

The background of the entire page is a photograph of the Florida State Capitol building in Tallahassee. The building is a grand, white, neoclassical structure with a prominent central dome and a portico supported by tall columns. The sky is blue with scattered white clouds. In the foreground, there is a green lawn with some palm trees and a paved walkway leading to the building's steps.

NBCSL
33RD ANNUAL
LEGISLATIVE
CONFERENCE

December 2–6, 2009
Marriott Harbor Hotel
Ft. Lauderdale, Florida

SEEING BEYOND:

**Sustainable Progress in
the Economic Recovery**

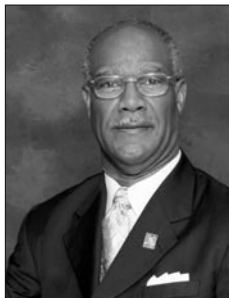
2010 Ratified Resolutions

RATIFIED DECEMBER 4, 2009



National Black Caucus Of State Legislators

2010 RATIFIED RESOLUTIONS ■ DECEMBER 4, 2009



December 16, 2009

Dear NBCSL Members and Supporters:

The National Black Caucus of State Legislators (NBCSL) convened for our 33rd Annual Legislative Conference (ALC) in Ft. Lauderdale, FL.

This year was quite an experience as the NBCSL membership gathered and discussed policy issues that are critical to the difficult times we face as a nation. Our members listened to a distinguished lineup of speakers and panelists who provided insight on today's political environment, ways to ensure sustainable progress in the economic recovery, and ways of increasing broadband adoption in underserved communities.

Our policy committees presented resolutions to address many of these issues and I encourage you to view these attached resolutions that can be adapted and used in state legislatures around the country. These ratified resolutions are not just meant to be read; they are to be used as educational tools that inform legislative and policy agendas nationwide. That being said, we highly encourage you to circulate and share these resolutions with friends, colleagues and associates from all sectors. The political process, at its purest, involves the exchange of ideas in the hopes of finding the best solutions to these quality of life issues. This is what we endeavored to do from the outset.

I believe that our recent conference will help all NBCSL members in addressing the critical economic issues facing America and the global community. I look forward to working with you in 2010 as we continue to open doors, create opportunities and provide a voice for our constituents. May God bless you in the upcoming year!

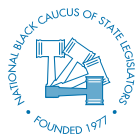
Sincerely,

Representative Calvin Smyre (GA)
President, NBCSL



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2010 RATIFIED RESOLUTIONS

Business, Financial Services & Insurance Policy Committee

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PASSED DECEMBER 4, 2009

NBCSL 33rd Annual Legislative Conference
Ft. Lauderdale, Florida
December 2 - 6, 2009

Business, Finance & Insurance

Resolution BFI-10-02

RESOLUTION ENCOURAGING THE EXPANSION OF REGULATORY RESOURCES FOR CONSUMERS, INCREASING CREDIT REHABILITATION AND FINANCIAL LITERACY RESOURCES, AND EXTENDING CERTAIN CRITICAL PROVISIONS OF AMERICAN RECOVERY AND REINVESTMENT ACT

WHEREAS, in 2008, the National Black Caucus of State Legislators (NBCSL) enacted policy addressing the credit crisis in the U.S. through passage of Resolution PH-BFI-09-22: *Establishing Policy on the Continuing Credit Crisis Gripping the U.S. Economy*; and

WHEREAS, PH-BFI-09-22 provides extensive policy positions on how NBCSL as a body believes credit rights for consumers can be improved and expanded; and

WHEREAS, the NBCSL wishes to increase policy coverage to include the expansion of resources for the underbanked so that they may have more access to credit rehabilitation resources as well as financial literacy aids; and

WHEREAS, the NBCSL passed in 2008, PH-BFI-09-21 *Establishing Policy on Government Intervention within the Financial Markets of the U.S.*; and

WHEREAS, PH-BFI-09-21 effectively endorsed efforts of the Administration and Congress to craft and pass what became the American Recovery and Reinvestment Act as well as call upon States to do all within their power to balance their own budgets and stabilize their spending; and

WHEREAS, on August 16, 2006, the Executive Committee of the NBCSL ratified Resolution 06-301; and

WHEREAS, Resolution 06-301 expressed the support of the NBCSL for legislation that would assist financially underserved consumers so that they may build or rebuild their credit and obtain greater access to affordable credit; and

WHEREAS, over 7.2 million families in the United States hold subprime home mortgage loans (“subprime mortgages”) that total over \$1.3 trillion; and

WHEREAS, more than 2.3 million American homeowners faced foreclosure proceedings in 2008, an 81 percent increase from 2007, subprime mortgages holders being most at-risk; and

WHEREAS, African American and Hispanic borrowers are overrepresented among consumers in the subprime mortgage market and often targeted for risky loan products, and are therefore particularly vulnerable to an increase in foreclosure rates; and

WHEREAS, the presence of vacant foreclosed homes has been demonstrated to lead to increases in neighborhood crime rates; and

WHEREAS, foreclosure-prevention programs created to provide immediate relief to at-risk homeowners have had limited success, with relatively low participation and significant re-default rates; and

Business, Finance & Insurance

Resolution BFI-10-02

WHEREAS, a substantial number of subprime mortgage loans will not qualify for loan modification programs currently proposed by federal agencies and mortgage loan servicers; and

WHEREAS, modified mortgages remain at risk if homeowners lack access to supplementary sources of traditional credit that: (a) provide flexibility in meeting their financial obligations and (b) build or rebuild their credit scores, in order to be a part of the financial mainstream and positively contribute to the economy; and

WHEREAS, over 40 percent of Americans are estimated to have low FICO credit scores and are thereby considered financially underserved borrowers; and

WHEREAS, a lender's reporting of a mortgage loan as seriously delinquent (90 days late) or worse to credit reporting agencies will significantly lower the homeowner's credit score from such agencies, pushing even more consumers into the financially underserved category; and

WHEREAS, credit scores are used in a growing number of transactions and situations such as opening and maintaining a checking account, determining eligibility for employment, auto insurance, apartment rentals, connection to utilities, as well as traditional consumer credit; and

WHEREAS, underwriting for the financially underserved often requires customized analytics based on significant historical and individualized consumer data which is not part of traditional bank underwriting that relies heavily on credit scores designed to be broadly based and not reflective of financially underserved consumers unique characteristics; and

WHEREAS, traditional lenders, because of their lack of focus on the financially underserved, lack the resource commitment and data availability to prudently service and effectively lend to the financially underserved; and

WHEREAS, non-traditional lenders have also failed to adequately meet all of the needs of the financially underserved due to their focus on certain limited products, higher funding costs and limited regulatory transparency; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL supports legislation that will:

- (a) Assure comprehensive affordable financial services to the financially underserved; and
- (b) Facilitate individually-focused financial literacy for the financially underserved; and
- (c) Ensure the enrollment of the financially underserved into a graduation program designed to rehabilitate their credit profile and increase their credit scores; and
- (d) Empower the financially underserved to make better financial decisions; and
- (e) Encourage a more transparent process through reports to Congress, which will allow public access by policymakers and others to provide helpful data to aid the continued improvements to financial products and services and ensure appropriate consumer protections designed to help the financially underserved; and
- (f) Encourage the financially underserved to save more to provide a buffer for cash flow shortfalls and downturns in the economy; and
- (g) Provide services that will help the financially underserved more easily transition into mainstream banking services; and
- (h) Create a strong Consumer Financial Protection Agency with the authority to set a Federal regulatory base level of transparency and disclosure requirements in regards to all consumer financial products; and

Business, Financial Services & Insurance

Resolution BFI-10-02

- (i) Create a CFPA that is NOT able to preempt State authority to set regulatory levels above the Federal baseline created by CFPA; and
- (j) Extend the \$8,000 first-time home buyer tax credit; and
- (k) Provide an emergency payment to seniors to compensate for the no cost-of-living adjustment to Social Security benefits in 2010; and
- (l) Extend unemployment benefits; and
- (m) Provide for another State Stabilization Fund of \$39 billion to solidify the integrity of state budgets in the face of an on-going financial crisis facing the nation; and

BE IT FURTHER RESOLVED, that the NBCSL believes that all forms of consumer lending are being reduced dramatically (including a lender-forced reduction in credit card lending that is estimated to reduce available consumer credit by \$2 trillion over the next 18 months), creating the unintended consequence of further disenfranchising the financially underserved from financial services; and

BE IT FURTHER RESOLVED, that the NBCSL supports a comprehensive solution because millions of American families will be tragically consigned to permanent financially underserved status; without any clear path to rejoin the financial mainstream, thereby further retarding the growth of the national, state and local economies during this recessionary period; and

BE IT FURTHER RESOLVED, that since traditional methods used to service consumers with credit scores in the higher bands do not sufficiently meet the needs of the financially underserved, that the NBCSL recognizes the need for a separate financial institution to meet the needs of the financially underserved while encouraging, educating and supporting the success of consumers as they seek to graduate into the financial mainstream; and

BE IT FURTHER RESOLVED, that the NBCSL believes in order to create fair and equal access for essential services for many hard-working consumers, Congress should enact legislation that will establish a new type of federal financial institution designed expressly to meet the ongoing financial needs of the financially underserved, including the restructuring of subprime home mortgage loans; and

BE IT FURTHER RESOLVED, that the NBCSL believes that such financial institutions should create and adopt specialized procedures, policies, programs and simplified communications and disclosures to support their mission of helping bridge the financially underserved back to the financial mainstream; and

NOW, BE IT FINALLY RESOLVED, that a copy of this Resolution be transmitted to the President of the United States, the Vice President, Members of the United States House of Representatives and the United States Senate and other federal and state government officials as appropriate.

SPONSOR(S): Representative Calvin Smyre (GA)

Committee of Jurisdiction: Business, Financial Services and Insurance Policy Committee

Certified by Committee Vice Chair: Representative Wayne Ford (IA)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Business, Financial Services & Insurance

Resolution BFI-10-03

PROVIDING GREATER ASSISTANCE TO MINORITY BUSINESSES

WHEREAS, state governments, state governmental subdivisions, and state government instrumentalities issue millions of dollars in bonds to finance their operations annually, and

WHEREAS, these governments and governmental agencies solicit the services of financial advisors, bond counsel, investment bankers, underwriter's counsel, and trustees by issuing requests for proposals (RFPs), and

WHEREAS, it is in the best interests of the taxpaying citizens that the RFP process be as inclusive and competitive as possible, and

WHEREAS, competition is enhanced by doing everything reasonably possible to make everyone who may want to submit a proposal aware of the RFPs, and

WHEREAS, the NBCSL recognizes the RFP process can be improved with greater transparency and access; and

WHEREAS, the RFP process within government at all levels can place minorities at a disadvantage especially if they are relatively new to the process.

NOW, THEREFORE BE IT RESOLVED, by the National Black Caucus of State Legislators (NBCSL) encourages states to develop creative affirmative action plans that help minority businesses:

- (a) To identify potential minority offerors of bonding and bonding-related services, within and without the state, who are not already known,
- (b) To make them aware of the applicable RFP process, and
- (c) To facilitate their being notified when an RFP is issued.

SPONSOR(S): Representative Wayne Ford (IA)

Committee of Jurisdiction: Business, Financial Services and Insurance Policy Committee

Certified by Committee Vice Chair: Representative Wayne Ford (IA)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Business, Financial Services & Insurance

Resolution BFI-10-16

RESOLUTION CALLING FOR FAIR TREATMENT OF CONSUMERS IN THE PHARMACEUTICAL AND GROCERY MARKETPLACE

WHEREAS, a questionable record on customer health and safety, including a pattern of selling expired products in many stores and selling in-store brand products sourced from overseas factories that have drawn the attention of regulators because of lapses in quality control; and

WHEREAS, the anti-theft measures in low income communities of color of signal distrust of people of color; and

WHEREAS, some retailers fail to provide equal access to stores by locating fewer stores per person in low income communities and communities of color; and

NOW, THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) hereby calls on members of the drug retail business and grocery community to demonstrate integrity and accountability in providing quality medicine, goods, groceries, and services to put quality of care first; and

BE IT FINALLY RESOLVED, that to reform retail practices that are inherently discriminatory, unsafe to the customer, blatantly unequal to communities of color in terms of quality and safety, and do not overly criminalize the innocent simply based on their racial or financial background.

SPONSOR(S): Delegate Jeion A. Ward (VA)

Committee of Jurisdiction: Business, Financial Services and Insurance Policy Committee

Certified by Committee Vice Chair: Representative Wayne Ford (IA)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Business, Financial Services & Insurance

Resolution BFI-10-30

RESOLUTION ESTABLISHING POLICY ON SUPPORTING THE DEVELOPMENT OF GREEN JOBS AND TRAINING PROGRAMS FOR UNSKILLED WORKERS

WHEREAS, in 2007, National Black Caucus of State Legislators (NBCSL) adopted resolution LMV-08-11, *Supporting Job Creation in the "Green" Economy*, and

WHEREAS, LMV-08-11 supported the enactment of the Green Jobs Act of 2007 which was ultimately passed into public law, and

WHEREAS, LMV-08-11 provides extensive policy guidelines to the NBCSL for the funding, training, and creation of jobs that are suited better to a 'sustainable' economy, and

WHEREAS, in 2007, the NBCSL adopted resolution PS-EET-08-05, *Supporting Efforts to Mitigate the Economic Impact of Climate Change on Financially Stressed Communities*, and

WHEREAS, PS-EET-08-05 established policy on urging that measures be implemented in the areas of energy conservation, energy efficiency, energy source transition aid, and smart grid development, and

WHEREAS, the NBCSL recognizes that it is necessary to expand on its standing policies regarding 'green' jobs and explore more alternative energy commodities because the status of fossil fuels is becoming increasingly uncertain; and

WHEREAS, exploring alternative energy will help further the shift to a more energy conscious and energy efficient society; and

WHEREAS, a more energy conscious and energy efficient society would create jobs in sectors of sustainable energy such as wind and solar, renewable electric power, energy-efficient vehicles, green buildings and sustainable agriculture; and

WHEREAS, it is estimated that by 2038, 40 percent of electricity generated in the U.S. will come from alternative energy sources; and

WHEREAS, from 1997 to 2007, the use of ethanol in the gasoline pool increased to 5.09 percent of the total gasoline pool from 1.09 percent; and

WHEREAS, from 2000 to 2006, there was a 23 percent growth in the use of solar power; and

WHEREAS, in 2007, hydroelectric sources accounted for 77 percent of alternative net electricity and 6.1 percent of electricity generated by the U.S.; and

WHEREAS, from 2006 to 2007, there was a 21 percent increase in net wind power generation; and

WHEREAS, a workforce is needed for further development of this new clean energy sector; and

Business, Financial Services & Insurance

Resolution BFI-10-30

WHEREAS, it is forecasted that by 2038 green jobs will account for five times the jobs they do today with some 4.2 million new green jobs; and

WHEREAS, it is projected that green jobs could account for 10 percent of new job growth in the economy over the next 30 years; and

WHEREAS, a new energy sector requires new skills which makes the establishment of training programs a necessity to hone a workforce for the clean energy sector; and

WHEREAS, this allows an opportunity for unskilled workers, those needing updated skills, and those losing their jobs in a challenging economy to receive training and job opportunities, and

WHEREAS, this new green economy has the ability to provide new opportunities for millions of Americans that have and currently use public services, and have had difficulty finding employment in the past; and

NOW, THEREFORE, BE IT RESOLVED, that the NBCSL calls on Congress to investigate and provide legislation that:

- (a) Funds research and development of green energy alternatives; and
- (b) Establishes policy to further the shift to a more energy conscious and energy efficient society; and
- (c) Establishes policy on government development of green jobs; and
- (d) Provides training programs for unskilled workers, and

BE IT FURTHER RESOLVED, that the NBCSL calls on Congress to fully fund and expand upon programs in the Recovery Act and regularly schedule grants like the “Green Pathways out of Poverty” Program, Smart Grid Investment Program, Section 1603 Green Technology Capital Program, Community Renewable Energy Development Program, Department of Labor Energy Training Partnership Grant, Local Planning Energy Assurance Initiative Grant, and Department of Labor State Energy Sector Partnership an Training Grant that encourage and provide access for challenged populations such as low income individuals, to participate in the new green economy; and

BE IT FINALLY RESOLVED, that copies of this resolution be dispatched to the President of the United States, the Vice President of the United States, Members of Congress, House and Senate Leadership, and other elected officials as appropriate.

