

March 24, 2014

Deportation Nation



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The next issue of Capitol Journal will be available on April 7th.

Top Story

Congress has not passed comprehensive immigration legislation since 1986. Efforts to do so this year have broken down, putting intense pressure on the states.

SNCJ Spotlight

Lack of progress on immigration reform stymies states

With congressional efforts to repair a broken immigration system stalled by election-year politics, the Obama administration is deporting unauthorized immigrants at record rates and in the process putting pressure on the states.

In five years in office, President Obama has deported nearly 2 million of these immigrants, more

A Cannon Perspective



With Lou Cannon

than any other president, and as many as President George W. Bush did in eight years. The pace of deportations has angered and frightened Latinos, who according to a Pew Research poll now believe that the threat of deportation takes precedence over establishing a pathway to U.S. citizenship.

Janet Murguia, who heads the National Council of La Raza, calls Obama the “deporter in chief” and says the deportations have left “a wake of devastation for families across America.” Meeting with restive Latino leaders recently in the White House, Obama agreed that deportation policies should be more humane and said he had ordered a review of his administration’s law enforcement policies.

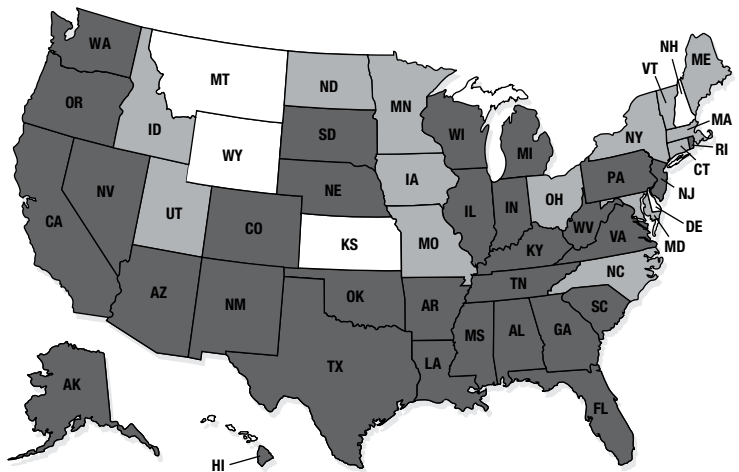
Latino leaders are equally exasperated with the Republican-controlled House of Representatives, which has spurned a bipartisan immigration measure that the Senate passed nine months ago. Rejecting the Senate’s omnibus approach, the House instead came up with five separate bills but has not acted on any of them.

Congress has not passed comprehensive immigration legislation since the Immigration Reform and Control Act of 1986, which President Ronald Reagan supported and signed into law. That measure granted permanent residence to 2.7 million unauthorized immigrants living in the United States; the actual number may be higher since some of these immigrants later brought in family members.

Subsequent attempts at immigration reform have run aground in Congress despite White House support for a comprehensive bill from George W. Bush and Obama. Federal inaction has left immigration decisions to the states, which after initially marching off in different directions have become more responsive than either the hyperactive White House or the gridlocked Congress to the needs of unauthorized immigrants

Fifteen states extend in-state tuition benefits to unauthorized immigrant students. (New York had been expected to become the 16th such state but in a surprise move, the state Senate on Monday rejected the proposal by a single vote.) Eleven states issue

Bird’s eye view



Source: National Conference of State Legislatures. Light gray: States that passed immigration-related bills. Dark gray: States that passed immigration-related bills and resolutions.

Rise in state action on immigration

Forty five states and the District of Columbia enacted a total of 437 measures (184 bills and 253 resolutions) dealing with immigration last year, a 64-percent increase from the 267 such measures enacted in 2012. Last year’s increase was due in large part to a spike in the number of immigration-related resolutions, with 31 states adopting 253, compared to 111 in 2012. A fair percentage of that glut of resolutions urged the president, Congress or federal agencies to take action on immigration.





who had arrived in the United States as children. Obama would undoubtedly draw fire from conservatives if he unilaterally slowed other deportations, but he has not hesitated to use executive power on issues he gives a high priority, most notably delaying several sections of the Affordable Care Act.

Republicans who are tempted to throw stones at the dubious deportation practices of the administration might first want to consider getting their own act together. The GOP has been playing politics with immigration reform, which as Sen. John Cornyn (R-Texas) has acknowledged, is of no particular help to Republicans in the 2014 midterm elections but may be essential in advance of the 2016 presidential election.

