

**Virginia Democratic Party State Convention**

**June 18, 2016**

**Proposed Resolutions for Consideration**

**Submitted by**

**Virginia for Bernie**

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## **RESOLUTION IN SUPPORT OF \$15 NATIONAL MINIMUM WAGE**

**WHEREAS**, according to the National Employment Law Project, fourteen cities, counties and states approved a \$15 minimum wage in 2015 through local laws, executive orders and other means in 2015. Dozens more ballot or legislative proposals were introduced around the country, 16 of which will carry over into 2016. On New Year’s Day, workers in five jurisdictions will see the first of several increases toward a \$15 minimum wage,<sup>1</sup> and

**WHEREAS**, A 2003 [study](#) of the effects of a wage increase for workers at the San Francisco Airport found that, “annual turnover among security screeners plunged from 95 percent to 19 percent when their hourly wage rose from \$6.45 to \$10 per hour. After wages increased at the airport under a living wage policy, 35 percent of employers reported improvements in work performance, 47 percent reported better employee morale, 44 percent reported fewer disciplinary issues, and 45 percent reported that customer service had improved.”<sup>2</sup>

**WHEREAS**, nearly 1,000 business owners and executives, and small business owners from all 50 states, signed a Business for a Fair Minimum Wage statement supporting the last increase in the federal minimum wage because, “[h]igher wages benefit business by increasing consumer purchasing power, reducing costly employee turnover, raising productivity, and improving product quality, customer satisfaction and company reputation,”<sup>1</sup> and

**WHEREAS**, the Fight for \$15 campaign begun by fast food workers in New York City has exposed stories of extreme hardships besetting workers, who often earn less than \$9 per hour—getting shorted on pay, relying on food stamps, living in homeless shelters—the protests have helped push the \$15 wage demand to the center of economic policy debates, and

**WHEREAS**, more than one million low wage workers are expected to benefit from the legislation passed by states and localities, once fully phased in,<sup>2</sup> and the ripple effect of an increased minimum wage can have significant positive impact to our economy according to the Brookings Institute<sup>3</sup>

WHEREAS, studies indicate that the minimum wage has no discernable impact on employment opportunities.<sup>4</sup> Early impact studies of Washington state’s increase of the minimum wage has had minimal impact on consumer prices,<sup>5</sup> and

**THEREFORE, BE IT RESOLVED** that the Virginia Democratic Party strongly supports a national \$15 minimum wage and that all groups affiliated with the VADems such as clubs and county committees also support the campaigns for \$15 minimum wage increases within localities and the states, in advance of a national minimum wage law that would supersede local legislation.

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<sup>1</sup> <http://www.nelp.org/news-releases/14-cities-states-approved-15-minimum-wage-in-2015/>

<sup>2</sup> <http://www.raisetheminimumwage.com/pages/business-case>

<sup>3</sup> <http://www.brookings.edu/blogs/up-front/posts/2014/01/10-ripple-effect-of-increasing-the-minimum-wage-kearney-harris>

<sup>4</sup> <http://cepr.net/documents/publications/min-wage-2013-02.pdf>

<sup>5</sup> <http://www.washington.edu/news/2016/04/18/early-analysis-of-seattles-15-wage-law-effect-on-prices-minimal-one-year-after-implementation/>

## **RESOLUTION IN SUPPORT OF NATIONWIDE OPEN PRIMARIES AND CAUCUSES**

**WHEREAS**, according to a Gallup poll on January 11, 2016, 42% of voters identify as “independent” or unaffiliated with a particular party, and

**WHEREAS** the 2016 Presidential election cycle has engaged many independent voters to participate in the political process, particularly young voters, and

**WHEREAS**, according to the Pew Research Center study in 2014, 50% of Millennials do not identify with a particular party, but, “...stand out for voting heavily Democratic and for liberal views on many political and social issues, ranging from a belief in an activist government to support for same-sex marriage and marijuana legalization,” and

**WHEREAS** the United States is essentially a two party system with automatic presidential ballot bids available to Republican and Democratic candidates, and

**WHEREAS** the Presidential election is the only national election where all 50 states vote to both select the candidates who will run for President as well as the candidate ultimately chosen as President of the United States, and

**WHEREAS** all eligible voters should have the opportunity to choose their preferred Presidential candidate to represent their views in the general Presidential election, and

**WHEREAS** the Democratic Party, as the Party of the People, strongly supports the voting rights of all eligible voters within our Great Nation;

**THEREFORE**, be it resolved that the Virginia Democratic Party strongly supports open primaries and caucuses in all 50 states and territories of the United States of America, and that all groups affiliated with the VADems such as clubs and county committees also support open primaries within localities and the states, in advance of changes to state Democratic party rules and/or state or national legislation that would create open primary/caucus voting in all states and territories.

