

## QUESTIONNAIRE FOR MARYLAND STATE-OFFICE CANDIDATES

Senator Mike Lenett (D-19)

### 1. Healthcare

1A. As an individual or an elected official, did you take any actions last year to advance the national issue of universal, single-payer healthcare solution, and if so, what were those actions (to include taking a public stance and making contributions, *etc.*)?

I am a member of Healthcare-NOW! and provide financial support to that organization to further its cause of national, guarantee, universal, single-payer healthcare. Among other things, I called the White House in February of this year as part of Healthcare-NOW!'s campaign to push universal single-payer healthcare in the national health care reform bill and participated in a rally in Columbia in September of 2009. I also have worked with Progressive States Network to form *State Legislators for Progressive Health Care Reform* and signed letters urging the Obama Administration and Congress to pass comprehensive health care reform legislation.

### 2 Environment

2A. Do you support increased funding for mass transit, as well as the Purple Line, and do you oppose the Inter County Connector (ICC) in particular?

I am a strong supporter of mass transit and believe that we should increase funding for it, rather than spend huge sums of money on new highways that promote sprawl. If I had ever had a vote on the ICC, I would have voted against it.

2B. Do you support limiting the Maryland pollutant runoffs reaching the Bay?

Yes, and I passed two bills to do so. The Chesapeake Bay Nitrogen Pollution Reduction Act reduces nitrogen pollution into the Bay and the Chesapeake Bay Phosphorous Pollution Reduction Act reduces phosphorous pollution into the Bay. For passing these two bills, I was awarded Legislative Champion of the Year by the Chesapeake Bay Foundation and Environment Maryland. I am now working on legislation to reduce pesticide pollution into the Bay, which is the top priority of the Maryland Pesticide Network, a large coalition of environmental organizations and advocates. I have also been the Floor Leader on legislation to strengthen stormwater management. I opposed the compromise that was reached last session on stormwater management and instead supported Senator Raskin's bill.

2C. Do you support legislation that places stricter State-limits on gasoline consumption to force auto makers to create more efficient vehicles?

Yes, and I support stronger Clean Cars legislation to motivate car manufacturers to increase the efficiency of their vehicles and tax credits and toll and parking discounts to motivate consumers to purchase more efficient vehicles.

### 3. Taxation

3A. Do you support a full, graduated income taxation solution for Maryland residents, including the “Millionaires’ Tax; and eliminating tax breaks for wealthy individuals?

Yes. I was part of a small group of progressive Senators who held out for a progressive tax structure during the 2007 Special Session. I also support reinstating the Millionaires’ Tax and eliminating tax breaks for wealthy individuals and special interests. Possibilities include: the sales tax exemption for the sale of precious metals coins or bullions worth over \$1,000 (gold and platinum) (\$0.9 million); the sales tax exemption for the production of out-of-state direct mail advertising materials (junk mail) (\$4 million); the franchise tax credit for the purchase of Maryland mined coal, subsidizing dirty energy (\$4.5 million); the excise tax exemption for boats which are traded in to a dealer (trading to a bigger yacht) (\$2.6 million); the franchise tax credit for public utilities that sell energy to large industrial customers (\$2.1 million); the corporate income tax subtraction for dividends for domestic corporations claiming foreign tax credits (\$13.4 million); the exemption from the titling tax for rental vehicles (\$37.8 million); and the corporate income tax subtraction for related corporations’ revenues overseas (\$36 million). I also believe we should add a sales tax on certain targeted luxury services, such as country club memberships, limousine services, yacht or private plane maintenance and repair, auction services, and many other similar luxury services.

3B. Do you support combined reporting for corporations, and imposing higher corporate tax rates in line with neighboring states?