Here's why: Republicans are losing the battle for the votes of Latinos, a rapidly expanding segment of the electorate. Obama beat John McCain 2-1 among Latino voters in 2008; he expanded this advantage to 3-1 when defeating Mitt Romney in 2012. Unless the next Republican presidential nominee reduces this gap, it's hard to see how the GOP can win the White House. But it's a different story in midterm

elections, where the electorate is older and whiter.

Republicans are favored to hold the House this year and are considered at least an even bet to win the six seats necessary to take control of the U.S. Senate. In 10 of 11 of the closest Senate races, the Latino population is less than the national average.

But Republicans are fooling themselves if they think immigration reform will be easier to deal with after the election. The issue, thorny and complex, cuts across party lines. While there is public agreement that reform

is needed, there are major regional and ideological differences on what should be required of immigrants who seek a path to citizenship as well as differences on the issues of border security and a guest-worker program. Trying to obtain consensus with a lame duck Democratic president and a Congress possibly controlled by the Republican opposition might be even more difficult than passing an immigration reform bill in an election year.

Both Congress and the president, however, owe more to their constituents than they have delivered up to now. The states have pretty much done what they can. Millions of unauthorized immigrants are in limbo. As NCSL's Ann Morse might put it, it's time for the politicians in Washington to catch up to the American people.

— *By LOU CANNON*

“Republicans are fooling themselves if they think immigration reform will be easier to deal with after the election.”

Budget & taxes

OHIANS DEBATE IMPACT OF TOBACCO TAX HIKE ON STATE'S SMOKERS: Some Ohioans believe Gov. John Kasich's (R) proposal this month to raise the tax on every pack of cigarettes sold in Ohio by 60 cents to help pay for an income tax cut would have the added benefit of getting residents to stop smoking.

"Higher taxes do encourage adults, even long-time smokers, to attempt to quit," said Micah Berman, a professor of public health and law at Ohio State University and former advisor to the U.S. Food and Drug Administration's Center on Tobacco Products.

The Campaign for Tobacco Free Kids says cigarette consumption can drop by as much as 5 percent with each 10-percent increase in the price of a pack of cigarettes, which is just about how much the price of a pack of cigarettes in Ohio — currently around \$6 — would go up under Kasich's plan. The governor's plan assumes a substantially more optimistic decline of 11 percent, once the tax is fully phased in.

But Robert Kaestner, an economics professor at the University of Illinois, said raising Ohio's cigarette tax by 60 cents would only reduce the number of residents who smoke — which currently stands at just under a quarter of the state's total population — by 1 percent, although that still means there would be about 25,000 fewer smokers in the state.

Kaestner collaborated on a study with Kevin Callison, an economics professor at Grand Valley State University in Michigan, that found it takes big increases in cigarette taxes to bring about even small reductions in the number of smokers.

"When states try and pitch these cigarette tax increases as a benefit to public health, that tends to be overstated," Callison said. "If you really wanted to make a public health difference you would just increase the tax exponentially."

He added that raising the tax in relatively small increments instead is more effective at generating state revenue.

Some Democrats and progressives oppose Kasich's plan because they say it would disproportionately impact the poor, who tend to smoke in greater numbers than those who earn higher incomes.

"I used to smoke, I'm glad I quit, and I wish everyone would. Where I take issue is in expecting poor people to pay the lion's share of yet another income tax cut," said Bill Faith, executive director of the Coalition on Homelessness and Housing in Ohio

But Kasich's proposal has also drawn criticism from fellow Republicans like Sen. Bill Seitz, who is a smoker but says he opposes the plan on principal because it's ultimately aimed at lowering income taxes for individuals in Ohio's top tax bracket — those earning over \$208,500 a year — who make up between 2 and 3 percent of the state's population.



“What you are doing is hitting somewhere between 20 and 25 percent of the population who smoke to pay for an objective that benefits 2.5 percent of the people in Ohio,” he said.

The fact that Kasich’s proposal also includes a tax increase for businesses and producers of fossil fuels through fracking suggests that it will probably draw plenty more opposition in the state’s Republican controlled General Assembly. (CINCINNATI.COM, STATE NET)

ALARMING RISE IN NUMBER OF IL SCHOOLS IN FINANCIAL TROUBLE: Two years ago, the report card Illinois issues each year on the fiscal health of its schools revealed that a disturbing number of districts were in poor to dismal financial shape, placing in the bottom two ratings categories, “financial early warning” and “financial watch.” But the state’s latest report card, based on the budget year ending June 30, 2013, was even more alarming, showing that as a result of an ongoing state budget crisis that has forced the reduction of aid to schools and rising education costs, the number of school districts in the bottom two ratings categories has more than doubled, to 121.