## **RESOLUTION IN OPPOSITION TO THE PROPOSED “RIGHT TO WORK” AMENDMENT TO THE VIRGINIA BILL OF RIGHTS**

**WHEREAS**, the Virginia Bill of Rights is a sacred document that guarantees the most basic liberties to all residents of Virginia; and

**WHEREAS**, The Labor Management Relations Act, also known as Taft Hartley, was enacted by Congress in 1947 and outlaws “closed shop” agreements, under which union membership could be required as a condition of employment; allows employees in a bargaining unit represented by a union to choose not to join the union, except where employers have entered into “union security” agreements that require that all employees join the union and pay dues.

**WHEREAS**, in workplaces where union security agreements are not in place, Taft Hartley requires that a union that represents the employees must negotiate on behalf of all employees in the bargaining unit, whether or not they are union members. Non-union employees then enjoy all of the benefits won by the union at the bargaining table, even though they paid no dues to the union for its services. This is what is known as the free rider problem.

- Because unions are required to represent the free riders who opt out of union membership but share in the gains won by the union, unions have entered into agency fee agreements with employers, under which non-union members pay their fair share of the cost incurred by the union in collective bargaining. These fair share or agency fee agreements are a common practice and they avoid the problem of free riders enjoying benefits paid for by others.
- Urged on by business interests who benefit from a weakened union movement, many states have enacted laws that not only prohibit union security agreements, but also prohibit unions from collecting agency fees from non-union members. Supporters deceptively call this “Right to Work” legislation, but the laws have absolutely nothing to do with the right to work. Right to Work advocates know that many workers will choose not to join a union once they realize they still will enjoy all of the benefits won by the union in bargaining. Right to Work laws thus have one purpose: to cripple the union movement by driving down membership and forcing the union and its members to bear the cost of bargaining for non-union employees.

**WHEREAS**, in 1947, Virginia adopted a Right to Work law, which has remained on the books for almost 70 years. Virginia’s Right to Work law not only prohibits the closed shop and union security agreements, but also prohibits employers from agreeing to deduct an agency fee from non-union members to cover a union’s cost of bargaining for them. It makes any such agreement illegal and criminalizes any effort to seek an agency fee or union security agreement.

**WHEREAS**, Virginia’s Republican controlled legislature is now pushing to enshrine portions of this anti-union statute into Virginia’s most historic and foundational document, the Virginia Bill of Rights. Their

goal is to place these anti-union provisions alongside such fundamental liberties as equality of rights, due process of law and freedom of speech.

**WHEREAS**, this poorly drafted amendment does not even fully accomplish the sponsors' aim, as it is silent on the agency fee provision that is the holy grail of Right to Work legislation. Moreover, this proposal is fiscally irresponsible, requiring the State Board of Elections to spend more than \$130,000 in taxpayer dollars to prepare posters, pamphlets and newspaper advertisements to publicize the measure.

**WHEREAS**, Eleanor Roosevelt said, Right to Work "does nothing for working people, but instead gives employers the right to exploit labor." Right to Work laws are simply bad public policy. In Right to Work states, as compared to non-Right to Work States: the average worker makes \$5,971 less per year; fewer people receive health insurance through their jobs; poverty rates are higher, especially for children; less is spent on public school education and the rate of workplace deaths, according to the Bureau of Labor Statistics, is 54% higher as compared to states that don't have Right to Work laws.

**WHEREAS**, Unions have always been a pathway to the middle class. This is especially true for women and communities of color. Wage disparities between women and men and between white workers and African American and Hispanic workers who are non-union are much greater than among unionized workers. A strong union movement is the best guarantee of ending wage disparities for women and for peoples of color.

**WHEREAS**, Virginia needs a strong economy, jobs, improved public services and a world class and well-funded education system. Virginia needs a strong, vibrant and growing middle class. And to accomplish all of these aims, Virginia needs a strong union movement.

**THEREFORE, BE IT RESOLVED** that the Virginia Democratic Party:

1. Expresses its strong opposition to amending the Virginia Bill of Rights to include an anti-union "Right to Work" provision, on the basis that it is a waste of taxpayer dollars, has nothing to do with the right to work, is designed solely to weaken the union movement in Virginia, and detracts attention and resources away from real efforts to improve the lives of working people in Virginia;
2. Urges residents throughout Virginia to vote "No" on the proposed amendment to the Virginia Bill of Rights;
3. Urges Virginia's federal, state and local elected officials to oppose the proposed amendment to the Virginia Bill of Rights; and
4. Urges Virginia's federal, state and local elected officials to redouble their efforts to enact real solutions to the problems faced by Virginia's working people.

