sup> 1999, that the members of the National Black Caucus of State Legislators (NBCSL), strongly support state proposed and introduced safer needle legislation and that members are encouraged to introduce model safer needle legislation; and

BE IT FURTHER RESOLVED that the National Black Caucus of State Legislators write to Congress and encourage them to co-sponsor and help pass the Health Care Worker Needlestick Prevention Act, HR 1899 and S 1140, which would protect health care workers from

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needlestick injuries and the deadly effects of HIV, Hepatitis B, Hepatitis C, and other blood-borne diseases.

Sponsored by:

Delegate Shirley Nathan-Pulliam (MD)

Approved Wednesday, December 1, 1999 by the Committee on Health. Approval certified by:

Senator Roscoe Dixon (TN), Chair

Ratified in Plenary Session, Friday, December 3, 1999. Ratification certified by:

Representative James Thomas (AL), President