Those districts encompass nearly a third of Illinois’ entire school population and include the enormous Chicago Public Schools system, which dropped to the second lowest category in the latest analysis. That analysis also indicated that 62 percent of the state’s districts are now deficit-spending, including affluent schools in Winnetka and Wilmette, and districts are also borrowing more money to avert deficits, saddling taxpayers with more debt in the process.

“This is a highly dangerous practice,” said Gery Chico, chairman of the Illinois State Board of Education.

State School Supt. Chris Koch, who was scheduled to appear before a legislative committee last week to discuss possible education cuts, said the schools’ financial troubles were impacting everything from class size to the availability of art and music courses.

The one bright spot in the report card was the fact that 560 of the state’s school districts achieved the highest rating, “financial recognition.” But even that number is down significantly from two years ago, when 670 districts earned that rating. (CHICAGO TRIBUNE)

In the hopper

At any given time, State Net tracks tens of thousands of bills in all 50 states, the US Congress and the District of Columbia. Here’s a snapshot of what’s in the legislative works:

Number of 2014 Prefiles last week: 225

Number of 2015 Prefiles last week: 8

Number of Intros last week: 1,768

Number of Enacted/Adopted last week: 893

Number of 2014 Prefiles to date: 19,743

Number of 2015 Prefiles to date: 73

Number of 2014 Intros to date: 63,219

Number of 2013 Session Enacted/Adopted overall to date: 40,747

Number of 2014 Session Enacted/Adopted overall to date: 7,712

Number of bills currently in State Net Database: 160,971

— Compiled By FELICIA CARILLO
(measures current as of 3/19/2014)
Source: State Net database

BUDGETS IN BRIEF: The nonpartisan **COLORADO** Legislative Council released a forecast last week predicting taxes on recreational marijuana would generate about \$65 million next fiscal year, only half of what Gov. John Hickenlooper (D) predicted (DENVER POST, STATE NET). • **NEW MEXICO** Gov. Susana Martinez (R) is considering calling a special legislative session to complete a package of economic incentives to try to lure Tesla Motors’ planned \$5 billion battery manufacturing plant to the state (ALBUQUERQUE JOURNAL, STATE NET). • **WEST VIRGINIA** lawmakers approved a budget that taps \$147.5 million from the state’s \$922 million Rainy Day Fund to help cover a projected shortfall. The spending plan also includes across-the-board \$1,000 raises for teachers and \$504 raises for other public employees (CHARLESTON DAILY MAIL).

— Compiled by **KOREY CLARK**

Politics & leadership

UNIONS SHUNNED IN IL PRIMARIES: In last week’s Illinois primaries, union-backed candidates — many of whom opposed incumbent lawmakers who supported last year’s pension overhaul — failed to draw the support of voters across the state.

Voters chose Rep. Jeanne Ives (R) of Wheaton over Illinois Education Association-backed candidate Adam Johnson of Warrenville. They favored reformer Mark Batnick of Plainfield over IEA pick Amanda Mancke of Oswego in the open 97th House District. They selected Rep. Jaime Andrade (D) over Nancy Schiavone, the candidate backed by the Illinois Federation of Teachers and other state labor groups, in Chicago’s 40th House District. And they rejected the Senate bid of Rep. Dennis Reboletti (R) of Elmurst and the re-election bid of Rep. Sandra Pihos (R) of Glen Ellyn, both of whom had union support and were wishy-washy on pension reform, as well as the Chicago Teachers Union’s attempt to unseat Rep. Christian Mitchell (D) of Chicago. Even in the union stronghold of Southern Illinois, voters picked fiscal reformer Reginald “Reggie” Phillips of Charleston over the more heavily labor-supported candidate, Darrell Cox, in the 110th House District.

Summing up those results, an editorial in the *Chicago Tribune* stated: “The message from the primary: You can cast a tough vote to save these pension systems, and you can explain that vote to your constituents. They will get it.” (CHICAGO TRIBUNE, NBC CHICAGO)



HISTORIC WIN IN PA SENATE RACE: Pennsylvania Republican Scott Wagner made state history last Tuesday by becoming the first write-in candidate to win a Senate seat.