Yes. I am a co-sponsor of the combined reporting bill in the Senate. I support corporate tax rates in line with neighboring states, but the more important issue is the corporate tax loopholes. It doesn’t matter how high we raise the tax rate if corporations don’t have to pay it. That’s why I support combined reporting, a repeal of special interest tax breaks, capturing more internet sales revenue from transactions involving out-of-state companies that benefit from doing business in Maryland, recapturing “dealer discounts” by which large retailers like Walmart can keep a portion of the sales tax (\$60 million per year for Walmart that comes out of the public coffers), eliminating the corporate “nowhere income” rules by which multi-state companies are able to shield from taxes a large portion of their sales that occur in Maryland, and an alternative minimum tax (if it’s fair for individuals, why isn’t fair for corporations?).

3D Do you support an increase in the alcohol tax?

Yes. I was a co-sponsor of this legislation, SB717. It is outrageous that the liquor lobby has prevented an increase in the alcohol tax since 1972.

#### **4. Courts & Imprisonment**

4A. Do you support the repeal of the death penalty in Maryland?

Yes, I co-sponsored SB211 to repeal the death penalty both because, as the evidence shows, mistakes will be made and innocent people will be put to death and because the death penalty has been applied in a discriminatory fashion.

4B. Do you support policies/legislation to strengthen gang prevention in Maryland without punishing young victims of gang violence and intimidation, and further eroding communities where gangs dominate?

Yes. Anti-gang legislation is important but the ends should not justify means that infringe on residents' civil rights or destroy communities.

#### **5. Immigrant Rights**

5A. Do you support granting of Maryland drivers' licenses without any restrictions dependent on immigration status?

Yes. I opposed SB369. The last thing we need is people driving around without a license and without passing the driver's test. Drivers' licenses are essential for everyone who can pass the driver's test and other license requirements in order to make us safer and allow everyone to get to and from work and thereby contribute to our communities and economy.

5B. Do you have a history of support for legislation to make Maryland a "sanctuary state" and/or are you willing to support it in the future? (In a sanctuary state, no agent, officer or employee of the state, may assist the U.S. Bureau of Immigration and Customs Enforcement in the investigation or arrest of any persons for violation of the U.S. immigration and nationality laws.)

Yes. Since 2006, I have been publicly stating that I do not support state enforcement of the federal immigration laws.

#### **6. Women's Rights**

6A. Do you support enacting state laws that require equal pay for equal work irrespective of gender?

Yes. I support equal pay and equal rights for all. The evidence shows that there is still a gender gap (women earn roughly 70 cents of every dollar earned by a man) that must be closed.

6B. Do you support women's access to government-funded abortion under MHIP, or have you opposed restrictions on those rights?

I am 100% pro-choice, have a 100% voting record with NARAL Pro-Choice Maryland, and support women's access to government-funded abortion under MHIP. I voted against the amendment to SB90 that would have limited taxpayer funding of abortions.

## **7. LGBT Rights**

7A. Do you have a history of advocating for legalizing same-sex marriages in Maryland, and for opposing restrictions on recognizing same-sex marriages performed in other jurisdictions?

Yes, as my record over the last four years in the Senate attests. I have a 100% voting record with Equality Maryland. I co-sponsored SB 582, the Religious Freedom and Civil Marriage Protection Act, and SB 583, the Gender Identity Anti-Discrimination Act. I also opposed efforts to prevent recognition of out-of-state same-sex marriages.

7B. Do you support Montgomery County's Gender Identity Law, and have you taken any actions to defend it when it was under attack, and if so, what actions; in addition, do you support a similar State-wide law?

I support the county's Gender Identity Law and a similar State-wide law. In September of 2008, I sent a blast email to my constituents advising them of the ballot questions and my positions on them, including my position against the referendum to repeal the Gender Identity Law.

## **8. Labor Rights**

8A. Do you support the rights of Maryland's private and public-sector workers to have collective bargaining and union representation?

Yes, my record demonstrates 100% support for collective bargaining and union representation in any context, public or private, for any workers in any industry. I am also the co-lead sponsor of the Public Investment Protection Act.