SPONSOR(S): Senator Rodney Ellis

Committee of Jurisdiction: Business, Financial Services and Insurance Policy Committee

Certified by Committee Vice Chair: Representative Wayne Ford (IA)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Business, Financial Services & Insurance

Resolution BFI-10-32

RESOLUTION SUPPORTING HEALTH CARE REFORM THAT REDUCES HEALTH CARE COSTS, GUARANTEES AFFORDABLE HEALTHCARE FOR ALL AMERICANS, AND ELIMINATES INSURANCE DISCRIMINATION FOR PREEXISTING CONDITIONS

WHEREAS, as of the year 2000 the World Health Organization ranked the United States Health care system as 37th in the world; and

WHEREAS, 47 million American citizens do not have health care insurance; and

WHEREAS, nearly 45,000 people die in the United States each year due to the lack of health insurance and the inability to obtain affordable care; and

WHEREAS, one-third of adults (31 percent) and more than half of all children (54 percent) do not have a primary care doctor; and

WHEREAS, the United States ranked among the bottom of industrialized countries for healthy life expectancy at age 60, indicating that Americans spend more years lived in poor health resulting from chronic illness or disability; and

WHEREAS, rising costs are forcing business owners to scale back or drop coverage; and

WHEREAS, approximately 12 million seniors lack access to a primary care provider; and

WHEREAS, the United States spends more on healthcare than any other country in the world, spending \$2.2 trillion in 2007; and

WHEREAS, healthcare reform in the United States deserves immediate attention from the United States Congress.

NOW, THEREFORE, BE IT RESOLVED, comprehensive healthcare reform should be created that, at the very least:

- Reduces long-term growth of health care costs for businesses and government;
- Protects families from bankruptcy or debt because of health care costs;
- Guarantees patients' choice of doctors and health plans;
- Invests in prevention and wellness; improves patient safety and quality of care;
- Ensures affordable, quality health coverage for all Americans;
- Maintains coverage when individuals change or lose their jobs; and
- Ends barriers to coverage for people with pre-existing medical conditions; and
- Is deficit neutral; and

BE IT FURTHER RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports healthcare reform that prohibits companies from refusing to provide healthcare coverage due to pre-existing conditions; and

BE IT FURTHER RESOLVED, the NBCSL supports healthcare reform that prohibits insurance companies from putting caps on the coverage individuals may receive and from dropping coverage for individuals that become seriously ill; and

Business, Financial Services & Insurance

Resolution BFI-10-32

BE IT FURTHER RESOLVED, that the NBCSL has determined that the reform of the United States healthcare system should be a high priority for the current administration and legislation should be enacted that guarantees coverage to all Americans, reduces health care cost to American citizens, and eliminates all forms of coverage discrimination; and

NOW, BE IT FINALLY RESOLVED, that copies of this Resolution be dispatched to the President of the United States, the Vice President of the United States, Members of Congress, and House and Senate Leadership, and other elected officials as appropriate.

SPONSOR(S): Senator Rodney Ellis (TX)

Committee of Jurisdiction: Business, Financial Services and Insurance Policy Committee

Certified by Committee Vice Chair: Representative Wayne Ford (IA)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Business, Financial Services & Insurance

Resolution BFI-10-39

RESOLUTION ESTABLISHING POLICY ON DUAL CERTIFICATION FOR WOMEN MEMBERS OF ETHNIC/ RACIAL MINORITY GROUPS

WHEREAS, the National Black Caucus of State Legislators (NBSCL) agrees with the federal government's positive steps to end discrimination, to prevent its recurrence and to create new opportunities that were previously denied to minorities and women by establishing business policies in government contracting and procurement; and

WHEREAS, the NBSCL recognizes that a woman who is also a member of an ethnic or racial minority group should be certified in that category in addition to the gender category; authorizing a woman-owned business to participate in certain procurement contracts as either a woman-owned business or a business owned by a member of an ethnic or racial minority group for certain purposes within Minority Business Enterprise Programs; and

WHEREAS, the NBSCL recognizes that the slowest growth among minority businesses is ethnic/women business owners who have to choose between race and gender when being certified; and

WHEREAS, the Small Business Administration (SBA) has a number of capacity building functions for all small businesses through the widespread small business development centers (SBDC), which are in every state, the District of Columbia, American Samoa, and Puerto Rico; and

WHEREAS, the SBA provides capacity building for (Minority Business Enterprises) MBE's through its services available to all small businesses, the US Department of Commerce provides more specialized capacity building services. The Minority Business Development Agency has minority business enterprise and opportunity centers in 29 states, as well as the District of Columbia and Puerto Rico; and

WHEREAS, these centers provide business services and help link MBEs to federal procurement opportunities;

WHEREAS, the federal government spends over \$300 billion for goods and services each year ranging from office supplies to advanced weapons; and

WHEREAS, the federal law requires all federal agencies to set percentage goals for small businesses; and

WHEREAS, with the exception of the U.S. Department of Transportation (USDOT) and the Environmental Protection Agency (EPA), all federal agencies use the federal minority and women-owned business designations defined by the SBA such as Small Disadvantaged Business (SDB) and Woman-owned Small Business (WSB); and

WHEREAS, USDOT and EPA are the only two federal agencies which require sub-recipient-state and local governments to also set goals and certify MBEs and WBEs through their Disadvantaged Business Enterprise programs (DBE); and

WHEREAS, federal procurement among the various sub-groups of small businesses rose from 2000-2005, with a 0.4 percent gain from MBE 8(a) certified firms, a 1.1 percent gain from WBEs (WOSBS); and

WHEREAS, the average earnings, according to the Small Business Administration's economist Ying Lowery, for African American women business owners is \$39,000, far behind their male counterparts, who earn \$114,000 a year- and white women, at nearly \$160,000; and

Business, Financial Services & Insurance

Resolution BFI-10-39

WHEREAS, to increase opportunities for minority women owned businesses in Maryland, legislation eliminated a requirement that negatively impacted African American, Asian, Hispanic and Native American female business owners by making them choose between gender and racial/ethnic identity when being certified; and

WHEREAS, that legislation allows women who are members of racial/ethnic minorities to obtain dual certification as an ethnic minority and woman owned business; and

WHEREAS, dual certification increases the opportunities for ethnic/racial women to expand and grow their businesses; and

WHEREAS, dual certification eliminates the decision by minority female business owners to choose between gender and racial/ethnic identity when being certified; and

WHEREAS, dual certification recognizes that minority women business owners are in fact women and minorities.

NOW, THEREFORE, BE IT RESOLVED, that the NBSCL believes that women who are ethnic minorities should not have to choose between gender and racial/ethnic identity when being certified; and

BE IT FURTHER RESOLVED, that the NBSCL believes that women who are ethnic minorities will be better positioned to grow their businesses, if they are allowed to obtain dual certification as both a woman and an ethnic minority when they are obviously both; and

NOW, BE IT FINALLY RESOLVED, that copies of this Resolution be dispatched to the President of the United States, the Vice President of the United States, members of Congress, and Congressional Leadership, and other elected officials as appropriate.

SPONSOR(S): Senator Rodney Ellis (TX) and Senator Catherine Pugh (MD)

Committee of Jurisdiction: Business, Financial Services and Insurance Policy Committee

Certified by Committee Vice Chair: Representative Wayne Ford (IA)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Business, Financial Services & Insurance

Resolution BFI-10-45

BROKERAGE AND INVESTMENT MANAGEMENT SERVICES USE OF MINORITY FIRMS

WHEREAS, the National Black Caucus of State Legislators (NBCSL) is committed to the growth and expansion of African American and minority owned businesses; and

WHEREAS, federal law provides the framework for state and local programs for inclusionary business practices; and

WHEREAS, these efforts have largely focused on the federal procurement process and have emphasized set-asides and preferences for mandatory participation, by Minority Business Enterprises (MBEs) and other Disadvantaged Business Enterprises (DBEs) in federal contract, and subcontract awards; and

WHEREAS, current federal inclusive business programs can trace their origins to 8(a) of the Business Act of 1958, signed by President Eisenhower, which required assistance to “socially and economically disadvantaged” small businesses; and

WHEREAS, the first securities firm established by an African American firm did not occur until 1983; and

WHEREAS, hundreds of those firms are currently operating throughout the United States; and

WHEREAS, all states and the federal government invest in pension funds using independent security firms, specifying that brokerage and investment management services shall include services related to specified guidelines; and

WHEREAS, a report by the National Association of Securities Professionals (NASP), an organization representing minority securities professionals confirm that the 50 states and the District of Columbia have at least one female investment advisor; and

WHEREAS, the NASP reports that 14 states have no racial/ethnic minority investment advisors; and

WHEREAS, states such as Maryland and Illinois establish certain guidelines for the use of minority firms in this category because their assets exceed those established under MBE programs; and

WHEREAS, the NBCSL believes those same guidelines should be adopted by every state in the United States and the federal government to ensure participation by minority firms in this category of business which includes, brokerage, investment management services, and for the purposes of this subsection, brokerage and investment management services shall include services relating to all allocated asset classes; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL calls on Congress to take all action necessary to ensure that the states and the federal government in a manner consistent with Minority Business Purchasing Standards attempt to use to the greatest extent feasible minority business enterprise to provide brokerage and investment management services for state and federal pension funds relating to all allocated asset classes; and

BE IT FURTHER RESOLVED, that the NBCSL calls on Congress to urge for the removal of all barriers by state and

Business, Financial Services & Insurance

Resolution BFI-10-45

the federal government that limit full participation by minority business enterprises in brokerage and investment management services opportunities; and

BE IT FURTHER RESOLVED, that the NBCSL calls on Congress to assist states and the federal government in recognizing that these firms should have assets that exceed small business guidelines in order to participate in brokerage and investment management services opportunities to the fullest extent available and possible; and

BE IT FURTHER RESOLVED, that the NBCSL calls on Congress to urge for the establishment of guidelines for the federal government, for the participation of minority business enterprises in brokerage and investment management services opportunities provided those guidelines do not preempt state guidelines that may go further in facilitating minority enterprise participation in brokerage and investment management services opportunities; and

BE IT FURTHER RESOLVED, that the NBCSL calls on States to examine their own structures around minority business participation in brokerage and investment management services opportunities to determine ways those structures can offer broader protections and facilitation for minority businesses; and

NOW, BE IT FINALLY RESOLVED, that copies of this Resolution be dispatched to the President of the United States, the Vice President of the United States, Members of Congress, House and Senate Leadership and other elected officials as appropriate.

SPONSOR(S): Senator Rodney Ellis (TX) and Senator Catherine Pugh (MD)

Committee of Jurisdiction: Business, Financial Services and Insurance Policy Committee

Certified by Committee Vice Chair: Representative Wayne Ford (IA)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

2010 RATIFIED RESOLUTIONS

Education Policy Committee

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PASSED DECEMBER 4, 2009

NBCSL 33rd Annual Legislative Conference
Ft. Lauderdale, Florida
December 2 - 6, 2009

Education

Resolution EDU-10-01

RECOGNIZING THE IMPORTANCE OF COMMUNITY PARTNERSHIPS TOWARD EDUCATIONAL OUTCOMES

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes the importance of closing the opportunity and achievement gap in education; and

WHEREAS, the Harlem Children Zone (HCZ) model is a shining example of community partnerships at work to close all achievement gaps for our youth; and

WHEREAS, the success of the HCZ is such that the Administration has created the *Promise Neighborhoods Initiative* and placed it into the President's FY2010 budget, and

WHEREAS, the NBCSL supports programs that ensure that all stakeholders in a community highly value academic achievement and are involved in improving teaching and learning; and

WHEREAS, the NBCSL recommends that all stakeholders have an invested wealth in the social, cultural and intellectual development of all children, but especially those children that historically are on the bottom of the educational realm; and

WHEREAS, the NBCSL recommends that all stakeholders must participate in implementing the research that provides evidence to support the growth in healthy development and academic achievement of historically underserved populations; and

WHEREAS, the NBCSL recommends that community stakeholders must be primary partners with public and charter school officials in crafting solutions for their failing and underperforming schools; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL applauds the President for placing the Promise Neighborhoods Initiative in his FY2010 budget and calls upon Congress to fund the program at the President's requested level, and

BE IT FURTHER RESOLVED, that the NBCSL members examine opportunities within their own states to institute community partnerships that:

- (a) Serve an entire neighborhood comprehensively and at scale; and
- (b) Create a comprehensive pipeline of support; and
- (c) Build a community among residents, institutions, and stakeholders, who help to create the environment necessary for children's healthy development; and
- (d) Evaluate program outcomes and create a feedback loop that cycles data back to management for use in improving and refining program offerings; and
- (e) Cultivate a culture of success rooted in accountability, leadership and teamwork; and

BE IT FURTHER RESOLVED, that the NBCSL calls upon Congress to pass the *No Child Left Behind Reauthorization* with reforms in place that:

- (a) De-emphasize standardized tests; and
- (b) Account for student's academic growth in the laws accountability system; and
- (c) Encourage higher learning; and
- (d) Encourage states to increase their education standards; and

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BE IT FURTHER RESOLVED, that the NBCSL acknowledges the critical need to improve the achievement levels of those children that historically are on the bottom of the educational realm; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL seeks to improve the educational achievement specifically in the area of reading and math of African American males ages 5-17.