Wagner, a wealthy York County waste collection business owner who relied on an expensive billboard and TV ad campaign to get his name in front of voters, sailed past his party-endorsed opponents — Republican Rep. Ron Miller and Democrat Linda Small, a retired U.S. Navy officer — to claim the 28th District seat vacated by Mike Waugh, who resigned earlier this year to become executive director of the Pennsylvania Farm Show Complex. Wagner garnered 48 percent of the vote and Miller and Small split the remainder in the poorly attended special election, in which voter turnout was a dismal 14 percent.

With Waugh’s term up on Dec. 31, Wagner will have to compete again in this year’s primary and general elections to win a full four-year term that will begin in January 2015. (STATE NET, PATRIOT-NEWS [HARRISBURG])

STING SPURS CONTROVERSY IN PA: Between 2010 and 2013, the Pennsylvania Attorney General’s Office, then under Republican AG Tom Corbett, ran a sting operation that documented at least four Democratic state lawmakers — Reps. Ronald G. Waters, Vanessa Brown, Michelle Brownlee and Louise Bishop — accepting thousands of dollars in payments from a lobbyist, according to an investigation by the *Philadelphia Inquirer*. Although Pennsylvania law places no

“The notion that they would target anyone based on race is ridiculous.”

restrictions on the dollar value of gifts a lawmaker may accept, it does require annual disclosure of those gifts. But despite the fact that none of the payments made in conjunction with the sting were ever reported on the four lawmakers’ disclosure forms, none of the lawmakers was charged with a crime, and after Democrat Kathleen

G. Kane took over the AG’s Office in 2013, she shut down the sting operation, the *Inquirer* reported.

In a statement Kane said one of the reasons she ended the investigation without filing charges was that prosecutors in the case had instructed their undercover operative — Tyron B. Ali, a relatively unknown lobbyist who’d been arrested in a \$430,000 fraud case — to target “only members of the General Assembly’s Black Caucus” and ignore “potentially illegal acts by white members of the General Assembly.” She also dismissed those who questioned her decision as “nothing more than the Good Ol’ Boys club playing political games to discredit me in order to fulfill their own selfish and improper agenda.”

Frank G. Fina, the lead prosecutor in the sting operation, declined to discuss the case, but those close to him denied race was a factor.

“The notion that they would target anyone based on race is ridiculous,” said Philadelphia District Attorney Seth Williams, Fina’s current boss. “I am confident



they are not racist, and it is regrettable that the Attorney General would casually throw around such an explosive accusation.” (PHILADELPHIA INQUIRER)

POLITICS IN BRIEF: A federal judge ruled last week that **ARIZONA** can require residents to prove they are U.S. citizens before registering to vote. The Federal Elections Assistance Commission had blocked Arizona and **KANSAS** from requiring proof of citizenship to register (REPUBLIC [PHOENIX]). • The **SOUTH CAROLINA** lieutenant governor’s office could be vacant for months if Lt. Gov. Glenn McConnell takes over as president of the College of Charleston in July. Senate President Pro Tempore John Courson (R), who is next in line to become lieutenant governor, said he will not assume that office if school trustees choose McConnell from three finalists, meaning the state would not have a lieutenant governor until January, when the winner of the November general election takes office (STATE [COLUMBIA]).

— *Compiled by KOREY CLARK*

Governors

A K SENATE ENDORSES PARNELL NATURAL GAS PROPOSAL:
The Alaska Senate approved Gov. Sean Parnell’s (R) proposal to extract, develop and transport natural gas from the state’s North Slope region, potentially the biggest infrastructure project in state history. The vote on SB 138 came mostly along party lines, with four Democrats and one Republican in opposition. Three Democrats joined 12 Republicans in support of the measure.

The project, which is estimated to cost as much as \$65 billion, has three components: a North Slope treatment plant, a large-diameter 800-mile pipeline and a natural gas liquefaction plant and export facility that would be built in Nikiski. The proposal would make the state a partner with the North Slope’s major oil producers — BP, ExxonMobil, ConocoPhillips — and pipeline company TransCanada Corp. Alaska would also be a major investor in the project with a direct 25 percent share, though it could conceivably give all or part of that share to TransCanada in lieu of coming up with the funds to pay for it.