## **RESOLUTION IN FAVOR OF THE STATE LEGISLATURE RESTORING FREE AND FAIR ELECTIONS IN THE UNITED STATES**

*Applies to Congress for a limited amendments convention for the purpose of proposing  
a Free And Fair Elections Amendment to the United States Constitution*

**WHEREAS**, the 1st President of the United States George Washington stated, "The basis of our political systems is the right of the people to make and to alter their Constitutions of Government." and,

**WHEREAS**, it was the stated intention of the framers of the Constitution of the United States of America that the Congress of the United States of America should be "dependent on the people alone." (James Madison, Federalist 52); and,

**WHEREAS**, that dependency has evolved from a dependency on the people alone to a dependency on those who spend excessively in elections, through campaigns or third-party groups; and,

**WHEREAS**, the United States Supreme Court ruling in Citizens United v. Federal Election Commission, 558 U.S. 310 (2010) removed restrictions on amounts of independent political spending; and,

**WHEREAS**, the removal of those restrictions has resulted in the unjust influence of powerful economic forces, which have supplanted the will of the people by undermining our ability to choose our political leadership, write our own laws, and determine the fate of our Commonwealth; and

**WHEREAS** Article V of the United States Constitution requires the United States Congress to call a convention for proposing amendments upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution; and

**WHEREAS** the Commonwealth of **Virginia** sees the need for a convention to propose amendments in order to address concerns such as those raised by the decision of the United States Supreme Court in Citizens United v. Federal Election Commission (2010) 130 S.Ct. 876 and related cases and events including those occurring long before or afterward or for a substantially similar purpose, and desires that said convention should be so limited; and

**WHEREAS** the Commonwealth of **Virginia** desires that the delegates to said convention shall be comprised equally of individuals currently elected to state and local office, or be selected by election, in each Congressional district for the purpose of serving as delegates, though all individuals elected or appointed to federal office, now or in the past, be prohibited from serving as delegates to the convention, and intends to retain the ability to restrict or expand the power of its delegates within the limits expressed above; and

**WHEREAS** the Commonwealth of **Virginia** intends that this be a continuing application considered together with applications calling for a convention passed in the 2013-2014 Vermont legislature as R454, the 2013-2014 California legislature as Resolution Chapter 77, the 98th Illinois General Assembly as Senate Joint Resolution No. 42, the 2014-2015 New Jersey legislature as SCR 132, and all other passed, pending, and future applications until such time as two-thirds of the Several States have applied for a convention and said convention is convened by Congress;

**THEREFORE, BE IT RESOLVED**, that the people of the Commonwealth of **Virginia** speaking through its legislature, and pursuant to Article V of the United States Constitution, hereby petitions the United

States Congress to call a convention for the purpose of proposing Amendments to the Constitution of the United States of America as soon as two-thirds of the several States have applied for a convention; and

**BE IT FURTHER RESOLVED**, that the Chief Clerk of the **Virginia** [*House of Delegates or Senate*] transmit copies of this resolution to the President of the United States; the Vice President of the United States in his capacity as presiding officer of the United States Senate, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the President Pro Tempore of the United States Senate, to each Senator and Representative from **Virginia** in the Congress of the United States with the respectful request that the full and complete text of this resolution be printed in the *Congressional Record*, to the presiding officers of each legislative body of each of the several States, requesting the cooperation of the States in issuing an application compelling Congress to call a convention for proposing amendments pursuant to Article V of the U.S. Constitution.

## **RESOLUTION FOR A UNIVERSAL, SINGLE PAYER HEALTH CARE PLAN FOR ALL CITIZENS OF THE COMMONWEALTH OF VIRGINIA**

**WHEREAS** The Affordable Care Act is a commendable first step toward health care reform but will leave 400,000 Virginians without health coverage, and

**WHEREAS** hundreds of Thousands of Virginians are still susceptible to financial ruin and bankruptcy due to medical costs even with health care insurance covered under the A.C.A., and

**WHEREAS** avoidable illness and suffering, as well as financial disaster caused by our current health care system will continue unless we continue reform, and

**WHEREAS** the lack of available health care is a barrier to opportunity, success and quality of life as well as dividing Virginians between those who can afford to be healthy and those who cannot, and

**WHEREAS** the inclusion of health insurance in employer overhead makes all American workers non-competitive with virtually all foreign industry, where the cost of health care is not added directly to the cost of production of foreign goods, and

**WHEREAS** private insurance markets are inefficient, inequitable, profit driven and wasteful as a means to provide universal access to health care, and

**WHEREAS** comprehensive single payer health care for all Virginians should be treated as a public good, provided equitably in a universal risk pool, comparable to public schools, public safety, and public utilities, and

**WHEREAS** a strong single payer health care system has proven to be successful on a global scale with all other industrialized countries of the world, causing the American health care system to rank 37th in the world;

**THEREFORE, BE IT RESOLVED**, the Democratic Party of Virginia Recognizes that legislation accomplishing the establishment of a single-payer healthcare system should be proposed, pursued, and passed into law by the General Assembly.

