

A Work In Progress



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The next issue of Capitol Journal will be available on February 3rd.

Top Story

Obamacare remains an untidy work in progress in the states, where health care policy issues may well be overshadowed by partisan election year politics.

SNCJ Spotlight

The Obamacare pitfall: health care issues dominate state politics

Obamacare remains an untidy work in progress in the states, which are struggling with Medicaid expansion, website problems, and insurance issues in an election year in which health care policy issues are overshadowed by partisan politics.

Tim Storey, a political analyst with the National Conference of State Legislators, says the Affordable

A Cannon Perspective



With Lou Cannon

Care Act, known far and wide as Obamacare, is a “lightning rod” for controversy with a potential to dominate the 2014 midterm elections in many states. “It’s the most partisan issue I’ve seen in my 20 years at the NCSL,” Storey said.

Nearly four years after passage of the ACA and two years after the Supreme Court upheld the constitutionality of most of its provisions, Republicans — emboldened by public skepticism — continue to resist implementation of the complex law. The ACA is intended to provide affordable care for the uninsured, requiring individuals who do not sign up for a health care policy to pay a penalty of \$95 or 1 percent of their income, whichever is greater. A majority of Americans disapprove of the penalty and indeed of the law

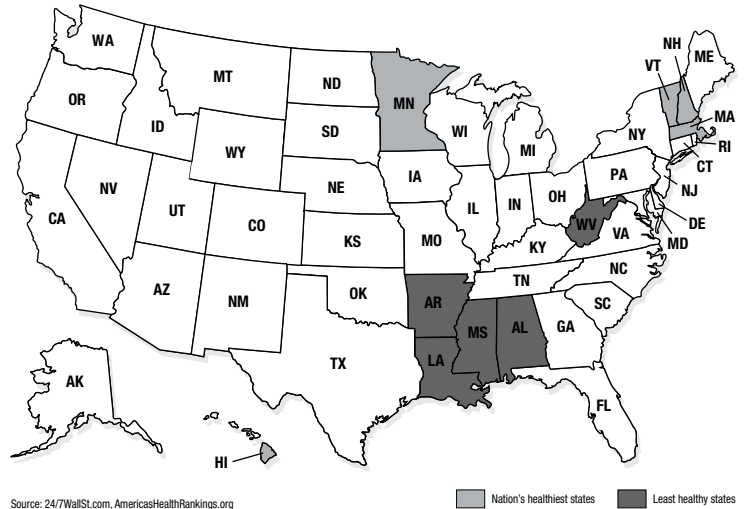
itself. The latest Gallup survey, taken in the first week of January, found that 54 percent of Americans disapprove of the ACA and that only 38 percent support it.

Medicaid, the valuable ugly duckling of health care, has proved especially vexing. Obamacare expanded Medicaid from a program that provided health care for the poor and disabled into a broad-based program that covers anyone with income up to 138 percent of the poverty line — individuals making less than \$15,856 a year or a family of four earning less than \$32,499. The ACA also extended Medicaid to childless adults, who were previously excluded from coverage.

Even without the ACA, Medicaid is a big deal, enrolling more people than Medicare, the program that provides health care for those 65 and over. According to the Kaiser Health Foundation, more than 51 million persons used Medicaid during 2013, including 31 million children. Medicaid finances 40 percent of all births in the United States and is the largest source of coverage for those with HIV and AIDS.

As the law was written, states were required to undertake the Medicaid expansion. The federal government offered states a carrot of paying the entire cost of newly eligible Medicaid enrollees for three years. They also waved a stick: states that did not expand would be denied federal Medicaid funds. The Supreme Court

Bird’s eye view



Hawaii still nation's healthiest state

For the third year in a row, Hawaii is the healthiest state in the nation, according to this year's edition of the United Health Foundation's America's Health Rankings report. The annual rankings, which take into account various measures, including quality of health care, rates of obesity, smoking and physical activity, and the number of years lost to premature death, showed considerable variation from state to state. For instance, in the state at the bottom of the rankings, Mississippi, 10,821 years were lost to premature death per 100,000 people, nearly twice as many as in third-ranked Minnesota.



decision otherwise upholding the law removed the stick, allowing states to refrain from expansion without penalty.

Twenty-five states, mostly under Democratic control, and the District of Columbia agreed to expand Medicaid. Most of the Republican-controlled states originally rejected expansion, but a number of GOP governors have had second thoughts, in some cases prodded by hospital associations that didn't want their states to walk away from millions of dollars of federal money.