That drew sharp criticism from opponents like Senate Minority Leader Hollis French (D), who said the state is giving up too much in the deal. Under an agreement already signed with TransCanada, the state could surrender its 25 percent share of the pipeline, with an option to then then buy back only 40 percent of that portion.

“I wonder if most Alaskans know they are only getting 40 percent of a quarter of this pipeline,” he said.



Critics also argued that for all the talk of the building infrastructure, the bill doesn't actually require a pipeline to be built.

"This isn't a project, this is another study," said Sen. Bill Wielechowski (D).

"This project requires us to surrender our sovereignty for a handful of beans," said French, who voted against the bill.

But the bill's supporters countered that the lack of a requirement to build the pipeline is really a positive because it doesn't commit the state to following through on a bad deal. It does, however, allow the project to go forward to see if it can be profitable.

Parnell praised the vote, saying "Our legislation paves the way for Alaskans to become owners in the project and ensures an open, public process going forward."

The bill is now in the House. (ALASKA DISPATCH, ANCHORAGE DAILY NEWS, NATURAL GAS INTELLIGENCE)

DEAL UNVEILS PLAN TO HELP STRUGGLING RURAL HOSPITALS: Noting that four rural Peach State hospitals have closed in the last two years, Georgia Gov. Nathan Deal (R) unveiled a plan last Wednesday to help financially struggling rural hospitals stay open by allowing them to offer fewer services if they are in danger of shutting down.

"Communities should not have to go without crucial services — many of them life-saving — simply because they don't fall within a certain zip code," Deal said in announcing the plan in a speech to the Rural Caucus of the General Assembly.

Deal's plan would also require the state Department of Community Health to designate a "point person" to monitor the fiscal health of rural hospitals and create a stabilization committee to identify their needs and present potential solutions for those facilities.

The changes Deal ordered are regulatory and do not require legislative approval, though the governor said he is open to legislative proposals during the next session in 2015. (ATLANTA JOURNAL-CONSTITUTION, ATLANTA BUSINESS CHRONICLE, GEORGIA PUBLIC BROADCASTING)

Upcoming elections

(3/21/2014 - 4/11/2014)

03/25/2014

Alabama Special Election

House District 53

California Special Primary

Senate District 23

04/01/2014

District of Columbia Primary Election

Council Wards 1, 3, 5, 6

Constitutional Officers: Mayor

US House (House Delegate)

Massachusetts Special Election

House 4th Hampden, 2nd Suffolk, 13th Suffolk,

16th Suffolk

Senate 5th Middlesex

Massachusetts Special Primary

House 5th Suffolk

04/08/2014

Florida Special Election

House District 44

04/11/2014

Connecticut Special Election

House District 61



PENCE WISH LIST MOSTLY FILLED FOR

THIS YEAR: Indiana lawmakers endorsed the bulk of Gov. Mike Spence’s (R) legislative agenda this year, including a package of business tax cuts, a preschool program for low-income children and up to \$400 million for state highway expansion. Even so, he is taking his time signing most of those measures into law. To date, Pence has inked his name to a variety of smaller measures, including bills that allow alcohol sales at the Indiana State Fair and make small tweaks to how the state manages public pensions and court records. Pence has signed 30 bills in all so far. He was out of town last week but is expected to begin addressing the remaining measures this week. (INDIANAPOLIS STAR, JOURNAL GAZETTE [FORT WAYNE])

Upcoming stories

Here are some of the topics you may see covered in upcoming issues of the *State Net Capitol Journal*:

- **Bitcoin regulation**
- **Tesla**
- **ACA**

DAYTON CHANGES VIEWS ON MEDICAL MARIJUANA:

Swayed by a face-to-face meeting with medical marijuana advocates, **MINNESOTA** Gov. Mark Dayton (D) said he would direct his top commissioners and staffers to meet with them too and see if some compromise could be reached in the remaining two months of the legislative session. Dayton has been a staunch opponent of legalizing marijuana for medical use but says he was moved by hearing the personal stories of some of those pushing for the state to allow its use. A medical marijuana bill under consideration in the Legislature deadlocked last week, causing its author, Rep. Carly Melin (D), to pull it from further consideration. Dayton, however, said with two months remaining in the session there is still time for lawmakers to work something out (MINNEAPOLIS STAR TRIBUNE, MINNESOTA PUBLIC RADIO).