## **RESOLUTION IN SUPPORT OF AFFORDABLE HIGHER EDUCATION**

**WHEREAS** the cost of public education rose steadily since the 1960s at a rate outpacing inflation; and

**WHEREAS** the average student debt incurred by graduates of institutions of higher learning to fund their education also rose since the 1960s, even at public universities; and

**WHEREAS** the economy failed to grow and produce careers generating sufficient income to sustain and grow a middle class; and

**WHEREAS** student loan debt has become a national issue; and

**WHEREAS** the availability of public payment for public education formerly was available; and

**WHEREAS**, in the words and beliefs of Thomas Jefferson, public education was necessary to sustain democracy and benefits society;

**THEREFORE, BE IT RESOLVED** that, in an effort to make higher education more affordable, the Commonwealth of Virginia shall commit to funding the entirety of tuition and fees costs of public higher education and universities to enable students to graduate without debt.

**RESOLUTION REGARDING UNPLEDGED, UNELECTED DELEGATES TO THE  
DEMOCRATIC NATIONAL CONVENTION**  
(“Automatic Delegates” or “Superdelegates”)

**WHEREAS** the Democratic National Committee rules regarding automatic unpledged delegates (“superdelegates”) who may vote for any candidate at the national convention at their own individual discretion, create a system in which the preferences of voters in the presidential primaries and caucuses may be distorted or even overturned, resulting in an unfair, anti-democratic nomination process and the potential to elect a nominee who does not reflect the expressed will of the people, and

**WHEREAS** the Virginia Democratic Party rules for state superdelegates follow the same Democratic National Committee rules, and

**WHEREAS** the Maine Democratic Party has recently approved proportional allocation of unpledged delegates (superdelegates) to candidates in the following manner: *Ensuring that the total of voting delegates of the Maine Democratic Party delegation to the National Democratic Party Convention in a presidential election year fairly represents the preferences of voters in a Democratic Party primary or caucus held that year by proposing and supporting adoption of a rule by the National Democratic Party to: (1) eliminate Unpledged Party Leaders and Elected Official Delegates from the Presidential Candidate selection process, except as non-voting delegates to the National Democratic Party Convention; or, failing that, (2) require that on the first ballot for presidential selection at a National Democratic Party Convention the votes that would otherwise be cast by Unpledged Party Leaders and Elected Official Delegates assigned to any state delegation shall be automatically cast in the same proportion of presidential preferences as that of elected delegates of that state delegation, with rounding necessary to achieve whole delegate votes in favor of the presidential candidate with the most elected delegates in that state delegation; or, failing that, (3) prohibit Unpledged Party Leaders and Elected Official Delegates from endorsing or publicly supporting any Presidential Candidate until after completion of delegate selection primaries and caucuses in every state or other governmental unit holding such primaries or caucuses;*

**THEREFORE, be it resolved** that beginning in 2020, Virginia’s rules for superdelegates to the Democratic National Convention will require that they cast their ballots for the presidential nominee in proportion to the state’s popular vote as expressed in the number of elected pledged delegates allotted for each candidate. They will no longer have discretion to vote independently.

As the Virginia primary and delegate selection process is well underway, these changes to the rules will not apply to the 2016 presidential cycle. However, we urge Virginia’s superdelegates to the 2016 Democratic National Convention to voluntarily follow these rules and cast their ballots accordingly.

**FURTHER, it is also resolved** that the Democratic National Convention will adopt these same rules, effective for 2020, for all superdelegates representing all states, requiring them to vote for the presidential nominee in the same relative proportion as the popular vote in their states, thus ending their discretion to vote independently. They will in effect become pledged but unelected delegates. Virginia’s representatives to the convention shall propose and support these changes to the Democratic National Committee rules at the 2016 national convention.

Should this rule change not pass, and no major changes are made to the current superdelegate system at the national convention, Virginia's representatives shall propose amending the rules to prohibit superdelegates from endorsing or publicly expressing their support of a presidential candidate before all primaries and caucuses nationwide are completed, so as not to unfairly influence voters in those states.