## **9. Human Rights**

9A. Outside of the context of health insurance reform and the other "rights" cited above, as an individual or an elected official, did you take any actions over the last six years to advance the needs of what is sometimes called "the underprivileged" (*e.g.*, economically disadvantaged, mentally ill, developmentally disabled, *etc.*); and if so what were those actions?

My "Community-Based Representation" program has a particular focus on the underprivileged neighborhoods in my district. I also serve on the Maryland Commission on Environmental Justice and Sustainable Communities, where I work on legislative and regulatory changes that protect underprivileged persons from bearing a disproportionate share of the

negative environmental consequences resulting from industrial, municipal, and commercial operations.

Many underprivileged individuals are being taken advantage of in the workplace and are not being paid their proper overtime wages. Under current law, they had no effective remedy and there was no effective deterrent against such wage theft by employers. I passed a bill this session that helps ensure that low-wage workers earn their fair and legal wages in this tough economy by imposing a triple damages penalty against companies that deny workers their rightful wages.

I serve on the Maryland School-Based Health Care Policy Advisory Council. School-based health care is often the primary health care for underprivileged children, but it was seriously threatened a few years ago due to certain policies that precluded adequate reimbursement. I organized a coalition of stakeholders to improve the school-based health care system, which led to an agreement for new regulations under which school-based health centers will be reimbursed for care they provide to children under Medicaid.

I worked with the Governor to restore funding for developmentally disabled youth transitioning to adult-based community-based services. In addition, I organized a working group of stakeholders to focus on how to mend a broken system under which developmentally disabled individuals are unable to have their funding levels reassessed when their health conditions change. This led to a successful bill that will enable a hearing and appeal if such individuals are denied the level of funding that is consistent with their “plans of habitation” based on their health conditions. I also was a leading co-sponsor in the Senate of the “Ten Cents Makes Sense” legislation. In 2008, I won an award as Legislator of the Year by Maryland Works for my legislation to expand economic opportunities for disabled individuals. I passed the Lorraine Sheehan Voting Rights Act, which removes the automatic voting disqualification for disabled individuals under guardianship, restoring the civil rights of thousands of disabled Marylanders.

This session I introduced the Equal Employment Protection Act with the support of the Maryland Alliance for the Poor, the NAACP, the ACLU, Progressive Maryland, and dozens of other organizations to prohibit employers from using credit reports to deny people jobs. This practice creates a cruel and unfair Catch-22 for those who suffer financial difficulties because they are out of the workforce and who cannot get back into the workforce because of their financial difficulties. Moreover, the growing practice of credit profiling is being applied discriminatorily against minorities and seniors, among others.

Underprivileged individuals are tenants, not homeowners. I recognized a few years ago that all of the attention concerning the foreclosure crisis was focused on the plight of homeowners. Meanwhile, tenants of landlords whose properties were foreclosed upon were being thrown out of their homes onto the streets with little or no notice due to no fault of their own. I worked with the Public Justice Center, the Alliance for the Poor, and other advocacy groups to pass two foreclosure bills to help protect tenants from losing their homes in foreclosures. In addition, through my Community-Based Representation program discussed above, I have helped families restructure loans so as to avoid foreclosures.

I am the co-lead sponsor of the Public Investment Protection Act, which would require that all tax dollars flowing to private contractors create jobs with good wages and health care benefits. For my work on this and other progressive issues, Progressive Maryland featured me in a profile entitled “Progressives in Action” (<http://progressivemaryland.org/page.php?id=2467>).

I passed two amendments on the Senate floor to provide critical consumer protections for families with financial difficulties and seeking credit or debt counseling services.

I serve on the Board of CSAAC (Community Services for Autistic Adults and Children) and am a founding Board Member of Family Learning Solutions, a non-profit child literacy organization that serves underprivileged communities.

## **10. Education**

10A. Do you support full funding of the Thornton Commission on Education Finance, Equity, and Excellence, and for opposing public funds being used for private schools (including the use of vouchers or the BOAST Bill)?