SPONSOR(S): Representative Gregory Porter (IN) and Representative Gilda Cobb-Hunter (SC)

Committee of Jurisdiction: Education Policy Committee

Certified by Committee Chair: Representative Gregory Porter (IN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Education

Resolution EDU-10-34

RECOGNIZING THE NEED FOR TEACHER DIVERSITY IN OUR NATIONS CLASSROOMS AND THE CRISIS FACING AFRICAN AMERICAN MALE EDUCATORS

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognize the importance of diversity among the teaching staff across the country; and

WHEREAS, the NBCSL agrees that gender equity is an essential component to meaningful diversity among the teaching population; and

WHEREAS, according to the National Education Association 24.9 percent of the nation's three million teachers are males and that number has steadily declined since 1961 and is currently at its lowest level; and

WHEREAS, males at the elementary level make up an alarmingly low percentage of the teaching population, where only one out of ten teachers is male; and

WHEREAS, such gender inequities among teachers undermine the very democratic values public schools are charged with promoting by subjecting students to a teaching environment clearly not representative of the workplace in the U.S; and

WHEREAS, public education institutions can be an example of diversity, cultural competence, and curators of our democratic principles of access, equal opportunity, and self-determination; and

WHEREAS, the marginalization of the teaching profession has resulted in the social and economic marginalization of the teaching profession; and

WHEREAS, the NBCSL agrees that it is urgent to explore policy initiatives to encourage equal opportunity for gender representation among teacher support, retention, and recruitment; and

WHEREAS, African American males have the highest dropout rate among all groups at 18 percent; and

WHEREAS, attaining such economic parity is almost always tied to educational attainment, with success in higher levels of mathematics as the highest predictor of reaching higher income levels; and

WHEREAS, African Americans are less likely to be placed in rigorous academic courses, such as Advanced Placement courses; and

WHEREAS, a rigorous, relevant curriculum is essential to academic engagement, college readiness, workplace readiness, and preparedness to make personal and career choices; and

WHEREAS, African American enrollment in colleges and universities has increased from 10 percent to 13 percent of total enrollment, but African American male enrollment constitutes less than a third of the growth; and

WHEREAS, only 2.4 percent of nation's teachers are African American; and

WHEREAS, 49 percent of teachers of African-American students are teaching out of their field; and

Education

Resolution EDU-10-34

NOW, THEREFORE, BE IT RESOLVED, that research focused on the paucity of males in the classroom and the implications of gender inequity in the classroom should be undertaken; and

BE IT FURTHER RESOLVED, that current initiatives designed to address the shortage of male teachers should be monitored and objectively evaluated to gauge their effectiveness, and

BE IT FURTHER RESOLVED, that the Department of Education include gender gap closing mechanisms in developing guidance and effective measurements for the National Teacher Recruitment Campaign; and

BE IT FURTHER RESOLVED, that the NBCSL applauds the Administration in their funding requests for the Elementary and Secondary Education Act Titles, Striving Readers Program, What Works and Innovation Program, and the High School Graduation Initiative, however the NBCSL encourages the Administration to make further strides to increase State involvement in these programs with as much State oversight and control as possible, and;

BE IT FURTHER RESOLVED, that the NBCSL encourages the Department of Education to examine the following:

- (a) Explore the lack of college readiness of African American males;
- (b) Investigate the impediments impacting unacceptably low level of participation of African American males in higher education;
- (c) Identify programs that are currently responding to the issues;
- (d) Provide visibility at the national level for the issue and the programs that are successful; and
- (e) Bring the successful programs to the attention of state and federal legislators and foundations.

NOW, BE IT FINALLY RESOLVED, that the NBCSL calls attention to advance the agenda of setting the nation on a path to finding solutions to the growing and persistent gender gap within the roles of our teachers.

SPONSOR(S): Representative Gregory Porter (IN) and Senator Joyce Elliott (AR)

Committee of Jurisdiction: Education Policy Committee

Certified by Committee Chair: Representative Gregory Porter (IN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Education

Resolution EDU-10-36

RECOGNIZING EDUCATION AS A CIVIL RIGHT AND A SHARED RESPONSIBILITY

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes that a high-quality public education makes it possible for all students to gain the tools they need to reach their full potential and become responsible citizens, prepared to participate in a strong, inclusive and vibrant democracy; and

WHEREAS, the NBCSL recognizes that access to a quality public education is a civil right without which no other rights can be exercised to their fullest; and

WHEREAS, the NBCSL recognizes that the American labor movement has always supported efforts that protect and enhance the exercise of our civil rights; and that its support for public education is in line with that proud tradition; and

WHEREAS, the NBCSL recognizes that delivering public education is not a “sometimes” duty of government, it is a full-time responsibility, funded by taxpayers; and

WHEREAS, the NBCSL recognizes that schools that educate fully 90 percent of our country’s students must be supported and encouraged at every level to deliver to each student, regardless of his or her ZIP code, a rich, rigorous education; and

WHEREAS, according to the National Parent Teacher Association increased parental involvement helps students to earn higher grades, higher attendance, go on to postsecondary education, and have better social skills; and

WHEREAS, studies of how children learn have demonstrated the value and effectiveness of early educational intervention; and

WHEREAS, school districts with high levels of poverty typically lack the resources that schools in higher income areas enjoy; and

WHEREAS, according to the Brookings Institute the average African American or Hispanic school currently scores at the same level as the lowest quartile of predominately white schools; and

WHEREAS, every state and school district faces its own specific issues with its own unique set of solutions; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL urges all stakeholders, elected leaders, union leaders and members, teachers, faculty, school and college staff, parents and other community leaders to take on this shared responsibility and support investment in an education agenda that focuses on the needs of students and their communities; and

BE IT FURTHER RESOLVED, that the NBCSL supports the creation of a universal program of early childhood education for all children, particularly for disadvantaged students; and

BE IT FURTHER RESOLVED, that the NBCSL encourages the support of need-based education programs designed to provide additional educational support for children from poor or disadvantaged backgrounds, such as Title I

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of ESEA and IDEA have a track record of success and should be expanded and fully funded so that all eligible children can receive appropriate services; and

BE IT FURTHER RESOLVED, that the NBCSL encourages support for community schools that focus on student success and that use strategic partnerships to bring together a wide range of services and supports that students and families need, especially our most disadvantaged and low-performing students; and

BE IT FURTHER RESOLVED, that the NBCSL supports a considerable increase in funding for federal programs that provide access to postsecondary education for millions of Americans, we join the Obama Administration in supporting major increases in the Pell Grant program; and

BE IT FURTHER RESOLVED, that the NBCSL recommends a bolstering of the nation's community college systems and a push to increase retention and completion of college coursework at all levels, such as the Obama Administration's proposal for a much-needed American Graduation Initiative to achieve these purposes; and

BE IT FURTHER RESOLVED, that the NBCSL supports education and training in highly skilled, high-demand fields such as green jobs, community colleges paired with apprenticeships and other adult learning will be a critical source of the education and training needed for the new jobs being created; and

BE IT FURTHER RESOLVED, that the NBCSL encourages improved support for school, college and university capital improvements; and

BE IT FURTHER RESOLVED, that the NBCSL believes every child has a right to an education in a safe and healthy school and every school employee has the right to work in a school where teachers can teach and staff can do their jobs properly; and

BE IT FURTHER RESOLVED, that the NBCSL encourages efforts to ensure college students receive a well-rounded education, by ensuring they are instructed by highly trained and equitably compensated faculty, whether part-time or full-time that help students meet the needs of our evolving economy; and

BE IT FURTHER RESOLVED, that the NBCSL calls on Congress to revise the accountability system in No Child Left Behind to target schools that are most in need of assistance and provide those institutions with special funding that will allow for flexible solutions; and

BE IT FURTHER RESOLVED, that the NBCSL calls on Congress to provide increased resources for parental involvement, mentoring programs, and after school programs that can help children succeed beyond the regular school hours; and

BE IT FURTHER RESOLVED, that funding should take into account poverty level and target school districts with the highest concentration of poverty; and

BE IT FURTHER RESOLVED, that states and school districts should be given flexibility to spend funds in ways that will allow them to address the unique problems that every district faces; and

NOW, BE IT FINALLY RESOLVED, that copies of this Resolution be dispatched to the President of the United

Education

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States, the Vice President of the United States, United States Department of Education, Members of Congress, House and Senate Leadership, and other elected officials as appropriate.

SPONSOR(S): Representative Gregory Porter (IN)

Committee of Jurisdiction: Education Policy Committee

Certified by Committee Chair: Representative Gregory Porter (IN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Education

Resolution EDU-10-41

ELIMINATING RACIAL AND ETHNIC DISPARITIES IN AMERICAN EDUCATION

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes that racial and ethnic disparities that leave students of color behind academically and have been increasingly studied at the state and federal level are among the most pressing challenges facing the field of education; and

WHEREAS, the NBCSL recommends the establishment of a National Office of Educational Equity to coordinate and monitor issues of disproportionality across achievement, discipline, special education, alternative programs, dropout and graduation, and gifted and talented programs; and

WHEREAS, the NBCSL recommends the creation of legislation and eventual passage of legislation that mandates cultural competency standards for education; and

WHEREAS, the NBCSL recommends an equal educational environment, with all schools comparable in the provision of facilities, technology, and instructional resources, access to smaller class sizes, higher paid and more experienced teachers, highly qualified teachers, educational specialists, high-quality instructional resources, up-to-date tests, libraries, computers and equipment; and high quality upper level courses; and

WHEREAS, the NBCSL recommends funding for grants and technical assistance to school corporations to use best and promising practices to increase the number of students from racial and ethnic groups who have been under-represented in gifted and talented programs; and

WHEREAS, the NBCSL encourages the federal government to make a national commitment to reduce the national dropout rate; and

WHEREAS, the NBCSL encourages efforts to address disproportionality in dropout through initiatives that require and provide a dropout prevention fund available to school corporations for the establishment of “early warning system” at the local school level to identify at risk students; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL acknowledges the critical need to improve the achievement levels of those children that historically are on the bottom of the educational realm due to issues of disproportionate service levels in education and recommends the following:

- The establishment of a National Office of Educational Equity to coordinate and monitor issues of disproportionality across achievement, discipline, special education, alternative programs, dropout and graduation, and gifted and talented programs; and
- The creation of legislation and eventual passage of legislation that mandates cultural competency standards for education; and
- An equal educational environment, with all schools comparable in the provision of facilities, technology, and instructional resources, access to smaller class sizes, higher paid and more experienced teachers, highly qualified teachers, educational specialists, high-quality instructional resources, up-to-date tests, libraries, computers and equipment; and high quality upper level courses; and
- Funding for grants and technical assistance to school corporations to use best and promising practices to increase the number of students from racial and ethnic groups who have been under-represented in gifted and talented programs; and
- The federal government to make a national commitment to reduce the national dropout rate; and

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Resolution EDU-10-41

- Addressing disproportionately high dropout rates through initiatives that require and provide a dropout prevention fund available to school corporations for the establishment of an “early warning system” at the local school level to identify at risk students that in states where the issue of due process rights, with respect to; and
- Exclusion from school for disciplinary reasons through suspension and expulsion, has been a source of controversy that a task force of school leadership associations, parents and parent advocates, youth, the legal community, and other key stakeholders be established in order to find a solution that both preserves the right and responsibility of school administrators to maintain a safe and orderly school environment, and protects federally and state guaranteed rights of parents and students to due process in cases of school exclusion; and
- That the critical shortages of teachers of colors be addressed immediately by the creation of a Federal Minority Teacher/Special Services Scholarship and the provision of information to prospective students about the scholarship during the college application process; and
- The annual meeting of representatives of teacher training institutions to consider the status of and develop creative strategies for minority recruitment, enhancing diversity, and teacher preparation and support in the area of cultural competence; and
- That school corporations and local schools should be provided expanded resources and guidance regarding issues of problem or disruptive behavior in order to reduce disproportionately in school discipline and expand the options of schools for maintaining safe and orderly learning environments; and
- School corporations, local schools, community and faith-based organizations, in conjunction with the United States Department of Education, to develop programs that can ensure that students of color have the -resources needed in order to be able to meet high academic and behavioral expectations and become more engaged in their educational program; and

BE IT FURTHER RESOLVED, that the NBCSL seeks to encourage the implementation of the United States Department of Education’s recommendations on education on a national level; and

BE IT FURTHER RESOLVED, that the NBCSL encourages the United States Department of Education to provide a resource for organizing local community efforts to address the issues of disproportionately in educational achievement in students of color; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL seeks funding and community support to provide programs, advance legislation, policies and procedures to assist stakeholders to address and improve the academic achievement and development of all children, but especially those who are too often the victims of a ‘wait and fail’ mentality, children of color.

SPONSOR(S): Representative Gregory Porter (IN)

Committee of Jurisdiction: Education Policy Committee

Certified by Committee Chair: Representative Gregory Porter (IN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Education

Resolution EDU-10-44

RECOGNIZING THE IMPORTANCE OF TEACHERS OF COLOR AND NATIONAL BOARD CERTIFICATION

WHEREAS, students who attend high-poverty schools, where the majority of students are of color, and are more likely to be taught by under-prepared and unqualified teachers; and

WHEREAS, children in the highest poverty schools are almost twice as often assigned novice teachers compared to children in the lowest poverty schools; and

WHEREAS, teacher quality is one of the most important in school factors that determines student learning and achievement; and

WHEREAS, the National Board for Professional Teaching Standards (NBPTS) has created and maintained rigorous standards and established a voluntary national certification system to identify, recognize and retain highly accomplished teachers and is the highest credential in the teaching profession; and

WHEREAS, Teachers who earn this advanced teaching credential are among the best qualified in the nation to improve instruction, raise student achievement, and improve teaching practices in their classrooms, schools, and districts; and

WHEREAS, the NBPTS process requires candidates to pass subject matter assessments and submit a portfolio that includes videotapes of classroom instruction and assessments of student work; and

WHEREAS, research shows that national board certified teachers (NBCT) consistently outperform their peers in knowledge of subject matter and ability to create challenging and engaging lessons; and

WHEREAS, the vast majority of the more than 150 reports, papers, and studies on national board certification have found that NBCTs make a significant and measurable impact on student learning; and

WHEREAS, currently there are 55,328 NBCTs in the United States; and 5,534 are teachers of color; and

WHEREAS, the National Education Association (NEA) has launched a comprehensive program to increase the number of teachers of color who complete and achieve National Board Certification through research-based support programs; and

WHEREAS, the NEA is collaborating with federal, state, and local elected officials and policymakers to increase the number of accomplished teachers, including National Board Certified Teachers who teach in high need schools.

NOW, THEREFORE BE IT RESOLVED, that the NBCSL recognizes the National Board Certification process as a method for identifying accomplished teachers and improving instruction in our nations classrooms; and

BE IT FURTHER RESOLVED, that the NBCSL acknowledges the critical need to increase the number of teachers of color who pursue, complete, and achieve the National Board Certification process; and

Education

Resolution EDU-10-44

BE IT FURTHER RESOLVED, that the NBCSL supports efforts that increase the number of National Board Certified Teachers of color who teach in underperforming schools; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL supports efforts to increase the number of candidates of color who pursue, complete and achieve National Board Certification and will work to advance legislation, policies, and programs that increase the number of NBCT's who teach in high need schools.