Republican governors in seven states — Arizona, Michigan, Nevada, New Jersey, New Mexico, North Dakota and Ohio — have signed on for Medicaid expansion, often over the objections of GOP-controlled legislatures. Officials in two other Republican-run states, Pennsylvania and Tennessee, have explored a “private option” with the federal Department of Health and Human Services as an alternative to expanding Medicaid. These states hope to use federal Medicaid dollars to help people purchase private insurance on the on-line exchanges that are a central feature of Obamacare. HHS last year allowed Arkansas and Iowa to do this but warned it would not necessarily grant similar permission to every state.

Other Republican governors, such as Rick Perry of Texas, remain opposed to Medicaid expansion. They say that states won't have enough money to pay for expansion when the federal government gradually reduces its share of payments to 90 percent, starting in 2017. Even though this sounds generous, states would still have to come up with millions of dollars as their share of Medicaid expansion. “Every dime makes a difference on the state level,” says Scott Pattison, executive director of the National Association of State Budget Officers.

But expanding Medicaid is not without complications for the Democratic-controlled states that willingly agreed to it. A little-discussed provision of the health law provides full federal funding only for persons newly eligible for Medicaid coverage. The heavy publicity given Obamacare has created what Pattison refers to as a “woodwork effect,” signing up thousands of people who were previously eligible for Medicaid coverage but didn't realize it. States will receive their normal federal share of federal funding for these Medicaid enrollees. The federal share under a complicated formula ranges from 55.8 percent in New Jersey to 80.4 percent in Mississippi and nationally averages 63.7 percent.

The woodwork effect is likely to be most pronounced and the costs highest in states that have promoted the new exchanges and made a concerted attempt to expand Medicaid without worrying about whether those who enroll are newly eligible. Three states — California, New York and Washington — account for roughly a third of the Medicaid signups. Washington state, with a far smaller population than the other two leading states, accounted for the most Medicaid signups: 214,485. No data is yet available on how many of these enrollees are newly eligible.

Enrollment for insurance coverage under the ACA began Oct. 1 on 13 state-run exchanges and the federal website Healthcare.Gov in states that do not operate their

own exchanges. Anyone with income between 138 percent above the poverty line — the Medicaid cutoff — and 400 percent above the poverty line is eligible for subsidized insurance coverage on one of the exchanges. But in large part because the federal website suffered a nightmare rollout, with breakdowns and long delays, enrollment for insurance coverage has lagged. In the last three months of 2013 nearly 2.2 million Americans signed up for private health care coverage and nearly 1.6 million signed up for Medicaid or the related Children's Health Insurance Program (CHIP). Covered California, the sophisticated California exchange, has enrolled more than a half million people in private insurance plans, about a fourth of the national total.

The jury is still out on the success of Obamacare, including Medicaid expansion. Insurance premiums are almost certain to soar unless the ACA enrolls sufficient young and healthy people to pay the higher insurance costs of older and potentially less healthy Americans. The early numbers were not encouraging. Of those who signed up for health insurance during the first three months of the exchanges, 55 percent are age 45 to 64 and only 24 percent 18 to 34 years old.

Obama administration officials remain optimistic, however, pointing out that when Massachusetts rolled out a mandated health insurance plan in 2006, many young people waited until the deadline to sign up. The deadline for obtaining health insurance without penalty under the ACA is March 31.

Even enthusiastic supporters of Obamacare acknowledge that the ACA may need some tweaking to improve its performance. But as Storey observes, it's going to be difficult to make any changes in the law when it's being used as "a wedge issue by both sides" in the 2014 elections. Republicans control a near-record number of legislative chambers as well as the U.S. House of Representatives and have hopes — for the third election in a row — of winning the U.S. Senate.

In their campaigns against the ACA, which many Republicans still want repealed, GOP politicians cite cost uncertainties and President Obama's broken promise that people would be allowed to keep their old insurance policies if they wanted to do so. Democrats emphasize that the law for the first time enables everyone to obtain insurance coverage, regardless of their medical history. But mindful of the polls, many Democrats try to avoid discussion of the ACA, preferring to stress economic issues such as an increase in the minimum wage.