GOVERNORS IN BRIEF:

Citing ongoing problems that have kept Beaver State residents from being able to use the state’s health benefits exchange, **OREGON** Gov. John Kitzhaber (D) fired its director, Bruce Goldberg. Kitzhaber said it is unclear whether the exchange website can be saved and didn’t rule out scrapping the bulk of the work already performed (OREGONIAN [PORTLAND]). • **NEW MEXICO** Gov. Susana Martinez (R) said last week she wants to stop allowing union dues to be withdrawn automatically from state employee paychecks. Martinez says those funds are later used by the unions to oppose reforms in education and other areas her administration wants. A state employee union spokesperson called Martinez’s maneuver “a declaration of war” (ALBUQUERQUE JOURNAL). • **COLORADO** Gov. John Hickenlooper (D) signed a bill last week (HB 1122) that closes a loophole in the state’s marijuana laws by requiring medical marijuana products to be sold in the same child-proof packaging as those sold for recreational use. The bill, which also allows marijuana dispensary operators to confiscate fake ID’s from minors, went into effect immediately (CHRISTIAN SCIENCE MONITOR).

— *Compiled By RICH EHISEN*

Hot issues

B **USINESS:** The **NEW JERSEY** Motor Vehicle Commission unanimously approves a rule requiring electric cars to be sold only through franchised dealers rather than allowing manufacturers to sell them directly to customers (NEWARK STAR-LEDGER). • The **IDAHO** House approves SB 1314, which would, among several things, limit payday loans to 25 percent of the borrower’s monthly income. The bill, which would also give people struggling to repay their loan a once-a-year option to extend their payments without additional interest or fees, moves to Gov. Butch Otter (R) for review (STATE NET). • **MAINE** Gov. Paul LePage (R) signs HB 1214, which is aimed at cracking down on curb predatory online lenders by banning the processing of electronic transfers used by unlicensed lenders to access consumers’ bank accounts (STATE NET). • Still in **MAINE**, the House rejects HB 1222, a bill that would have allowed kids 16 and under to work in certain businesses, such as bakeries and coin-operated laundries (STATE NET, BANGOR DALY NEWS). • The **CALIFORNIA** Department of Pesticide Regulation bans the open sale of products containing rodenticides — chemicals to kill rodents — that contain toxins known to have also hurt wildlife, including endangered species. As of July 1, rodenticide products may only be sold to and used by certified professionals such as pest control businesses (SAN JOSE MERCURY NEWS).

CRIME & PUNISHMENT: The **UTAH** House approves SB 167, which would require Beehive State law enforcement agencies to obtain a warrant before using a drone to conduct surveillance in a criminal investigation. It is now with Gov. Gary Herbert (R), who is expected to sign it (STATE NET). • The **WASHINGTON** House gives final approval to HB 2789 which would require state and local Evergreen State law enforcement agencies to get approval from lawmakers to buy drones and a search warrant to use them in an investigation. It is now with Gov. Jay Inslee (D) for review (SPOKESMAN-REVIEW [SPOKANE]). • The **FLORIDA** Senate approves SB 532, a bill that would make so-called “revenge porn” a second degree misdemeanor. The bill, which would make it a crime to post nude or suggestive photos or videos of another person online without their consent, moves to the House (ORLANDO SENTINEL). • The **GEORGIA** House and Senate endorse HB 838, which would make revenge porn a misdemeanor, with repeat offenders facing up to five years in jail and a \$100,000 fine. It is now with Gov. Nathan Deal (R) for review (ATLANTA JOURNAL-CONSTITUTION). • The **NEW HAMPSHIRE** House approves HB 1624, legislation that would codify treating 17-year-old criminal offenders as juveniles rather than as adults. It moves to the Senate (CONCORD MONITOR).

EDUCATION: The **MARYLAND** House approves HB 1154, which would require state officials to create a workgroup to review implementation of Common Core math and English standards and the tests required by them. It moves to the Senate (**MARYLAND REPORTER [ANNAPOLIS]**). • Also in **MARYLAND**, the House approves HB 297, which would expand the state's pre-kindergarten program to children from families with incomes at or below 300 percent of the federal poverty guidelines eligible. The bill, which would add about 1,600 kids to the program, moves to the Senate (**BALTIMORE SUN**). • The **MAINE** Senate sustains Gov. Paul LePage's (R) veto of SB 689, which would have placed a moratorium on the creation of virtual charter schools in the Pine Tree State (**BANGOR DAILY NEWS**).

In case you missed it

States have in recent years been coming down hard on human traffickers and the johns who solicit their often-underage victims. But how to best deal with the young girls and boys the traffickers exploit has been far more challenging.