SPONSOR(S): Representative Gregory Porter (IN) and Representative Gilda Cobb-Hunter (SC)

Committee of Jurisdiction: Education Policy Committee

Certified by Committee Chair: Representative Gregory Porter (IN)

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2010 RATIFIED RESOLUTIONS

Energy, Transportation & Environment Policy Committee

- **RESOLUTION ETE-10-06** SUPPORTING THE INCLUSION OF NUCLEAR ENERGY AS A VALUABLE PART OF THE U.S. ENERGY PORTFOLIO AND A SOURCE OF DEVELOPMENT FOR MINORITY-OWNED BUSINESSES ALREADY IN AND WISHING TO ENTER THE ENERGY PRODUCTION INDUSTRY 32
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PASSED DECEMBER 4, 2009

NBCSL 33rd Annual Legislative Conference
Ft. Lauderdale, Florida
December 2 - 6, 2009

Energy, Transportation & Environment

Resolution ETE-10-06

SUPPORTING THE INCLUSION OF NUCLEAR ENERGY AS A VALUABLE PART OF THE U.S. ENERGY PORTFOLIO AND A SOURCE OF DEVELOPMENT FOR MINORITY-OWNED BUSINESSES ALREADY IN AND WISHING TO ENTER THE ENERGY PRODUCTION INDUSTRY

WHEREAS, the National Black Caucus of State Legislators (NBCSL) believes that environmentally responsible and equitable job preservation and job creation are desirable and achievable overarching objectives for U.S. policymakers to pursue as previously stipulated in the passed resolutions of PS-ETE-08-05, PH-ETE-08-33, LS-LMV-08-11, PH-ETE-09-23; and

WHEREAS, nuclear power plants provide high-paying, stable employment and garner public acceptance in the communities in which they operate, generating nearly a half-billion dollars in yearly economic activity and nearly \$100 million in state, local and federal taxes annually; and

WHEREAS, America's 104 nuclear plants generate 20 percent of the electricity for our homes and businesses, every day around the clock, without emitting pollutants or greenhouse gases into the atmosphere; and

WHEREAS, the nuclear industry's continually improving safety record, growing public support, steadily improving performance and indispensability as a component of U.S. energy security and environmental protection strategies has bolstered the industry's expansion plans, and prompted submission of applications to build some 25 new nuclear plants, which will provide employment for as many as 2,400 workers during a four-year construction phase, with 400 to 700 permanent operations jobs which cannot be off shored; and

WHEREAS, anticipation of a new wave of nuclear plant construction -- four to eight new plants are expected to be completed by 2017 -- already has spurred private investment of more than \$4 billion and creation of some 16,000 new jobs in the just the past several years in domestic nuclear industry construction, components manufacturing and service sectors, one of the most tangible examples of the "green jobs" economy long espoused by NBCSL; and

WHEREAS, the nuclear industry is working with community colleges around the country to develop and implement education and training programs for enabling more students to enter the nuclear workforce and benefit from good jobs, excellent benefits and community enhancement; and

WHEREAS, policies have been adopted at both the federal and state levels to assist the nuclear power and supplier industries in embarking on a vigorous expansion program, ranging from the Energy Policy Act of 2005 (EPAAct) Title XVII clean energy loan guarantee program to various state legislation and regulation allowing for early cost recovery for new project construction, all with the intent of insulating federal taxpayers from project risk and reducing final project costs for consumers; and

WHEREAS, the U.S. Department of Energy under President Obama has proposed revised rules for the EPAAct Title XVII that are more workable than the previous rules for the program, which presently authorizes \$18.5 billion in loan guarantee volume to fund the first three to four new nuclear projects to provide the hosts of energy security, environmental, economic and social benefits enumerated above; and

WHEREAS, the U.S. commercial nuclear industry continues to pursue a comprehensive integrated strategy of

Energy, Transportation & Environment

Resolution ETE-10-06

used fuel management that includes: safe ongoing on-site fuel storage; potential interim fuel storage in willing host communities; research of recycling technologies to maximize fuel's energy potential and eventually close the nuclear fuel cycle by an economical, proliferation-resistant method; and eventual permanent disposal of some fuel products in one or more repositories; and

NOW, THEREFORE, BE IT RESOLVED, that the NBCSL supports exploring the development of safe, secure and economically beneficial new nuclear plants in the United States with renewed urgency to enhance our energy security, help the country reach our clean air objectives and provide support for strong economies and develop thousands of good paying jobs and provide educational opportunities; and

BE IT FURTHER RESOLVED, that the NBCSL calls upon its legislative members to examine state initiatives that provide financial backing of new clean air technologies, including nuclear and to examine legislation that would overturn and repeal state bans on nuclear power plant construction; and

BE IT FURTHER RESOLVED, that the NBCSL finds promise in the creation of a permanent federal financing platform similar to the Clean Energy Deployment Administration concept that enjoys significant bipartisan, bicameral support in Congress to provide loans, loan guarantees and other credit support to clean energy technologies, including new nuclear power plants and new nuclear equipment manufacturing facilities as long as such a platform would carry with it the requirement that nuclear energy utilities meet at least a 20 percent minority-owned business compliment in all tier I and tier II supplier contracts of the nuclear energy industry; and

BE IT FURTHER RESOLVED that the NBCSL urges Congress to provide tax incentives for investments in nuclear power plants, new nuclear-related manufacturing and minority workforce development for the outreach and hiring of minorities to operate nuclear power plants, and expand existing production tax credits provided by EPAAct 2005; and

BE IT FURTHER RESOLVED, that the NBCSL is very concerned about the siting and transporting of nuclear waste especially given the history of other energy wastes being deposited in communities of color; and as a result of this concern urges the U.S. Congress to explore resources in improving innovation around nuclear spent fuel recycling technology; and

BE IT FURTHER RESOLVED that the NBCSL supports creation of a National Blue Ribbon Commission to provide long term policy guidance for used fuel recycling and eventual disposal with the requirement the Commission be comprised of 25 percent minorities representing both the public and private sectors; and

NOW, BE IT FINALLY RESOLVED, that a copy of this Resolution be transmitted to the President of the United States, the Vice President, Members of the United States House of Representatives and the United States Senate and other federal and state government officials as appropriate.

SPONSOR(S): Resolution Senator Anthony C. "Tony" Hill, Sr. (FL)

Committee of Jurisdiction: Energy, Transportation and the Environment Policy Committee

Certified by Committee Chair: Representative Bill Crawford (IN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Energy, Transportation & Environment

Resolution ETE-10-07

SUPPORTING EFFORTS TO ADDRESS CLIMATE CHANGE

WHEREAS, the National Black Caucus of State Legislators (NBCSL) passed resolution PS-ETE-08-05: *Supporting Efforts to Mitigate the Economic Impact of Climate Change on Financially Stressed Communities*, which set-out policy for the Caucus calling for measures that protect vulnerable populations from drastically increased price increases caused by energy production conversion from conventional to renewable sources; and

WHEREAS, state and local governments also have a common interest in addressing global climate change and promoting clean energy in a responsible way that achieves the maximum amount of greenhouse gas emission reductions with the least economic harm; and

WHEREAS, the NBCSL supports short and long-term strategies in addressing climate change concerns that support market-based solutions to assure adequate and diverse domestic energy supplies and infrastructure; encourage development of advanced technologies, improve energy efficiency; and meet state and local community business and consumer needs for affordable and reliable energy, while ensuring the quality of the environment; and

WHEREAS, the NBCSL recognizes that energy efficiency, renewable resources, advanced nuclear recycling and carbon capture and storage are all important to responsibly manage greenhouse gas emissions while ensuring adequate, reliable service to consumers; and

WHEREAS, the NBCSL believes research and development are keys to assuring availability of new, breakthrough technologies that will help us become less dependent on foreign energy sources and assure energy remains reasonably-priced; and

WHEREAS, improvements in energy efficiency; consumer education on ways to save energy and to use it more efficiently; promotion of “smart” buildings, appliances, grid and electric meters are all critically important to securing energy availability and affordability for all Americans; and

WHEREAS, the NBCSL promotes sound, rational domestic energy policy which addresses state and local community needs for energy assistance to low-income households, development of renewable energy sources, improvements in energy efficiency, appropriate consideration of the impact of regulatory energy policies, expansion and strengthening of critical energy infrastructure such as electric transmission, the role of other important energy options and provide incentives for contracting with minority businesses.

NOW, THEREFORE BE IT RESOLVED, that the NBCSL dedicates itself to an energy policy that is equitable across all regions of the country and to all ethnic and socio-economic groups by (1) assigning an adequate number of carbon emission allowances to regulated utilities with targets whose highest priority is the reduction of carbon and other greenhouse gas emissions as well as provide incentives to switch to renewable sources of energy and (2) providing flexibility and incentives to states in meeting renewable energy standards and carbon requirements; and

BE IT FURTHER RESOLVED, that the NBCSL supports consumer protection provisions to help mitigate electricity price increases to all electricity consumers such as the “Energy Refund Program” currently contained in both House and Senate climate bills to address climate change by allowing qualified individuals to be given a Federal

Energy, Transportation & Environment

Resolution ETE-10-07

subsidy that makes-up the difference in cost for their energy from conventional sources as opposed to renewable ones; and

BE IT FURTHER RESOLVED, that the NBCSL supports current efforts in the U.S. Congress to address climate change through market-based systems that pursue a 20 percent or better reduction in greenhouse gas emissions from 2005 levels as well as zero state preemption if states wish to enact standards that go beyond the Federal targets; and

BE IT FURTHER RESOLVED, that the NBCSL applauds and supports efforts to build cross-agency collaboration in the broad field of sustainable development through the development of the EPA-HUD-DOT Sustainable Communities Initiative and NBCSL is hopeful this initiative can offer increased technical assistance to States looking to initiative their own sustainable development programs; and

BE IT FURTHER RESOLVED, that Federal measures to mitigate climate change as a whole make a partnership with the states their first priority as states have demonstrated on their own that these measures are possible and can work within the market place through such efforts as the “Low Carbon Fuel Standard,” and “Regional Greenhouse Gas Initiative;” and

NOW, BE IT FINALLY RESOLVED, that a copy of this Resolution be transmitted to the President of the United States, the Vice President, Members of the United States House of Representatives and the United States Senate and other federal and state government officials as appropriate.

SPONSOR(S): Resolution Senator Anthony C. “Tony” Hill, Sr. (FL) and Representative Vernon Sykes (OH)

Committee of Jurisdiction: Energy, Transportation and the Environment Policy Committee

Certified by Committee Chair: Representative Bill Crawford (IN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Energy, Transportation & Environment

Resolution ETE-10-10

SUPPORTING THE ROLE OF MINORITY CONTRACTORS IN AMERICA'S ECONOMIC RECOVERY

WHEREAS, nationwide, African American and minority owned businesses have not been able to have the same level of participation in highway construction and other federal projects funded by the American Recovery and Reinvestment Act of 2009, signed by President Barack Obama on February 17, 2009; and

WHEREAS, In Oklahoma, out of \$600 million let in contracts by the Oklahoma Department of Transportation, African Americans received zero dollars in 2008, according to the Louisiana Business Weekly September 8, 2009, edition, there are twelve other states (Alaska, Arizona, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, Puerto Rico, Vermont and Wyoming) that also do no business at all with African American contractors; and

WHEREAS, in California, where the population is 54 percent minority and the annual Caltrans Budget is \$2 Billion, African American businesses participated in one-tenth of percent of federal highway contracting money; and

WHEREAS, the lack of adequate monitoring and enforcement of existing law in Titles VI and VII of the 1964 Civil Rights Act and Executive Order 11246 by the Federal Highway Administration, the Department of Labor and the US Department of Justice translates into denial of participation by thousands of African American firms and millions of African American citizens; and

WHEREAS, few African American contractors are hired as prime contractors, highway-fund prime contractors are hiring fewer and fewer African American employees and contracting with even fewer African American contractors, this lack of contracts and jobs has translated into higher than average African American unemployment, high levels of hopelessness, high incarceration and crime rates, high illiteracy rates, poor health outcomes, and a general overall lack of well being in African American communities; and

WHEREAS, African American legislators and other elected officials are taking a variety of actions to address the overwhelming disparity in contracting for African American businesses including, but not limited to, forming strategic alliances of minority contractors as a way of ensuring work for minorities; generating requests for gubernatorial executive orders requiring changes in procedures that result in exclusion of minority contractors; and filing Title VI complaints with the Federal Highway Administration and the US Department of Justice; and

WHEREAS, disparity studies confirm the sad state of affairs for minorities, and minority firms are even excluded in the selection process for firms to perform such studies.

NOW, THEREFORE BE IT RESOLVED, by the National African American Caucus of State Legislators (NBCSL) that it encourages its members to take action to raise awareness about the disparity of contracting among African American businesses in federally funded projects, specifically those funded by the American Recovery and Reinvestment Act of 2009; and the disparate impact on African American communities and families that continues to grow based on exclusion from this one-time funding source; and

BE IT FURTHER RESOLVED, that the NBCSL encourage its members to examine strategies such as strategic alliances to motivate minority contract involvement in future spending of American Recovery and Reinvestment

Energy, Transportation & Environment

Resolution ETE-10-10

funding including examination of bonding requirements to increase minority participation as prime contractors; and

BE IT FURTHER RESOLVED, that the NBCSL encourages Congress to pass legislation supporting minority-owned business share requirements in spending to include spending related to minority contractors as prime contractors relating to American Recovery and Reinvestment Act; and

BE IT FURTHER RESOLVED, that the NBCSL supports a second round of state stabilization funding from the Federal Government as the original state stabilization amount proposed for the Recovery Act was just under \$80 billion and that amount was reduced by half during the Act's consideration; and

BE IT FURTHER RESOLVED, that the NBCSL supports the Obama Administration's efforts to increase minority participation in Recovery spending; and

NOW, BE IT FINALLY RESOLVED, that the NSCSL encourages its members to inform their constituents about their rights to file complaints with U. S. Attorney General Eric Holder, United States Department of Justice, protesting the lack of adequate monitoring and enforcement of Titles VI and VII of the 1964 Civil Rights Act and demanding fair and equal treatment under the law.