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: 4370

Number of 2015 Prefiles last week: 12

Number of Intros last week: 8,022

Number of Enacted/Adopted last week: 433

Number of 2014 Prefiles to date: 12,198

Number of 2015 Prefiles to date: 49

Number of 2014 Intros to date: 13,343

Number of 2013 Session Enacted/Adopted overall to date: 40,693

Number of 2014 Session Enacted/Adopted overall to date: 339

Number of bills currently in State Net Database: 110,458

— Compiled By FELICIA CARILLO
(measures current as of 1/16/2014)
Source: State Net database

Fierce controversies attended Social Security (1935) and Medicare (1965) before they became woven into the fabric of American society, but both these programs were created by bipartisan congressional coalitions. In contrast the Affordable Care Act passed on a party line vote in 2010 and has been a bone of partisan contention ever since. Medicaid came into existence at the same time as Medicare, also with bipartisan support, but required state implementation. Some states held out for years; Arizona becoming the last state to implement a Medicaid program in 1982.

Obamacare also faces a long battle for acceptance. Its survival depends on whether enough young people enroll to keep insurance premiums affordable and on how voters respond to this wedge issue in the 2014 elections.

— By Lou Cannon

Budget & taxes

POSITIVE STATE FISCAL HEALTH TREND CONTINUING: The improving fiscal conditions that characterized most states in fiscal 2013 are continuing in fiscal 2014, according to the National Association of Budget Officer's latest fiscal survey of the states.

According to NASBO's Fall 2013 Fiscal Survey of the States, 43 states are anticipating revenue and spending growth this fiscal year, compared to fiscal 2013

"I don't expect robust growth. I expect modest growth, until we get the next recession, which hopefully is a ways away."

levels. In the few states where revenues aren't expected to rise, the causes are generally state-specific, such as declining oil production and prices in Alaska, declining coal production in West Virginia and Wyoming, and a major tax cut in Kansas.

But states aren't expecting revenues to increase by as much as they did last fiscal year. The forecast for this year is only 0.8 percent, compared to last year's 5.7 percent rate. That softening in tax collections may pose budgetary challenges for states in fiscal 2014 but not significant budget volatility, according to NASBO. States have also been helped by the two-year budget deal approved by Congress last year, easing some of the across-the-board federal spending reductions known as sequestration.

"There's more stability and revenues are less volatile," said Scott Pattison, NASBO's executive director. "As long as the economy continues to recover, states will continue to have modest growth. I don't expect robust growth. I expect modest growth, until we get the next recession, which hopefully is a ways away." (STATELINE.ORG, NASBO.ORG)

SCHOOL-FUNDING ISSUE HANGING OVER KS SESSION: Kansas

lawmakers began their 2014 session last week in a state of deep uncertainty, with the state's Supreme Court having yet to rule on a major school-funding lawsuit.

Lawmakers in the Democratic minority and Republican majority alike said that ruling could have a bearing on everything that happens at the statehouse this year.

**“It’s the sword of
Damocles hanging
over the whole
process.”**

“It’s the sword of Damocles hanging over the whole process,” said Senate Minority Leader Anthony Hensley (D).

Senate President Susan Wagle (R) chose a slightly different metaphor, calling it “the gorilla in the room.”

“It impacts the rest of government — all of government,” she said. “Since the downturn of ‘08, all agencies that were government funded have taken a hit...so

if the court were to come in and ask for more money, it would impact other agencies that are funded with state dollars.”

If the Supreme Court upholds a lower court ruling, the state’s lawmakers could face a court order demanding that they come up with over \$400 million a year in additional funding for K-12 schools. The lawmakers’ response could be anything from meeting that demand by diverting money from other areas of state spending, such as public employee retirement, to openly defying the court.

“I think the response is going to be what I’m calling the necessary constitutional crisis,” said Ty Masterson (R), chairman of the Senate Ways and Means Committee. “I know it will try to be spun into an educational funding issue, but fundamentally it’s a separation of powers issue. The court ruling a certain amount of spending is no different than us passing a law that prohibits them from rendering that decision. They’re both unconstitutional.” (WICHITA EAGLE, STATE NET)

US HOUSE SCRUTINIZES CA BULLET TRAIN: Karen Hedlund, deputy

chief of the Federal Railroad Administration, told a U.S. House subcommittee last week that her agency is still providing federal grant funding for California’s troubled \$68 billion bullet train project even though the state hasn’t indicated how it plans to come up with \$180 million in matching funds by April 1. Responding to questions from U.S. Rep. Jeff Denham (R-California), chairman of the House Subcommittee on Railroads, Pipelines, and Hazardous Materials, Hedlund said: “We are very concerned about it. That is why we are in discussions with the [California High Speed Rail Authority] about its plans.” But she also said her agency was legally obligated to continue funding the project because California hadn’t defaulted on its agreement with Washington yet.