Yes, I support full Thornton funding and oppose vouchers and the BOAST bill.

10B. Do you oppose the current level of reliance on standardized test scores as the measure of student success and evaluating schools, or would you make changes, and if so, what changes would you make?

I believe we rely way too heavily on standardized test scores and also that the alt-HSA test is in bad need of modification. We cannot approach our evaluation of students and schools in a cookie-cutter fashion. One size does not fit all. The United States is the only economically advanced nation that relies heavily on multiple-choice tests. Others use a mix of tests and performance-based assessments that include essays, projects, and activities. These are often combined with assessments by trained and experienced teachers that do not have to spend most of the semester teaching to a test, but rather working on real-life skills, project solving, critical thinking and independent thinking. Teaching the test, particularly a multiple-choice test, does not help kids hone skills that will support them in the real-world.

Standardized test scores should only be one factor in evaluating student success and schools, but should be accompanied by all the things mentioned above as well as greater emphasis on professional development programs, peer assistance and review programs that provide support to novice and under-performing teachers and utilize cooperative standard-setting and evaluations of teacher performance, certification programs for highly skilled teachers, and more educator involvement in decision-making about curriculum, instruction, and assessment.

10C. Do you support the right for undocumented residents and their children to have equal access to the public school systems at all levels as apply to other State residents; for applying the same in-state college tuition, and for using the same formula for scholarships as applied to other State residents?

Yes. I co-sponsored SB591. The responsibility for enforcing immigration law resides with the federal government. But while undocumented residents are here, they should have equal access to education in all the ways mentioned. Children should not be punished for matters that are outside their control. In addition, if we deny undocumented residents access to education, everyone will be hurt by the lost revenue and contributions to our society and resulting drain on our public and social services.

## **11. Elections**

11A. Do you support enacting State campaign finance reform and laws that curtail corporate influence on elections, and laws that enable voluntary public financing of campaigns for state offices in a way that would allow candidates to receive funding after demonstrating significant community support?

Yes. I am a co-sponsor of the campaign finance reform legislation, the Maryland Open Government Act, and the various bills that were introduced to ameliorate the disastrous potential impact of the Supreme Court's *Citizens United* decision. In my opinion, the *Citizens United* decision is one of the worst decisions in the history of the Supreme Court and threatens the very foundation of our democracy.

11B. Do you support the right enfranchisement for all residents of Maryland, regardless of legal status.

No, this would be unconstitutional.

## **12. Peace and Anti-War**

12A. Do you have a history of opposing the use of the Maryland National Guard in non-humanitarian military assignments in other countries?

Yes, I co-sponsored legislation to preclude such use of the Maryland National Guard both last year and this year.

## **13. Good Government**

13A. Do you support enacting open government and transparency legislation that would include the public web-posting of the entire record and votes of all meetings/hearings of General Assembly official bodies at every level, including subcommittees; and the posting and sign-up sheets for all General Assembly hearings?

Yes, I am a lead co-sponsor of such legislation in the Senate. I strongly believe that government “of the people, by the people, and for the people” depends on public trust and that such trust, in turn, depends on an open and accessible policymaking process.

But the measures mentioned in the question should just be the beginning. They are not sufficient in themselves to truly make our General Assembly transparent, accessible, and accountable. Additional measures that should be considered include: mechanisms to prevent bills from being denied a vote, a more user-friendly web interface and design, free “Up to the Minute” service, depoliticized fiscal notes, required fiscal note consideration of long-term savings, web posting and a toll-free information line concerning scheduling of hearings and changes to the schedule, web access to hearings on the internet, public access to committee hearing tapes, posting of committee votes on amendments to bills and the text of amendments, posting of subcommittee votes on bills and amendments and the text of amendments, recording of voting sessions, elimination of impromptu voting sessions without notice, elimination of voting sessions while committee hearings are going on, and reform of sine die procedures for killing bills.