SPONSOR(S): Senator Constance N. Johnson (OK) and Representative Audrey Gibson (FL)

Committee of Jurisdiction: Energy, Transportation and the Environment Policy Committee

Certified by Committee Chair: Representative Bill Crawford (IN)

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2010 RATIFIED RESOLUTIONS

Health & Human Services Policy Committee

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PASSED DECEMBER 4, 2009

NBCSL 33rd Annual Legislative Conference
Ft. Lauderdale, Florida
December 2 - 6, 2009

Health & Human Services

Resolution HHS-10-04

RECOGNIZING THE IMPORTANCE OF EARLY AND OPTIMAL ORAL HEALTH CARE TO A CHILD'S ABILITY TO LEARN

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes the importance of early and optimal oral health care to a child's ability to learn; and

WHEREAS, quality oral health care is one of the greatest unmet needs for children and tooth decay is the single most chronic childhood disease – it is five times more common than asthma and seven times more common than hay fever; and

WHEREAS, more than 25 percent of children 2 to 5 years and 20 percent of all adolescents 12 to 19 years currently have untreated tooth decay and over 50 percent of children ages 5 to 9 years old have at least one cavity or filling; and

WHEREAS, students with preventable or untreated health and development problems may have trouble concentrating and learning, have frequent absences from school, or can even develop permanent disabilities that can affect their ability to learn and grow with 51 million school hours per year are lost due to dental-related illnesses; and

WHEREAS, poor oral health care significantly impacts a child's ability to learn, results in decreased performance in school, leads to reduced self-esteem, and ultimately lessens the potential for success in the workforce; and

WHEREAS, poor oral health care can contribute to other complicating health factors, such as diabetes, respiratory disease and low birth weight babies; and

WHEREAS, low-grade infection in the mouth (periodontal disease) has been linked to systemic illnesses such as cardiovascular diseases (heart disease), respiratory ailments (pulmonary or lung disease), and poor pregnancy outcomes (babies born too small and too soon); and

WHEREAS, children and adolescents of some racial and ethnic groups and those with lower incomes experience higher rates of untreated decay; and

WHEREAS, African American and Hispanic children have about three times higher rates of untreated decay and missing teeth because of tooth decay, but are about one-third as likely to receive dental sealants, and 40 percent of Mexican-American children aged 6 to 8 years have untreated decay, compared with 25 percent of non-Hispanic whites; and

WHEREAS, children from families with low incomes had nearly 12 times as many restricted activity days (missed school) because of dental problems as children from families with higher incomes; and

WHEREAS, efforts to disseminate information and improve awareness about proper oral care health in schools can be very effective in preventing oral diseases; and

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WHEREAS, for parents, information on early childhood caries (baby bottle tooth decay) can help prevent harm to their infant's teeth; and

WHEREAS, knowledge of proper brushing and flossing techniques along with good nutritional habits can help children towards a lifetime of sound oral health; and

WHEREAS, studies show that children who receive dental sealants as part of a school-based or school-linked program have 60 percent fewer newly decayed teeth compared with children who are not in such school programs; and

WHEREAS, the Centers for Disease Control (CDC) is committed to helping states strengthen their oral health programs by promoting oral health education in communities, schools, and health care settings nationwide; and

NOW, THEREFORE BE IT RESOLVED, the NBCSL recognizes the critical link between early and optimal oral health care and education and it supports efforts to improve the state of children's oral health through awareness programs and school-based efforts; and

BE IT FURTHER RESOLVED, the NBCSL calls on states to encourage the development of "dental homes" whereby collaborative outreach/education efforts with dental providers and Head Start, Medicaid, State Departments of Health, and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and community leaders in underserved communities would be established to provide children with early and optimal oral health care services; and

BE IT FURTHER RESOLVED, the NBCSL calls on states to provide quality resources to support and educate parents in underserved communities on proper oral health care and to meet the Healthy People 2010 objective levels for decay prevention by encouraging the use of dental sealants and implementing the proper water fluoridation levels; and

BE IT FURTHER RESOLVED, the NBCSL supports partnerships among universities, government, and the private sector to foster and maintain valuable opportunities to promote oral health awareness and related programs in educational and community-based settings; and

BE IT FURTHER RESOLVED, the NBCSL calls on schools to provide school-based oral health services to make preventative services (such as fluoride and dental sealants) accessible to all children, especially those with lower incomes, and to establish school dental health programs (particularly elementary schools) designed to train children in the skills and importance of personal dental care; and

BE IT FURTHER RESOLVED, the NBCSL calls on schools to take such other steps to encourage proper oral hygiene at early ages, such as incorporating oral health in school nurse education programs and training as well as providing time for children to brush and care for their teeth; and

BE IT FINALLY RESOLVED, the NBCSL calls on the Department of Education in conjunction with the Department of Health to conduct school surveys to establish a national baseline of quality oral health metrics and to set goals for improving and achieving the same.

Health & Human Services Resolution HHS-10-04

SPONSOR(S): Representative Gregory Porter (IN)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

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Health & Human Services

Resolution HHS-10-11

A RESOLUTION RECOGNIZING THE PREVALENCE OF EXCESS WEIGHT AND OBESITY WITHIN THE AFRICAN AMERICAN COMMUNITY, AND ITS IMPACT ON DIABETES AND CARDIOVASCULAR DISEASE AND URGING INNOVATIVE AND IMPROVED SOLUTIONS

WHEREAS, the prevalence of excess body weight and obesity poses a significant public health challenge and is a major contributor to preventable death in the United States; and

WHEREAS, 63.2 percent of adults in the United States are overweight or obese, with 26.7 percent considered obese; and

WHEREAS, obesity produces medical costs in the United States of an estimated 147 billion dollars annually, representing nearly 9.1 percent of annual medical spending; and

WHEREAS, the Body Mass Index (BMI), a standard method of measuring body weight, measures height and weight in kilograms per meter squared, with excess or overweight defined as a BMI of 25 to 29, and obese defined as a BMI greater than 30; and

WHEREAS, a significant health threat, obesity should be treated as a chronic condition; and

WHEREAS, overweight and obese individuals are at increased risk for many diseases and health conditions, including Type 2 diabetes, hypertension, stroke, cardiovascular disease, high blood cholesterol, osteoarthritis, sleep apnea and other breathing problems, gallbladder disease, and some forms of cancer; and

WHEREAS, by treating individuals with excess weight and obesity, the long-term interests of the community as well as employers are served by reducing a major contributor to diseases, such as diabetes, which disproportionately impact the African American community; and

WHEREAS, obesity prevalence was highest for African American women at 53.4 percent and, according to the Centers for Disease Control and Prevention (CDC), 72.6 percent of African Americans are considered overweight or obese; and

WHEREAS, obesity is a major medical risk factor for diabetes in African Americans. Studies have shown substantially higher rates of obesity in adult African Americans who had diabetes, compared to those who did not have diabetes. 3.7 million adult African Americans, a number roughly equivalent to the population of the state of Oklahoma, have diabetes; and

WHEREAS, promoting regular physical activity and healthy eating, creating environments that support these behaviors are essential to addressing the problem of excess weight across the population; and

WHEREAS, studies show that if a person is overweight or obese, reducing body weight by just 5 to 10 percent can improve one's health; and

Health & Human Services

Resolution HHS-10-11

WHEREAS, African Americans are more likely to be concentrated in areas with poor socio-environmental conditions that provide few physical activity and healthy eating options; and

WHEREAS, there is a need to improve physician and patient knowledge, attitudes and practices in the treatment of excess weight and obesity in the African American community, including working holistically to generate effective obesity interventions in the African American community; and

NOW, THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) recognizes the importance of addressing excess weight and obesity as a means of supporting overall health within the African American community; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL urges its members to advocate for both public and private health insurers to provide access to innovative and improved treatment options, as well as improved health care provider reimbursement rates to address this critical issue within the African American population.

SPONSOR(S): Senator Constance Johnson (OK)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

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Health & Human Services

Resolution HHS-10-12

ELIMINATE ADOLESCENT HEALTH DISPARITIES THROUGH ADOLESCENT WELL HEALTH VISITS

WHEREAS, African-American high school students are more likely than White or Hispanic students to engage in risky behaviors, such as having sexual intercourse for the first time at an early age, fighting and not participating in vigorous or moderate physical activity; and

WHEREAS, during the transition from childhood to adulthood, adolescents establish unhealthy patterns of behavior and make poor lifestyle choices that affect both their current and future health. For example, 80 percent of adolescents who are obese will remain obese as adults, and

WHEREAS, the Centers for Disease Control and Prevention (CDC) recognizes the impact of health status on educational outcomes and that children who suffer from unaddressed health problems make the learning experience more challenging for both student and teacher, and success less likely; and

WHEREAS, the National Center for Education Statistics agrees that “education and health are positively related.” improved health status positively influences educational outcomes and increased education positively impacts health status; and the National Educational Goals Panel recognizes that proper nutrition, exercise, and appropriate health care all contribute to “healthy minds and bodies, and to maintain[ing] the mental alertness necessary to be prepared to learn;” and

WHEREAS, adolescence is a critical time to develop positive habits and skills that can lead to healthy lifestyles and behavior over the adolescent’s lifetime, the Institute of Medicine and National Research Council conducted a study which found that one important factor in designing an adolescent health service is the focus on prevention of disease; and

WHEREAS, one of the study’s findings concluded that “[p]revention, early intervention and timely treatment improve health status for adolescents, prepare them for healthy adulthood, and decrease the incidence of many chronic diseases in adulthood;” and

WHEREAS, many adolescents may not have access to primary health care and the National Association of County and City Health Officials (NACCHO) encourages the adolescent health care platform to occur in multiple settings, including traditional and non-traditional settings, such as School Based Health Centers (SBHCs); and

WHEREAS, a 1994 GAO study stated “Health and education officials believe that SBHCs improve children’s access to health care by removing financial and other barriers in the existing health care delivery system.” At no other setting is access as convenient, familiar, or integrated as in a school setting, where daily attendance is mandatory; and

WHEREAS, adolescents and young adults are adversely affected by serious health and safety issues such as motor vehicle crashes, violence, and substance abuse, they also struggle to adopt behaviors that could decrease their risk of developing chronic diseases in adulthood—behaviors such as eating nutritiously, engaging in physical activity, and choosing not to use tobacco; and

WHEREAS, environmental factors such as family, peer group, school, and community characteristics also

Health & Human Services Resolution HHS-10-12

contribute to the challenges that adolescents face. In the past few years, immunizations have been licensed to provide protection for teens against infections and diseases such as meningococcal, tetanus-diphtheria-acellular Pertussis, influenza and cervical cancer; and

WHEREAS, SBHCs provide an exceptional community service within the continuum of health care delivery, effectively introducing and promoting wellness, disease prevention, early intervention, and appropriate utilization of health care services during the formative years which will influence healthy lifestyle choices over the life span and create a necessary culture shift for future generations; and

WHEREAS, the Advisory Committee on Immunization Practices (ACIP), American Academy of Pediatrics (AAP), American Academy of Family Practitioners (AAFP) and the American Medical Association (AMA) recommend a routine healthcare visit for adolescents aged 11-12 to receive recommended immunizations and other evidence-based preventive healthcare services; and

WHEREAS, providing in-school access to health care and related educational services, enables adolescents to receive appropriate care in a timely manner, in a familiar setting, and facilitates trusting and supportive relationships that foster compliance and greatly increases chances for personal and academic success; and

WHEREAS, the U.S. Department of Health and Human Services' Health Resources and Services Administration (HRSA) has developed, in conjunction with AAP, the Bright Futures Initiative, which provides a set of guidelines including recommendations on immunizations and routine health screenings for adolescents; and

WHEREAS, the NACCHO supports the development of adolescent health care platform which would address unmet prevention needs among adolescents, including health care screenings and testing, age-appropriate immunizations, injury prevention, obesity prevention and mental health screenings performed at SBHCs; and

WHEREAS, adolescents should be properly prepared for transition into a productive and meaningful adulthood, this education should, rightfully, include health literacy, given its impact as a social determinant to educational and professional advancement; and

WHEREAS, the ACIP recommends use of FDA-approved vaccines for tetanus-diphtheria-acellular pertussis, meningitis, influenza and cervical cancer in adolescents; and the CDC has launched a National campaign to raise awareness about adolescent health and immunizations; and

WHEREAS, the Journal of Adolescent Health recognizes SBHCs as "an important vaccination resource, particularly for low income and uninsured adolescents who may have more limited access to vaccination elsewhere;" and

WHEREAS, the CDC's National Immunization Survey (NIS) found that immunization coverage levels among adolescents in 2006 did not meet the Healthy People 2010 objective of 90 percent coverage for 13-15 year olds for any of the vaccines measured; and

WHEREAS, the Society for Adolescent Medicine has found that adolescent well visits are one of the best tools of preventive care to ensure continued health from childhood to adulthood and that children and adolescents who regularly visit a primary care provider are less likely to have emergency room visits and preventable hospitalizations; and

Health & Human Services

Resolution HHS-10-12

WHEREAS, because adolescents remain under the guardianship of their parents, parental awareness of the need for an adolescent well visit plays an enormous role in the incidence of adolescent well visits;

NOW, THEREFORE BE IT RESOLVED that the National Black Caucus of State Legislators (NBCSL) will seek to improve adolescent health by asking the Department of Health to educate parents on the importance of an adolescent well physical to prevent chronic diseases, to appropriately intervene to better treat chronic disease, to update immunizations, to positively impact educational outcomes, and to promote the value of SBHCs in the accomplishment of this goal; and

BE IT FURTHER RESOLVED, that the NBCSL supports the elimination adolescent health disparities and encourages any comprehensive Healthcare Reform package to include language that would seek to end such a disparity; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL encourages each member to enact and/or support legislation in their state that will seek to increase adolescents' access to well health visits.

SPONSOR(S): Representative Edna Brown (OH) and Delegate Shirley Nathan-Pulliam (MD)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

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Health & Human Services

Resolution HHS-10-13

ELIMINATE CANCER TREATMENT INEQUITIES

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has a strong commitment towards equality in treatment of diseases and conditions; and

WHEREAS, according to National Cancer Institute of Researchers, African Americans have a 33 percent higher risk of dying of cancer than Caucasians;

WHEREAS, the emergence of clinically proven safe and effective orally and intravenously administered anticancer medications has significantly increased treatment options for patients; and

WHEREAS, oncologists have significantly improved the care of patients by utilizing both orally and intravenously administered chemotherapy medications; and

WHEREAS, greater patient out-of-pocket costs create a barrier for oral anticancer therapies covered under the pharmacy benefit of a health care plan; and

WHEREAS, the NBCSL does not support one medication over another, but supports the best option for the patient as well as a patient's right to be informed and chose his or her treatment; and

WHEREAS, just as an example of where inequities exist; intravenously administered anticancer medications are typically covered under a health care plan's medical benefits and require only an office visit copayment, but orally administered chemotherapy medications are typically covered by the prescription drug benefit and require significantly higher copayment or coinsurance to fill the prescription at a pharmacy.

NOW, THEREFORE BE IT RESOLVED, that the NBCSL supports the elimination of cost barriers for cancer patients to access chemotherapies; and

BE IT FURTHER RESOLVED, that the NBCSL supports patients being given the best medication given their health status and not their financial status, and recognizes that a doctors decision given the specifics of a given case need to reach the optimal solution for the patient; and

NOW, BE IT FINALLY RESOLVED, the NBCSL encourages each member to investigate legislation in their state that will seek to eliminate cancer patient payment inequities for oral cancer treatments.