Nine billion dollars in voter-approved state bonds for the rail project have been tied up indefinitely by legal challenges, and Rep. Denham, a critic of the project, didn’t appear too pleased about the prospect of the federal government getting stuck with the tab.

“The federal government can and would withhold money for other top infrastructure priorities, such as education and water, from the state of California should the state fail to provide state funds,” he said after the two-hour-plus hearing. He also said he intends to introduce legislation making it more difficult for the project to receive federal funding. (LOS ANGELES TIMES, ORANGE COUNTY REGISTER)

BUDGETS IN BRIEF: The **MINNESOTA** Lottery is planning to expand its online offerings to include electronic versions of scratch-off games in an effort to appeal to younger residents and boost sales. But a coalition of well-organized and well-funded gambling opponents, which has killed numerous gambling initiatives in Madison, including a proposed casino in downtown Minneapolis, is pressing lottery officials to obtain legislative approval before moving ahead with their plans (STAR TRIBUNE [MINNEAPOLIS]). • **NEBRASKA** Gov. Dave Heineman (R) called for “up to \$500 million in tax relief over the next three years” in his State of the State speech last week. The governor said the state can afford to do so because it has a growing economy and has amassed a \$1.2 billion cash reserve (STAR HERALD [SCOTTSDALE], STATE NET). • **WISCONSIN** Gov. Scott Walker (R) intends to call for a property tax cut and lower income tax withholding in his State of the State address scheduled for Jan. 22 (JOURNAL SENTINEL [MILWAUKEE]).

— Compiled by KOREY CLARK

Upcoming elections

(1/17/2014 - 2/7/2014)

01/21/2014

Rhode Island Special Primary
House District 49

Virginia Special Election
Senate District 33

01/28/2014

Alabama Primary Runoff
House Districts 31 and 53

Alabama Special Election
House District 104

Pennsylvania Special Election
House District 78

Texas Special Runoff
House District 50

02/04/2014

Georgia Special Runoff
House Districts 2 and 22

Politics & leadership

SINGLE-PARTY STATES EASE OFF PARTISANSHIP PEDAL: Over the past few years, many states governed exclusively by either Democrats or Republicans have advanced decidedly partisan agendas. But this year — with elections on the way — some of those states are easing off their aggressive approach.

Since 2010, Ohio, with a Republican governor and GOP-controlled-Legislature, has enacted laws restricting access to abortion, cutting taxes and curbing the power of unions. This year, however, the state’s lawmakers have been focusing more on

consensus legislation like a parental-notification requirement for opiate prescriptions for children than on divisive issues like collective bargaining restrictions for public workers, at least in part because it's an election year.

"We have 60 out of the 90 members, so sometimes there are a lot of members who want to do something on social conservative issues," said the state's Republican House speaker, William G. Batchelder (R). "But it's my job to make sure that what we want to do is something that is valued by the citizenry — especially in even-numbered years."

The story is much the same in Democrat-controlled Colorado. Last year Gov. John Hickenlooper (D) stood before the state Legislature and proposed an agenda that included a sweeping expansion of the state's gun control laws, spurred by the mass shooting at a movie theater in Aurora.

"Why not have universal background checks for all gun sales?" he asked at the time.

But when the governor, who's up for re-election in November, delivered his State of the State address before the Legislature this month, there wasn't much mention of gun control or any other divisive issue.

"We got a lot of pushback over universal background checks," he told *The New York Times*. "I've spent a lot of time trying to think about how to do things differently, so there isn't a partisan divide."

Not every single-party state is backing off this year, however. Republican-controlled Indiana plans to consider a constitutional ban on same-sex marriage, while the GOP-led states of Florida, Idaho, Michigan, Nebraska and Wisconsin are planning tax cuts. Democrat-controlled states Illinois and Minnesota, meanwhile, are considering raising the minimum wage, and California and Hawaii are looking at universal prekindergarten coverage.

"Retrench is not a word in my vocabulary," said California Senate President pro Tempore Darrell Steinberg (D). "And universal preschool for 4-year-olds is a pretty good example of where we are going to push."

"Retrench is not a word in my vocabulary."

One thing making the majority-party lawmakers in states like Colorado and Ohio more partisanship-conscious than their counterparts in states like California is that their single-party dominance is more at stake. Party registration in Colorado is almost evenly split between Democrats and Republicans, 31.1 percent to 31.5 percent. And President Obama carried Ohio in both 2008 and 2012. Both Colorado Democrats and Ohio Republicans have also received clear indications that voters haven't been entirely happy with their policies: the recall of three legislators in the former state and the overturning of a law weakening collective bargaining rights in the latter.