In case you missed it, the story can be found on our Web site at

http://www.statenet.com/capitol_journal/03-24-2014/html#sncl_spotlight

ENERGY: The **MARYLAND** House approves HB 8621, a bill that would allow Old Line State farms preserved at taxpayer's expense by a state farmland preservation program to develop acreage for commercial solar and wind generation. The measure, which would allow more than 2,100 landowners who have sold their development rights to the state to use up to five acres each for generating electricity from wind, sunshine or even decomposing animal and crop waste, moves to the Senate (**BALTIMORE SUN, STATE NET**). • **HAWAII** Attorney General David Louie (D) announces that royalties from geothermal resource development on Hawaiian home lands must be used to benefit Native Hawaiians. His legal opinion also concludes that the Department of Hawaiian Home Lands is the only state entity authorized to manage geothermal resources on Hawaiian home lands (**HONOLULU STAR ADVERTISER**).

ENVIRONMENT: The **INDIANA** House and Senate give final endorsement to HB 1183, which would require the Hoosier State to recycle at least 50 percent of its municipal waste by 2019. The bill is with Gov. Mike Pence (R), who is expected to sign it into law (**INDIANAPOLIS STAR**).

HEALTH & SCIENCE: The **MARYLAND** House approves HB 861, a bill that would allow "certified physicians" to discuss the option of medical marijuana with patients and then recommend its use. Those patients or their caregivers could obtain a 30-day supply from a licensed grower. It moves to the Senate (**WASHINGTON POST, STATE NET**). • **OHIO** Gov. John Kasich (R) signs HB 170, which allows family members or friends of a person addicted to heroin or other opiates to obtain and administer the anti-overdose drug naloxone (**WOSU.ORG [COLUMBUS], STATE NET**). • The **WISCONSIN** Senate approves SB 300, a bill that would require health plans to provide the same coverage for expensive chemotherapy drugs taken at home as they do for those administered in medical facilities. It is now with the

Assembly (WISCONSIN PUBLIC RADIO). • The **NEBRASKA** Legislature rejects LB 887, which would have expanded Medicaid eligibility in the Cornhusker State to include people with incomes at 133 percent of the federal poverty line in accordance with the Affordable Care Act (OMAHA WORLD-HERALD).

- The **ALABAMA** House approves SB 174, which would allow chronically ill patients to use cannabidiol, a marijuana derivative that may be effective in preventing seizures. It moves to Gov. Robert Bentley (R) for review (MONTGOMERY ADVERTISER).

IMMIGRATION: The **NEW YORK** Senate rejects AB 2597, legislation that would have granted state tuition aid to unauthorized immigrants. The bill obtained slight majority approval (30-29) but needed 32 votes to pass and move on to Gov. Andrew Cuomo (D) for review (NEW YORK TIMES, STATE NET).

- The **FLORIDA** Senate Committee on Education approves SB 1400, which would allow unauthorized immigrant high school graduates who finished at least three of years of high school in the Sunshine State to pay in-state college tuition rates. It moves to the full Senate (TALLAHASSEE DEMOCRAT).

SOCIAL POLICY: A federal judge strikes down an **ARKANSAS** law that bars most abortions after the 12th week of pregnancy. U.S. District Judge Susan Webber said the law was unconstitutional (USA TODAY). • A federal judge extends his stay on an earlier ruling that a **KENTUCKY** law banning recognition of same-sex marriages performed legally in other states was unconstitutional. U.S. District Judge John G. Heyburn II on Wednesday said the stay will remain in effect until the U.S. 6th Circuit of Appeals dissolves it. Gov. Steve Beshear (D) hired an outside legal team to appeal the case after state Attorney General Jack Conway (D) refused to do so (USA TODAY). • The **SOUTH CAROLINA** House approves HB 4223, which would bar women from having an abortion after the 20th week of pregnancy. It moves to the Senate (POST & COURIER [CHARLESTON]). • The **MICHIGAN** Senate HB 4118, which would require the state to drug test welfare applicants and recipients if screening suggests “reasonable suspicion” they are using illegal drugs. It returns to the House (DETROIT FREE PRESS).