SPONSOR(S): Representative Edna Brown (OH) and Delegate Shirley Nathan-Pulliam (MD)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

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Health & Human Services

Resolution HHS-10-15

ENCOURAGING EQUITABLE IMMUNIZATION

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has a strong commitment to health and preventative care to ensure the well being of all of our citizens; and

WHEREAS, immunizations remain one of the 20th Century's greatest achievements for improving health; and

WHEREAS, despite progress, ethnic disparities persist among the 10 leading health indicators identified in the 2010 national health objectives; and

WHEREAS, African Americans trail non-Hispanic whites in various measures of the leading health indicators, including immunizations: for children age 19-35 months who are fully vaccinated (73 percent vs 77 percent, in 2007) ; for adults aged 65 and older administered influenza vaccination in the preceding 12 months (55 percent vs 69 percent in the 2006/2007 influenza season)¹; and

WHEREAS, immunizations protect both individuals and the general population due to the herd effect associated with vaccinations which mitigate infectious diseases; and

WHEREAS, in their role as guardians of the public's health, states play a significant role in determining immunization policies; and

WHEREAS, a financed immunization program integrated with a strong public health program is critical to maintain the health of our society and to respond to public health challenges such as the current A(H1N1) influenza pandemic; and

WHEREAS, the majority of states depend primarily on federal resources to purchase vaccines to assure coverage for eligible children, however, federal programs do not cover all children, adolescents and adults, so many states supplement these funds; and

WHEREAS, low resource communities struggle with the cost of vaccines, introduction of new vaccines, and overcoming access barriers to improve vaccination rates; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL, recognizes the lower immunization rate in the United States' African American community and other ethnic minority communities and is gravely concerned about the detrimental health consequences resulting from low immunization rates. The NBCSL pledges to support improving access to vaccination, funding and identified barriers to immunization; and

BE IT FURTHER RESOLVED, that the NBCSL urges the President and Congress of the United States and all 50 governors to ensure adequate funding for immunization programs to strengthen federal and state immunization programs for better investment in the infrastructure for childhood, adolescent and adult immunization;

NOW, BE IT FINALLY RESOLVED, that the NBCSL supports policies both federally and in our states which support a stabilized vaccine infrastructure, improved access and for improved vaccination coverage rates for children and adults and to assure that African American and minority groups receive equal and just treatment in health promotion and prevention programs.

Health & Human Services Resolution HHS-10-15

SPONSOR(S): Senator Usie Richards (VI) and Representative Joe Armstrong (TN)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

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Health & Human Services

Resolution HHS-10-17

ENSURING AWARENESS AND EDUCATION OF CARDIOVASCULAR DISEASE IN MINORITY POPULATIONS

WHEREAS, the National Black Caucus of State Legislators (NBCSL) strives to improve the health and well-being of its citizens in recognizing the importance of fighting chronic diseases, such as coronary heart disease; and

WHEREAS, cardio vascular disease is the number one killer in the United States and affect more than 16.8 million Americans; and

WHEREAS, together, coronary heart disease and stroke kill more Americans every year than all cancers combined; and

WHEREAS, African-American males and females have higher death rates from heart disease and other cardiovascular diseases than white males and females; and

WHEREAS, African-American adults are less likely to be diagnosed with coronary heart disease, however, are more likely to die from heart diseases; and

WHEREAS, atherosclerosis, the progressive buildup of plaque in the arteries, is a leading cause of coronary heart disease and stroke; and

WHEREAS, atherosclerosis may have no symptoms until the artery becomes completely blocked or severely narrowed; and

WHEREAS, coronary heart disease causes about one of every five deaths in the United States; and

WHEREAS, the total estimated direct and indirect cost of coronary heart disease and stroke in 2009 will be around \$234.3 billion; and

WHEREAS, it is critical that citizens consult with their physicians to identify controllable and uncontrollable risk factors that contribute to the progression of atherosclerosis; and

WHEREAS, it is the hope of these advocates to raise awareness about atherosclerosis and encourage citizens to become advocates for their own health and for the health of others; and

WHEREAS, the NBCSL encourages people to visit the Web site or to receive information to help guide conversations with their physicians about atherosclerosis.

NOW, THEREFORE BE IT RESOLVED, that the NBCSL strongly supports and encourages states' efforts to educate their citizens about the importance of atherosclerosis and encourage state legislators across the country to support efforts aimed at early diagnosis and accessible treatment options; and

BE IT FURTHER RESOLVED, that the NBCSL encourages individuals to reduce their risk of cardiovascular diseases by engaging in regular physical activity, avoiding tobacco use and second-hand tobacco smoke, choosing

Health & Human Services Resolution HHS-10-17

a diet rich in fruit and vegetables and avoiding foods that are high in fat, sugar and salt, and maintaining a healthy body weight; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL supports greater efforts to educate its citizens and health care practitioners about the importance of prevention, encouraging all citizens to partner with their health care providers to have their risk factor status assessed, monitored, and managed in accordance with national guidelines.

SPONSOR(S): Representative Mary H. Coleman (MS)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

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Ratification is certified by: Representative Calvin Smyre (GA), President

Health & Human Services

Resolution HHS-10-18

IN SUPPORT OF A HEALTH INSURER’S CODE OF CONDUCT

WHEREAS, the National Black Caucus of State Legislators (NBCSL) encourages transparency in communications among health care professionals and patients; and

WHEREAS, members of the health care community, comprised of health care providers, such as physicians, nurse practitioners, and physician assistants, and health care organizations such as hospitals and surgical centers, are increasingly influenced by decisions based on the designs of health benefit plans; and

WHEREAS, healthcare providers have acknowledged that intrusions into clinical decision making have lead to adverse outcomes; and

WHEREAS, these adverse outcomes are placing patients at increased risk, furthering the gap around healthcare disparities and distancing healthcare providers from practicing optimal patient care; and

WHEREAS, the concept of a Health Insurer “Code of Conduct” has been introduced by the American Medical Association to promote change in health plan policy through legislation and judicial intervention; and

WHEREAS, a publicly reported forum to provide both patients and employers methods to compare insurance carriers’ compliance with these basic tenants of the Health Insurer “Code of Conduct” thus promoting transparency, patient safety, and competition in the marketplace; and

WHEREAS, patients should receive the best healthcare regardless of race or income level and should receive care that will provide the optimal result for the patient; and

WHEREAS, the patient–health practitioner relationship relies on confidential, honest, and transparent exchange of information based on trust; and

WHEREAS, physicians or health practitioners receiving financial incentives to prescribe certain medications strain that relationship when patients are not informed of practitioners’ financial incentives; and

WHEREAS, the longevity, quality-of-life, and continued health of all people in this society depend on quality healthcare; and

WHEREAS, the death rate due to cardiovascular disease among African Americans is highest among all racial and ethnic groups in the United States, and 40 percent of African American adult men and women have some form of heart disease;

NOW, THEREFORE, BE IT RESOLVED, that the NBCSL encourages its membership work collaboratively with the health care community, including the American Medical Association, in the development of the basic tenants of the Health Insurer “Code of Conduct”; and

BE IT FURTHER RESOLVED, that the NBCSL supports a Health Insurer “Code of Conduct” that includes:

- Transparency in the healthcare process for patients; and
- Supports preventative care; and

Health & Human Services Resolution HHS-10-18

- Works to close disparities that exist because of economic and social factors; and
- Puts patients health before profits; and

BE IT FURTHER RESOLVED, that the NBCSL members examine the status of access to quality healthcare by African Americans in their respective States; and

BE IT FURTHER RESOLVED, that the NBCSL strongly supports State efforts to improve and publicize information on how the Health Insurer “Code of Conduct” can help improve better delivery of care for patients in need; and

BE IT FURTHER RESOLVED, that these state efforts should include foreign language education and outreach programs, if necessary, to facilitate understanding of the Health Insurer “Code of Conduct”; and

NOW, BE IT FINALLY RESOLVED, that because the ability of African Americans to access healthcare varies from State to State, individual States should craft recommendations relate to the Health Insurer “Code of Conduct” that best address the needs of their respective communities.

SPONSOR(S): Representative Mary H. Coleman (MS)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Health & Human Services Resolution HHS-10-19

2010 WORLD KIDNEY DAY AND KIDNEY DISEASE AWARENESS MONTH

WHEREAS, today more than 20 million Americans have chronic kidney disease and twenty million more are at risk and are unaware of this risk; and

WHEREAS, chronic kidney disease is a major health care burden and is expected to cost more than \$20 billion for the National Health Care System and the Healthy 2010 Initiative; and

WHEREAS, African Americans, Hispanics, Pacific Islanders, Native Americans, and seniors are at an increased risk; and

WHEREAS, African Americans make up only 13 percent of the population but suffer from chronic kidney disease at four times the overall rate of all Americans diagnosed with chronic kidney disease in the United States; and

WHEREAS, among new patients whose kidney failure was caused by high blood pressure, more than half (51.2 percent) are African-American and among new patients whose kidney failure was caused by diabetes, almost one third (31.3 percent) are African-American; and

WHEREAS, the public health mandate is clear that public policy initiatives targeted at early identification of chronic kidney disease and treatment of associated co-morbidities in early stages will delay the onset of end stage kidney failure, will dramatically reduce the number of patients that require dialysis and the long-term effects of the disease including its impact on diabetes and cardiovascular disease, thereby potentially lowering the significant economic burden on the health care system and improving the quality of life for numerous Americans; and

WHEREAS, coordination between federal and state governments, health care professionals, educators, and patient advocates need to continue developing initiatives that identify members of high risk populations, to continue ensuring access to medical therapy applicable to those at the greatest risk, and continue supporting programs that improve the management of kidney disease to slow the progression of kidney failure, are crucial in decreasing this disease and health disparity; and

WHEREAS, the International Federation of Kidney Foundations and the International Society of Nephrology have jointly declared March 11, 2010, as World Kidney Day in an international effort to address applicable treatment and prevention of kidney, cardiovascular and diabetes; and

WHEREAS, both the National Kidney Foundation and National Medical Association encourages consumer education and awareness aimed at all individuals, especially those at the greatest risk for developing Chronic Kidney Disease and End Stage Renal Disease; and

NOW, THEREFORE, BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) proclaim the month of March, 2010, as Kidney Disease Prevention and Awareness Month and specifically declaring March 11, 2010, as World Kidney Day and therefore encourage each NBCSL member to enact and support public policy initiatives in their states that will acknowledge the need for continued education and awareness and will support applicable medical treatment specific to the population at greatest risk in eliminating this health disparity.

Health & Human Services Resolution HHS-10-19

SPONSOR(S): Representative Mary H. Coleman (MS)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Health & Human Services

Resolution HHS-10-20

TO INCREASE RESOURCES AND ENCOURAGE INNOVATIVE DIABETES PROGRAMS

WHEREAS, diabetes is a serious, costly and increasingly common chronic disease that affects almost 24 million Americans, or 8 percent of Americans, with millions more are at risk for the disease; and

WHEREAS, diabetes contributes to almost 234,000 deaths a year and is the fifth leading cause of death by disease in the United States; and

WHEREAS, diabetes causes preventable complications that can be life threatening; and

WHEREAS, diabetes is a leading cause of blindness, kidney failure, leg and foot amputations, pregnancy complications, and death related to flu and pneumonia, the leading causes of death in people with diabetes are heart disease and stroke; and

WHEREAS, the direct and indirect costs of diabetes are over \$174 billion a year, minority populations, including African Americans, suffer from diabetes at rates much higher than the general population and have the highest rates of complications of the disease; and

WHEREAS, federal funding provided by the Centers for Disease Control and Prevention for state run diabetes control programs decreased 4.3 percent in FY 2009; and

WHEREAS, 3.7 million African Americans or 14.7 percent of all non-Hispanic African Americans over the age of 20 live with diabetes; and

WHEREAS, nearly 1 out of every two African American children born in the year 2000 will live with diabetes during their lifetime; and

WHEREAS, twenty-five percent of African Americans between the age of 65 and 74 have diabetes; and

WHEREAS, African Americans are 1.7 times more likely to have diabetes than Non-Latino White; and

WHEREAS, the prevalence of diabetes increased 13.5 percent from 2005 to 2007 in all populations; and

WHEREAS, one in four African American women over 55 years of age has diabetes and diabetes ranks as the 4th leading cause of death among African American women; and

WHEREAS, African Americans experience higher rates of some of the serious complications of diabetes- being twice as likely to suffer from diabetes-related blindness, 1.5 to 2.5 times more likely to suffer from lower limb amputations and 2.6 to 5.6 times more likely to suffer form kidney disease; and

WHEREAS, African Americans are two times more likely than whites to die of diabetes; and

WHEREAS, undiagnosed and poorly controlled diabetes increase the likelihood of serious complications; for every two persons who are aware of their illness, there is one person who remains undiagnosed; and

WHEREAS, early detection, improved care, and diabetes self-management education are key strategies for

Health & Human Services

Resolution HHS-10-20

preventing diabetes-related complications; and

NOW, THEREFORE, BE IT RESOLVED, that the NBCSL supports innovative approaches that allow states to implement efforts to prevent, diagnose and treat diabetes while reducing the burdens associated with the disease for African Americans living with or at-risk for diabetes; and

BE IT FURTHER RESOLVED, that the NBCSL calls on the United States Congress and the Centers for Disease Control and Prevention to increase dollars and resources available for state based diabetes control programs to help prevent, diagnose and control the reach of the diabetes epidemic; and

BE IT FURTHER RESOLVED, that the NBCSL urges the President, the United States Congress, and state elected officials to provide adequate federal and state funding and resources for existing and innovative programs to help implement programs and efforts aimed towards preventing, detecting and treating diabetes and its related health complications; and

BE IT FURTHER RESOLVED, that the NBCSL calls on elected officials and other government officials to support and implement programs aimed at reaching African American youth and young adults at risk or living with diabetes on how best to prevent, detect, treat and manage diabetes.

BE IT FURTHER RESOLVED, that the NBCSL also calls upon state legislatures to supplement federal resources for relevant efforts to expand the reach and scope of said efforts to reach African Americans and those providing healthcare services to the community with targeted programs on how best to prevent or control diabetes; and

BE IT FURTHER RESOLVED, that the NBCSL supports the creation of “Diabetes Coordinator” positions in all states and encourages the United States Congress to create a “Diabetes Czar” at the federal level in an appropriate and relevant government department or area, the NBCSL believes the creation of these positions is vital to help states prepare for the greater number of Americans and African Americans living with diabetes while also helping to ensure that states provide the services necessary for those living with or at-risk for diabetes.