Upcoming stories

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

- **Biosimilars**
- **E-cigarettes**
- **Minimum Wage**

But the upcoming election isn't the only reason dominant-party lawmakers are easing up this year. Some are doing so simply because they've already accomplished so much of what they wanted.

“We have had major accomplishments in the last couple of years, in tax policy in particular, so I don’t see us tackling those as major issues,” said Richard Carlson, the Republican chairman of the Taxation Committee of the House of Representatives in Kansas. (NEW YORK TIMES)

STATES SPENDING MORE TIME AT SUPREME COURT: Over the past half-century states have increasingly been involved in the proceedings of the U.S. Supreme Court. States filed briefs in only 4 percent of the cases before the high court between 1946 and 1955, but that rate jumped to 30 percent by the 1990s and has only continued to rise since then, according to the University of Pennsylvania Law Review.

The increase is due in part to the fact that the court doesn't hear as many cases as it used to. But it's also the result of states taking the lead on controversial issues like same-sex marriage and voting rights that have spawned lawsuits.

In the next few weeks the justices will hear a case from Massachusetts dealing with abortion clinics and free speech (*McCullen v. Coakley*), a case from Illinois concerning labor union practices (*Harris v. Quinn*) and a case from Washington revolving around federal regulation of greenhouse gases (*Utility Air Regulatory Group v. EPA*). (STATELINE.ORG)

A TALE OF TWO OBAMACARES: The starkly contrasting ways in which Democrat- and Republican-led states have generally responded to the Affordable Care Act is creating two separate health care systems, according to a report released last week by the Obama administration.

Democrat-leaning Kentucky, which has warmly embraced the ACA, and GOP-controlled Louisiana, which has given the law the cold shoulder, are representative. Both states have about 4.5 million residents. But although a larger percentage of Louisiana's residents are uninsured, about half as many signed up for private health care plans as did in Kentucky, 17,500 versus 33,000.

The disparity is even greater when it comes to Medicaid expansion. In Kentucky, which accepted federal funding to expand its Medicaid program to those earning up to 138 percent of the federal poverty level, over 100,000 more residents have qualified for the program since the launch of Obamacare on Oct. 1. In Louisiana, which passed on the Medicaid expansion offer, the number of Medicaid-eligible residents has increased by less than 5,000.

“In the short run, you’re likely to see some fairly significant differences between the states going full-bore for the law and the states that want no part of it,” said Jonathan Oberlander, a professor of social medicine and health policy and management at the University of North Carolina-Chapel Hill. (POLITICO, STATE NET)

— *Compiled by KOREY CLARK*

CHRISTIE HIRES LEGAL TEAM AMIDST DUAL INVESTIGATIONS:

and Urban Development complaining that Christie had used the ads to bolster his re-election campaign. Christie's office denied the charge, with spokesperson Colin Reed accusing the inspector general's office of taking advantage of the bridge controversy to kick the governor when he is down.

With much at stake, including his perceived ambition to seek the GOP presidential nomination in 2016, Christie hired an outside legal firm to represent him in the multiple investigations. (NEW YORK TIMES, CHICAGO TRIBUNE, USA TODAY, REUTERS, NEW YORK DAILY NEWS, PHILADELPHIA INQUIRER, WASHINGTON POST)

In case you missed it

By most measures, California's nascent cap-and-trade program had a solid first year of operation, but significant hurdles remain as the program moves forward.

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

http://www.statenet.com/capitol_journal/01-13-2014/html#sncl_spotlight

O'MALLEY TO PUSH FOR MINIMUM WAGE HIKE: Maryland Gov. Martin O'Malley (D) said last week that he will use his last year in office to push lawmakers to raise the Old Line State minimum wage to \$10.10 per hour within two years, with future increases tied to inflation. O'Malley's plan would also hike the wage paid to tipped workers from the current 50 percent of the state minimum to 70 percent. He was joined by Lt. Gov. Anthony Brown (D), who is running to succeed the term-limited O'Malley.

O'Malley said raising the wage was critical to all state residents, not just those earning the minimum, telling attendees at a rally, "the more workers are able to earn, the more customers businesses have. That's what drives the economy."

The governor also noted the impact that low wage workers have on public services like Medicaid.