POTPOURRI: The **ILLINOIS** Supreme Court strikes down a Prairie State law that made audio recording of any person, even in public, illegal unless that person gave their consent. Justices said the statute incorrectly “criminalizes a wide

The week in session

States in Regular Session: AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, ID, IL, KS, KY, MA, MD, ME, MI, MO, MS, NE, NH, NY, OH, OK, PA, PR, RI, SC, SD, TN, US, VT, WI, WY

States in Special Session: WI “c”

States in Recess: SD

States currently prefilng for 2015 Session: MT

States adjourned in 2014: CA “a”, DE “b”, HI “a”, HI “b”, IL “a”, IL “b”, IN, KS “a”, MO “a”, NH “a”, NJ “2012-13 session”, NJ “a”, NM, OK “a”, OR, PR “a”, PR “b”, UT, VA, WA, WA “a”, WA “b”, WA “c”, WI “a”, WI “b”, WV, WV “a”, WY

Letters indicate special/extraordinary sessions

— Compiled By FELICA CARILLO
(session information current as of 3/19/2014)
Source: State Net database



range of innocent conduct” (CHICAGO TRIBUNE). • **VIRGINIA** Gov. Terry McAuliffe (D) vetoes HB 962, which would have clarified that gun owners without concealed handgun permits can keep the weapons in their vehicles if they’re secured in compartments that aren’t locked. The bill is not subject to override because lawmakers earlier rejected a proposed amendment from McAuliffe (VIRGINIAN-PILOT [NORFOLK]).

– Compiled by RICH EHISEN

Once around the statehouse lightly

LIKE A BAD PENNY: Just when Louisiana thinks former Gov. Edwin Edwards is finally, totally out, he pulls himself back in again. As the *New Orleans Times-Picayune* reports, Edwards, who served a record four terms as governor before being convicted on 17 counts of bribery and corruption in 2000, announced his intention to run for the 6th Congressional District being vacated by current Rep. Bill Cassidy (R). It would be quite the return for Edwards, who spent more than eight years in a federal prison after his conviction. Now 86, he has a new wife 50 years his junior, a one-year-old son and a strong desire to return to Washington, where he also once served in the House for almost seven years. Edwards admitted he really wanted to take another run at the governor’s office, but Pelican State law bars felons from seeking public office for 15 years...when he would be a sprightly 101.

SPEAKING OF MEN OF A CERTAIN AGE: California Gov. Jerry Brown (D) is pulling out all the stops in his effort to build a high-speed rail system in the Golden State. To that end, as the *Sacramento Bee* reports, Brown joked last week that the train would do more than just move people around the state really fast. “There’s a lot of old people who shouldn’t be driving,” he said, “They should be sitting in a nice train car working on their iPad, having a martini.” No word if Brown, who turns 76 next month, would include himself in that grouping. Not that it matters since he gets chauffeured everywhere he goes. And not all that fast if his inability to ever be on time to anything is a clue.

I KNOW I KNOW YOU FROM SOMEWHERE: Brown’s vision may eventually come true, but if so it will be over a trainload of opposition from folks who decry the rail system’s \$68 billion price tag and general lack of funding from the feds. But while supporting something many people consider a wasteful boondoggle



would normally be a major no-no in an election year, Brown is not exactly worried. Although the two Republicans seeking to challenge him in November both vigorously oppose the high-speed rail proposal — candidate Neel Kashkari has dubbed it “the crazy train” — each so far barely registers on the public’s consciousness. A sly old veteran like Brown knows better than to count his chickens too soon, but as the *Sacramento Bee* reports, he couldn’t resist one little jab last week. “I won’t talk about my opponents,” he said while pumping up his high-speed rail plans, “because most of you don’t know their names.”

THIS COULD BE PROBLEMATIC: Every year lawmakers ponder bills that dub something the official state whatever. Case in point, Rhode Island lawmakers are now pondering legislation to name “Rhode Island-style” calamari, or fried squid, the official state appetizer. A similar bill last year cleared the House before dying in the Senate. As the *Providence Journal* reports, State Rep. Joseph M. McNamara, who authored both bills, chalks the previous defeat up to “petty politics.” But there may be more to it. In January of 2013, the popular NPR radio show “This American Life” intimated that some calamari served in restaurants is fake...as in made of pig rectums! What the what? Although the show acknowledged there is absolutely zero proof of such a thing, the popular belief that pig bung — the actual name of said pig parts — is being served up as the delectable squid may well have played into the bill’s defeat. Or not. But you have to admit it’s kind of gross to even think about. In any case, check back next week. And bring me more cocktail sauce. A lot more, please.

— By *RICH EHISEN*



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