BE IT FURTHER RESOLVED, that the NBCSL believes those holding diabetes coordinator or diabetes czar positions should be charged with assessing the reach and scope of diabetes in states and localities, assessing the adequacy of existing government based programs and efforts to serve those affected by or at-risk for diabetes, assessing the adequacy of existing efforts by those serving the community living with or at-risk for diabetes, identifying and proposing new government efforts to ensure the prevention, detection and treatment needs are met for people with or at risk for diabetes, advocating for new and appropriate resources to meet the prevention, detection and treatment needs for people with or at-risk for diabetes, and coordinating the government’s response to address the prevention, detection and treatment needs of people with or at-risk for diabetes; and

NOW, BE IT FINALLY RESOLVED, that copies of this resolution be dispatched to the President of the United States, the Vice President of the United States, Members of Congress, House and Senate Leadership, and other elected officials as appropriate.

SPONSOR(S): Representative Joe Armstrong (TN)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

Ratified in Plenary Session: Ratification Date is December 04, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Health & Human Services

Resolution HHS-10-22

EXPRESSING SUPPORT FOR STATE FUNDING OF AIDS DRUG ASSISTANCE PROGRAMS

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has passed extensive policy calling for increased resources and the ending of racial disparities regarding the treatment of AIDS; and

WHEREAS, NBCSL has most recently enacted PS-HHS-09-06: *To Reduce Health Disparities Affecting HIV/AIDS*; and

WHEREAS, AIDS Drug Assistance Programs (ADAPs) were established in 1987 to assist states in providing life saving medicines to their citizens who were HIV positive; and

WHEREAS, ADAPs are a fundamental part of the federal Ryan White AIDS program providing insurance, housing, and prescription drug assistance; and

WHEREAS, roughly 70 percent of those who are served by ADAPs are low-income persons, making 200 percent or less of the federal poverty limit; and

WHEREAS, ADAPs, serve primarily those who are low-income, uninsured, and underinsured people with HIV; and

WHEREAS, ADAPs play a pivotal role in providing care to one-third of those who have HIV or AIDS in this country according to the National Alliance of State and Territorial AIDS Program Director (NASTAD); and

WHEREAS, according to the NASTAD and the Kaiser Family Foundation ADAP monitoring project as of June 2008, 993,000 people across the country received care through ADAPs; and

WHEREAS, also according to the NASTAD and Kaiser Family Foundation April 2009 ADAP monitoring project, 59 percent of those receiving care from an ADAP were people of color, with 33 percent being African-American and 26 percent being Latino; and

WHEREAS, according to the NASTAD and the Kaiser Family Foundation, as of April 2009, 21 out of 58 state ADAPs had budget decreases and were reviewing cost containment strategies such as waiting lists; and

WHEREAS, according to a Kaiser Family Foundation report In June 2009, "Chronic underfunding of programs could hinder progress in HP/ treatment"; and

WHEREAS, currently 3 states in the Union have waiting lists and approximately 8 others are considering them due to budget restraints during the economic downturn; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL supports an increase in state funding of the AIDS Drug Assistance Programs; and

BE IT FURTHER RESOLVED, that the NBCSL calls for full funding of the Ryan White AIDS program, and for an increase in the overall authorization level to help combat AIDS in the United States; and

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NOW, BE IT FINALLY RESOLVED, that copies of this Resolution be dispatched to the President of the United States, the Vice President of the United States, Members of Congress and Senate Leadership, and other elected officials as appropriate.

SPONSOR(S): Representative Laura V. Hall (AL)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Health & Human Services

Resolution HHS-10-37

MENTAL HEALTH DISPARITIES AND VETERANS

WHEREAS, in 2008, the National Black Caucus of State Legislators (NBCSL) enacted PH-LMV-09-25: *Supporting our Veterans* in which the Caucus expanded its policy regarding veteran's services and benefits, supported the HUD-VASH program and urged NBCSL members to do all they can to eliminate the obstacles veterans face in acquiring quality care; and

WHEREAS, an estimated 26.2 percent of Americans ages 18 and older suffer from mental disorders in any given year; and

WHEREAS, mental disorders are the leading cause of disability in the U.S. for ages 15-44; and

WHEREAS, the indirect cost mental illness were estimated to be \$79 billion and the direct costs were estimated at \$943 billion in 1996; and

WHEREAS, the rate of Post Traumatic Stress Disease (PTSD) among Iraq war veterans is estimated at 35 percent; and

WHEREAS, a study by researchers at the University of California, San Francisco and the San Francisco VA Medical Center found almost one third of the veterans returning from Iraq and Afghanistan that received care at the VA between 2001 and 2005 were diagnosed with mental health or psychosocial ills; and

WHEREAS, approximately 1.3 million with mental illnesses are in state and Federal prisons, and 4.6 million are under correctional supervision; and

WHEREAS, significant barriers still remain in access, quality and outcomes of care for minority populations in the mental health system resulting in a disproportionately high burden of disability in these populations; and

WHEREAS, the state bears a responsibility in matters of public health that includes the quality of life for our citizens with mental illnesses; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL encourages state legislatures to create educational forums and caucuses for legislators to learn about mental health issues impacting the residents of their states and to ensure quality services for those residents,

BE IT FURTHER RESOLVED, that the NBCSL calls upon Congress and the President to fully fund the Office of Mental Health Services under the Department of Veterans Affairs; and

BE IT FURTHER RESOLVED, that the NBCSL encourages its members to work in the best interests of the public health of our citizens with mental disorders and to:

- (a) Launch a mental disease awareness campaign to educate our citizens about the disease, its symptoms, and the ability to better manage the disease through proper treatment; and
- (b) Establish a task force in their states that is tasked with assessing the mental health risk factors for citizens of our state, identifying the existing barriers to good care, and developing action steps for addressing these needs; and

Health & Human Services Resolution HHS-10-37

NOW, BE IT FINALLY RESOLVED, that copies of this resolution be dispatched to the President of the United States, the Vice President of the United States, Members of Congress and Senate Leadership, and other elected officials as appropriate.

SPONSOR(S): Representative Sharon Beasley-Teague (GA) and Representative Joe Armstrong (TN)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Health & Human Services

Resolution HHS-10-43

RESOLUTION SUPPORTING BIOSIMILAR DRUGS

WHEREAS, it is the mission of the National Black Caucus of State Legislators (NBCSL) to promote principles supportive of the African American Community by developing and advancing policies that promote better health outcomes for consumers; and

WHEREAS, it is widely know that the African American community is disproportionately affected by certain diseases and chronic illnesses like diabetes and cancer, leading to tremendous costs to the healthcare system and thousands of untimely deaths; and

WHEREAS, bioscience firms conduct business in all 50 states, the District of Columbia and Puerto Rico and legislative members in the NBCSL are actively trying to find ways to leverage the opportunities that exist in this market sector; and

WHEREAS, many states with legislative members in the NBCSL have research universities and bioscience companies that play a key role in the discovery of cures and treatments for diseases that were previously thought incurable, and the NBCSL wants to ensure that these universities and colleges have a viable way to make medicines that are more closely targeted to minority populations; and

WHEREAS, on average it requires over \$1.2 billion and 10 to 15 years to discover, develop and secure the Food and Drug Administration (FDA) approval to bring a new biologic medicine to the market, and it is imperative that bioscience companies are able to recoup sufficient financial returns to justify investing in this critically important enterprise; and

WHEREAS, the NBCSL believes that balanced biosimilar legislation should include a provision that provides pioneer bioscience companies with 12 years of exclusive use of the costly, proprietary data they must produce to secure FDA approval before another biosimilar manufacturer may acquire this data without cost; and

WHEREAS, the NBCSL wishes to ensure that patient safety is the primary concern of the FDA when approving both pioneer and biosimilar drugs, and the NBCSL recognizes that biosimilar manufacturers may not be required to duplicate all tests required of the pioneer manufacturer; and

WHEREAS, the NBCSL believes that all citizens will benefit from more affordable and more innovative and tailored biological medicines which will improve health outcomes, in addition to the generation of new livable wage employment opportunities and economic growth associated with bioscience research and development activities of the bioscience industry.

NOW, THEREFORE BE IT RESOLVED, that the NBCSL urges the United States Congress to adopt balanced biosimilar legislation that provides reasonable incentives, including 12 years of data exclusivity time periods, that will foster the research and development of next generation, life-saving biological medicines as well as job creation and economic expansion, and, encourages the creation of a transparent, science-based regulatory review system that will allow a fair and prompt FDA review of biosimilar products so consumers may benefit from increased price competition as soon as appropriate; and

BE IT FURTHER RESOLVED, that the NBCSL supports efforts to make small and minority-owned businesses fully

Health & Human Services Resolution HHS-10-43

eligible to compete for “Small Business Innovation Research Grants” as the NBCSL supports efforts that provide for increased competition and an open market place in the development of biotechnologies; and

BE IT FURTHER RESOLVED, that the NBCSL also supports efforts to increase access of small and minority-owned businesses to Federal research and innovation contract opportunities; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL is authorized and directed to transmit a copy of this resolution to members of the United States Congress.

SPONSOR(S): Representative Joe Armstrong (TN)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Chair: Representative Joe Armstrong (TN)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

2010 RATIFIED RESOLUTIONS

Housing Policy Committee

- **RESOLUTION HSE-10-23** IN SUPPORT OF NEW EFFORTS TO ECONOMICALLY REINVIGORATE OUR COMMUNITIES65

PASSED DECEMBER 4, 2009

NBCSL 33rd Annual Legislative Conference
Ft. Lauderdale, Florida
December 2 - 6, 2009

Housing

Resolution HSE-10-23

IN SUPPORT OF NEW EFFORTS TO ECONOMICALLY REINVIGORATE OUR COMMUNITIES

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has a strong commitment to rebuilding and revitalizing communities in the face of this economic turmoil; and

WHEREAS, in 2008 more than three million homes went into foreclosure, that is an increase of 81 percent over 2007 and of 225 percent over 2006; and

WHEREAS, safe housing is vital to the well-being of many elderly persons; and

WHEREAS, the purpose of the Emergency Capital Repair Program which is administered by the United States Department of Housing and Urban Development is to provide private nonprofit owners of eligible developments designated for occupancy by elderly tenants with grants to make emergency capital repairs relating to items that present an immediate threat to the health, safety, and quality of life of the tenants; and

WHEREAS, the proceeds from the grants may not be used for deferred maintenance items, lead-based paint abatement, demolition and reconstruction activities, conversion of bedroom units, security systems, and improvements, such as the installation of sprinkler systems, air conditioning, and additional lighting in parking lots; and

WHEREAS, the Neighborhood Stabilization Program was created to help states and localities deal with the increasing levels of foreclosure in our community; and

NOW, THEREFORE, BE IT RESOLVED, that we urge the members of the United States Congress to expand the coverage of programs such as the Emergency Capital Repair Program that allow for repairs of other areas of eligible developments designated for occupancy by elderly tenants that will improve the quality of life for the tenants; and

BE IT FURTHER RESOLVED, that the NBCSL support the Neighborhood Stabilization Program and requests that Congress continue to fund the program through a block grant mechanism that allows the funds to move quickly into our communities; and

BE IT FURTHER RESOLVED, that the NBCSL calls for an increase in the authorization level of the Community Development Block Grant program, as it is a vital part of how we will rebuild our communities during this difficult period; and

NOW, BE IT FINALLY RESOLVED, that copies of this resolution be dispatched to the President of the United States, the Vice President of the United States, Members of Congress, House and Senate Leadership, and other elected officials as appropriate.

SPONSOR(S): Representative Laura Hall (AL)

Committee of Jurisdiction: Housing Policy Committee

Certified by Committee Chair: Representative Laura Hall (AL)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

2010 RATIFIED RESOLUTIONS

Telecommunication, Science & Technology Policy Committee

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PASSED DECEMBER 4, 2009

NBCSL 33rd Annual Legislative Conference
Ft. Lauderdale, Florida
December 2 - 6, 2009

Telecommunication, Science & Technology

Resolution TST-10-24

SPEED MATTERS – HIGH SPEED INTERNET FOR ALL

WHEREAS, the President, Congress, and the Federal Communications Commission (FCC) have all identified high-speed broadband as the essential infrastructure of the 21st century and that the United States has a lot of work to do if we are to close the broadband gaps that exist in our nation; and

WHEREAS, the United States—the country that invented the Internet—has fallen to 15th behind other industrialized nations in the percent of the population subscribing to broadband; and

WHEREAS, countries like Canada, France, and South Korea have better, faster Internet connections; and

WHEREAS, people in Japan can download an entire movie in just two minutes, but it can take two hours or more in the United States; and

WHEREAS, people in Japan pay the same as we do for the Internet connections; and

WHEREAS, we need high-speed Internet for our homes, schools, hospitals, and workplaces, and too many Americans encounter a significant digital divide based on geography and income and this denies the promise of the Internet to millions; and

WHEREAS, poorer Americans and minorities are less likely than the affluent to have High speed Internet connections; and

WHEREAS, the cost of computers, broadband access, and lack of digital skills serve as barriers to broadband adoption; and

WHEREAS, speed defines what is possible on the Internet. It determines whether we will have the 21st century networks we need to create the jobs of the future, develop our economy, and support innovations in telemedicine, education, public safety, and public services; and

WHEREAS, the United States is the only industrialized nation without a national policy to promote high-speed broadband; and

WHEREAS, fiber optic cabling can carry much more information at a greater efficiency and speed than traditional wire mediums; and

WHEREAS, state governments have encouraged the replacing of older carrier mediums for fiber optic cable; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL support the following measures to recover our lost leadership and competitive position to ensure that all residents benefit from affordable, high-speed Internet access; and

BE IT FURTHER RESOLVED, that every state should examine a policy goal to construct an infrastructure with enough capacity for 10 megabits per second (mbps) downstream and 1 mbps upstream by 2010; and

Telecommunication, Science & Technology

Resolution TST-10-24

BE IT FURTHER RESOLVED, that states develop maps of broadband infrastructure, today, we do not have detailed information about broadband deployment, adoption, speed, and prices; and

BE IT FURTHER RESOLVED, that states create public-private partnerships and broadband task forces to promote high-speed internet deployment and adoption; and

BE IT FURTHER RESOLVED, every state legislator should encourage the reform of universal service; and

BE IT FURTHER RESOLVED, that today, universal service subsidies support voice telephony. The universal reform program should support affordable, high-speed Internet for all; and

BE IT FURTHER RESOLVED, that the NBCSL members examine legislation in their home states that will provide free or low-cost computers to low-income households, expand community-based digital literacy and fund grants for community-based public-interest broadband applicants and services; and

BE IT FURTHER RESOLVED, that we preserve an open internet, building high-capacity networks where all Americans can have access to all content; and

BE IT FURTHER RESOLVED, that public policies should provide safeguards that protect consumers and workers; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL encourages its members to provide legislation that ensures that high speed internet access is given to low income and minority communities that have been left behind previously.

SPONSOR(S): Delegate Jeion A Ward (VA)

Committee of Jurisdiction: Telecommunications, Science and Technology Policy Committee

Certified by Committee Chair: Senator Arthenia Joyner (FL)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Telecommunication, Science & Technology

Resolution TST-10-25

ADVANCING AMERICA'S BROADBAND INNOVATION ECONOMY FOR COMMUNITIES OF COLOR

WHEREAS, the U.S. Census Bureau projects that minorities who currently represent about one-third of the U.S. population, will become the majority by 2042, with people of color projected to be 54 percent of the nation's population by 2050; and

WHEREAS, the National Black Caucus of State Legislators (NBCSL) believes our nation's racial and ethnic demographic shift represents an opportunity to accelerate our efforts at advancing America's Broadband Innovation Economy; and

WHEREAS, people of color are becoming an even more critical part of the American workforce and therefore, ways to create and capitalize on new broadband opportunities that will enable us to better train, educate and excite our communities in a manner that promotes the socio-economic vitality of the nation should be pursued; and

WHEREAS, the NBCSL believes that one of the most disturbing problems facing the future of America's Innovation Economy is that minority communities, especially African Americans, are not adequately adopting and using broadband technology and tend not to use digital applications to enhance their academic performance, economic wellbeing, or their ability to obtain state-of-the-art healthcare services provided by broadband-based, digital diagnostic, preventative and treatment mechanisms.; and

WHEREAS, the potential of wireless broadband access to increase our ability to access information and participate in the new Innovation Economy is particularly promising amongst communities of color"; and

WHEREAS, the NBCSL recognizes advanced communication services and information technology are the economic forces that help ensure economic empowerment in African American communities; and

WHEREAS, the NBCSL, in conjunction with the National Conference of Black Mayors, the National Organization of Black Elected Legislative Women, the National Black Caucus of Local Elected Officials, the National Association of Black County Officials and the Joint Center for Political & Economic Studies have co-authored, "Advancing America's Innovation Economy: Broadband Imperatives for Communities of Color"; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL encourages government, industry, and individual efforts to identify and leverage opportunities to increase home broadband adoption through the creation of culturally relevant content that helps people better understand and value broadband as an essential service; and

BE IT FURTHER RESOLVED, that members of the NBCSL work to create new opportunities to provide broadband access directly to the individual to enhance mobility and productivity by giving Americans instantaneous access to information and methods of communication and ensuring that communities of color reap the benefits associated with consistent, immediate access to the Internet; and

BE IT FURTHER RESOLVED, that the NBCSL supports a national Call To Action that will bring together government, business and the nonprofit sector to create affordable access opportunities to broadband and computing technology smart, easy to use interfaces and to ensure that potential broadband users can receive digital literacy training; and

Telecommunication, Science & Technology

Resolution TST-10-25

NOW, BE IT FINALLY RESOLVED, that the NBCSL send a copy of this resolution to the President of the United States, members of Congress, members of the Federal Communications Commission, and State Legislatures and Regulatory agencies.

SPONSOR(S): Representative Mia Jones (FL)

Committee of Jurisdiction: Telecommunications, Science and Technology Policy Committee

Certified by Committee Chair: Senator Arthenia Joyner (FL)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Telecommunication, Science & Technology

Resolution TST-10-26

CALLING ON THE FEDERAL GOVERNMENT TO MAXIMIZE ITS STIMULUS SUPPORT FOR BROADBAND INTERNET ADOPTION AND USE PROGRAMS IN OUR NATION'S STATES

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes advanced communication services and information technology are the economic forces that help ensure economic empowerment in African American communities; and

WHEREAS, among the approximately 92 percent of American households that have access to broadband Internet services, only about 61 percent of U.S. households subscribe; and

WHEREAS, research also shows that many non-broadband households view broadband as being either irrelevant or difficult to use, and nearly half of the population that does not subscribe to broadband says it does not need such a connection; and

WHEREAS, Americans that do not have broadband at home are disproportionately lower-income and older than average and fewer than one-quarter of such Americans have broadband at home; and

WHEREAS, the NBCSL believes that widespread efforts to promote broadband adoption, use, and digital literacy are critical to improving the states' long-term competitiveness in a global market, and to achieving certain socioeconomic improvements in the quality of American life; and

WHEREAS, expanding adoption, use and digital literacy skills will allow a greater number of Americans to fully take advantage of the benefits of broadband based applications such as tele-health, energy management and education opportunities online; and

WHEREAS, the broadband funding programs established in the American Recovery and Reinvestment Act (ARRA) dedicate significant resources to promoting broadband awareness, adoption, use, and digital literacy by these populations; shall it; and

WHEREAS, the Broadband Opportunity Coalition ("BBOC"), formed July 20, 2009 by the National Urban League, League of United Latin American Citizens, National Council of La Raza, Asian American Justice Center and One Economy Corp., with the assistance of the Joint Center for Political and Economic Studies and the Minority Media and Telecommunications Council, and with the goals of advancing broadband adoption, literacy and MBE participation, has invited the NBCSL to partner with the members of the BBOC; and

NOW, THEREFORE BE RESOLVED, that the NBCSL calls upon the federal agencies distributing the broadband funding included in the ARRA to encourage broadband awareness, adoption, use, and digital literacy programs receive funding priority; and

BE IT FURTHER RESOLVED, that the NBCSL calls upon the federal agencies implementing the broadband funding included in the ARRA to follow Congress' clear legislative intent with respect to broadband adoption, use, and digital literacy treat the mandated minimum expenditure of \$250 million for these purposes as a threshold level with a maximum limited only by the size of the broadband stimulus program itself; and

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BE IT FURTHER RESOLVED, that the national broadband plan and federal agencies distributing the stimulus funding give special priority and consideration to programs that:

- (a) Promote Health IT and Telemedicine to address healthcare disparities; and
- (b) Encourage computer access at home, schools, libraries, and community centers; and
- (c) Promote online educational opportunities to decrease the achievement gap; and
- (d) Advance digital literacy and training; and
- (e) Encourage broadband deployment into underserved communities; and
- (f) Encourage energy efficiency and conservation; and

BE IT FURTHER RESOLVED, that the NBCSL calls upon all levels of government to work cooperatively with the private sector, nonprofits, and academia to develop robust broadband awareness, adoption, and use programs; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL send a copy of this resolution to the President of the United States, members of Congress the Federal Communications Commission, the Secretary of Commerce, the Secretary of Agriculture, and state legislatures and regulatory agencies and other relevant federal agencies implementing the broadband funding programs including but not limited to the National Telecommunications and Information Administration and the Rural Utilities Service.

SPONSOR(S): Representative Mia Jones (FL)

Committee of Jurisdiction: Telecommunications, Science and Technology Policy Committee

Certified by Committee Chair: Senator Arthenia Joyner (FL)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Telecommunication, Science & Technology

Resolution TST-10-27

PROMOTING THE CONTINUATION OF PUBLIC EDUCATION AND GOVERNMENT PROGRAMMING AS WELL AS FREE OVER-THE-AIR BROADCASTING

WHEREAS, local radio and television broadcasters news, emergency information, public affairs, and entertainment programming to the public for free; and

WHEREAS, free over-the-air radio and television broadcast stations strive to reflect the rich diversity of their local audiences; and

WHEREAS, small and minority owned broadcasters play a critical role in reaching underserved listeners and viewers around the country; and

WHEREAS, local radio and television broadcasters have contributed billions of dollars in charitable giving and donated airtime; and

WHEREAS, local radio and television broadcasters have invested hundreds of millions of dollars in new digital technology and are committed to enhancing the programming services of local media; and

WHEREAS, Public Education and Government (PEG) programming is integral to informing the public of civic concerns and progress; and

WHEREAS, there have been efforts to down-grade PEG channel capabilities and mediums by providing them as simple web-streams instead of fully functional channels that have closed-captioning capabilities for the handicapped and elderly; and

WHEREAS, PEG channels have not been given the same priority in the digital conversion as other channels; and

WHEREAS, continued access to free over-the-air broadcasting is a key element of the digital media and communications revolution; and

WHEREAS, local radio stations provide the public with access to free sports, music, and other entertainment programming, which in turn, provides free promotion and publicity for the recording industry and musical performers; and

WHEREAS, any new fee, or royalty, or other assessment on broadcasters would hurt not only broadcasters who are struggling in the current economy, but also the American public who rely on local radio for news, weather, and entertainment; and

NOW, THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports policies to promote the continuation of free over-the-air broadcasting and PEG development due to the important services they provide for our constituents and their local communities; and

BE IT FURTHER RESOLVED, that the NBCSL supports keeping PEG channels fully functional television outlets with all the services and technological broadcast capabilities as other channels and that PEG channels be given the same priority in achieving digital conversion as other channels; and

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NOW, BE IT FINALLY RESOLVED, that the NBCSL send a copy of this resolution to the President of the United States, members of Congress, members of the Federal Communications Commission, and State Legislatures and Regulatory agencies.

SPONSOR(S): Representative Deborah Berry (IA)

Committee of Jurisdiction: Telecommunications, Science and Technology Policy Committee

Certified by Committee Chair: Senator Arthenia Joyner (FL)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

Telecommunication, Science & Technology

Resolution TST-10-28

PROMOTING FAIRNESS IN THE TAXATION OF WIRELESS SERVICE

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes the integral role that wireless communications services play in our society today, not only for voice communications but as a platform for broadband Internet access; and

WHEREAS, the NBCSL believes that it is important to ensure that all communities have access to wireless communications services; and

WHEREAS, the Pew Internet & American Life Project study published in March 2008 found that mobile access builds on the cell phone, a device that is easier to use and more affordable than a computer and is a key platform for “on the go” information access, and that cell phone users are more likely to be found in groups that have generally lagged in Internet adoption, such as senior citizens, blacks and Latinos; and

WHEREAS, the Pew study also showed that 56 percent of English-speaking Latinos and 50 percent of African Americans with cell phones, on a typical day do at least one of 10 non-voice data applications such as taking pictures, accessing the Internet for news, playing music, or text messaging, as compared with 38 percent of Caucasians; and

WHEREAS, a study on the “Excessive Taxes and Fees on Wireless Service” published in State Tax Notes in February 2008 cites the national average rate of taxes and fees on wireless service as 15.19 percent as compared to a 7.07 percent average rate for general sales taxes; and

WHEREAS, the same study concludes that state and local taxes on wireless increased at a rate four times faster than the retail sales tax increase from the period 2003 to 2007; and

WHEREAS, an economic study by Ingraham and Sidak found that each additional \$1.00 of tax on wireless service is estimated to decrease wireless consumption overall by \$1.23 to \$1.29; and

WHEREAS, an economic study by Austan Goolsbee found that each additional \$1.00 of tax on wireless service suppresses use of wireless data, including broadband Internet access, by an even greater amount, on average about \$2.75; and

WHEREAS, the NBCSL recognizes that excessive and discriminatory taxes and fees on wireless communications services can have a disproportionate impact on some constituents; and

WHEREAS, H.R. 1521, the Cell Tax Fairness Act of 2009, does not repeal existing state and local taxes but does preclude states from targeting wireless consumers for additional excess taxes and therefore keeps broadband access attainable at today’s levels; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL supports the federal legislation H.R. 1521, The Cell Tax Fairness Act of 2009, and urges Congress to pass it; and

BE IT FURTHER RESOLVED that the members of the NBCSL will promote studies in their respective states that evaluate the tax and fee structure on wireless consumers and will work to ensure the fair taxation of wireless

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service so as to preserve this gateway to broadband access for seniors, Latinos, African-Americans, and all constituents in our states; and

BE IT FURTHER RESOLVED, that the members of the NBCSL should evaluate their wireless tax structures in their respective states to insure that the economically disadvantaged who often use these services for Internet access are not discriminated against through the assessment of excessive taxes and fees; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL send a copy of this resolution to the President of the United States, members of Congress, members of the Federal Communications Commission, and State Legislatures and Regulatory agencies.

SPONSOR(S): Representative Joe Gibbons (FL)

Committee of Jurisdiction: Telecommunications, Science and Technology Policy Committee

Certified by Committee Chair: Senator Arthenia Joyner (FL)

Ratified in Plenary Session: Ratification Date is December 4, 2009

Ratification is certified by: Representative Calvin Smyre (GA), President

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Resolution TST-10-29

SUPPORTING NATIONAL WIRELESS CONSUMER PROTECTION STANDARDS

WHEREAS, the National Black Caucus of State Legislators (NBCSL) strongly supports a competitive and open telecommunications marketplace for the benefit of consumers; and

WHEREAS, the NBCSL supports the rapid deployment of advanced communications services and innovative products by way of consumer-driven models, which ensure universal access for all consumers; and

WHEREAS, the NBCSL cautions against any government or corporate policies that increase cost to impede deployment, limit consumer access, and reduce affordability; and

WHEREAS, the Federal Communications Commission (FCC) recently reported that 95 percent of the U.S. population lives in a county with at least three wireless service providers demonstrating that consumers have clearly benefited from a highly competitive wireless marketplace; and

WHEREAS, a recent study by the international research firm Ovum and Indepens found that by 2016, combined mobile wireless voice and broadband productivity gains will generate an additional \$427 billion per year to the U.S. economy; and

WHEREAS, minorities constitute a growing proportion of total demand for wireless and according to the Pew Internet & American Life Project, 71 percent of African-Americans have cell phones, 74 percent of non-Hispanic white Americans and 84 percent of English-speaking Hispanics; and

WHEREAS, wireless consumers on average pay over 15 percent in federal, state, and local taxes and fees on their wireless bills over twice the 7.1 percent imposed on other goods and services subject to sales taxes; and

WHEREAS, the National Conference of State Legislatures (NCSL) has encouraged states to reform their tax policies toward the wireless industry to reduce tax burdens on consumers; and

WHEREAS, NCSL has urged state and federal policy makers to work together to ensure that wireless industry targeted consumer protections can be applied within voluntary, limited and non-binding national framework that ensure the continued ability of the state attorneys general to enforce such consumer protections; and

WHEREAS, uniform national wireless standards would give our families and communities throughout the nation a clear and consistent set of consumer rights; and

NOW, THEREFORE BE IT RESOLVED, that the NBCSL supports efforts to encourage mutually agreed upon uniform national wireless consumer protection standards with a concurrent enforcement mechanism with the FCC that would act as a ceiling for states; and

BE IT FURTHER RESOLVED, that the NBCSL authorizes and directs its staff and members to promote, with the Federal Communications Commission, Congress, and other policymakers at the federal level, policies consistent with this statement; and

NOW, BE IT FINALLY RESOLVED, that the NBCSL send a copy of this resolution to the President of the United

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States, members of Congress, members of the Federal Communications Commission, State Legislatures and Regulatory agencies.

SPONSOR(S): Representative Joe Gibbons (FL)

Committee of Jurisdiction: Telecommunications, Science and Technology Policy Committee

Certified by Committee Chair: Senator Arthenia Joyner (FL)

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Ratification is certified by: Representative Calvin Smyre (GA), President