"How much sense does it make for taxpayers to subsidize Medicaid so that some employers can pay minimum wage? That doesn't make any sense," he said.

The proposal's chances are unclear. A similar bill died in the Senate last year amidst strong opposition from Republicans, and several GOP lawmakers made it clear their opposition has not waned. Del. Ron George (R) told the *Washington Post* that increasing the minimum wage would force employers to hire fewer workers or to cut hours.

"Minimum jobs is what it should be called," he said. (BALTIMORE SUN, WASHINGTON POST)

FRUSTRATED BREWER ABOLISHES AZ CPS: Saying the state's Child Protective Services Agency was "broken," Arizona Gov. Jan Brewer (R) issued an executive order last week abolishing the agency altogether. That order, EO 2014-01, also creates a new agency, the Division of Child Safety and Family Services, whose director will report directly to her. Brewer's announcement came just weeks after the agency revealed it had failed to investigate over 6,500 complaints of abuse it had received on its hotline. Brewer called that situation "unconscionable," saying

the state's child welfare system had been "impeded by years of structural and operational failures." Lawmakers must approve the changes, but the proposal is expected to face minimal resistance. (NEW YORK TIMES, ARIZONA DALY STAR [TUCSON], ARIZONA GOVERNOR'S OFFICE)

QUINN ISSUES RULES TO END 'PETCOKE'

SPREAD: Illinois Gov. Pat Quinn (D) issued emergency rules last week to halt the spread of "petcoke," a black powdery substance that is a byproduct of oil refining. The proposed rules mimic an agreement recently reached by Chicago Mayor Rahm Emanuel and state Attorney General Lisa Madigan with an Indiana company requiring it to remove huge piles of petcoke it currently has placed along the Calumet River just south of the Chicago Skyway Bridge. Such sites have already been the subject of numerous lawsuits from citizen's groups and sanctions from state and federal officials. The rules Quinn proposed would require companies that store petcoke in the Prairie State to ensure it is fully enclosed and that facilities have dust suppression systems installed. The new rules are expected to take effect within 30 days. (CHICAGO TRIBUNE, CHICAGO SUN-TIMES)

GOVERNORS IN BRIEF: Switching gears from his earlier position, **WASHINGTON** Gov. Jay Inslee (D) said he now supports proposed legislation to give Evergreen State teachers a 1.3 percent cost-of-living raise this year. The bill is currently circulating in the House (TACOMA NEWS TRIBUNE). • **Terry McAuliffe** (D) was sworn in last week as **VIRGINIA's** 72nd governor (WASHINGTON POST). • **NEBRASKA** Gov. Dave Heineman (R) and Attorney General Jon Bruning (R) announced LB 832, legislation that would require violent criminals to earn a reduction in prison time rather than receive so-called good time credits automatically. Sen. Scott Lautenbaugh (R) is carrying the bill in the Legislature (LINCOLN JOURNAL STAR). • **IOWA** Gov. Terry Branstad (R) announced he will seek a record sixth term as the Hawkeye State governor. Serving another full term would make Branstad the longest-serving governor in U.S. history (DES MOINES REGISTER). • **TENNESSEE** Gov. Bill Haslam (R) introduced a bill last week that would require Volunteer State residents to obtain a prescription to purchase more than a 20-day supply of cold medicines that contain pseudoephedrine, which is also used to make methamphetamine. The bill is intended to stop meth makers from buying large quantities of the product from multiple stores, a process known as "smurfing" (KNOXVILLE NEWS). • **CALIFORNIA** Gov. Jerry Brown (D) officially declared

The week in session

States in Regular Session: AK, AL, AZ, CA, CO, DC, DE, GA, HI, IA, ID, IN, KS, KY, MA, MD, ME, MI, MO, MS, NE, NH, NJ, NM, NY, OH, PR, RI, SC, SD, TN, US, VA, VT, WA, WI, WV

States in Recess: IL, PA

States currently prefilng for 2014 Session: FL, NM, UT, WY

States currently prefilng for 2015 Session: MT

States adjourned in 2014: DE "b", WI "b"

Letters indicate special/extraordinary sessions

— Compiled By FELICA CARILLO
(session information current as of 1/16/2014)
Source: State Net database

a drought in the Golden State. By some measures, California is suffering through its driest year in recorded history, with water reserves at just 20 percent of normal levels (STATE NET, CALIFORNIA GOVERNOR'S OFFICE).

— Compiled by RICH EHISEN

Hot issues

BUSINESS: The **NEW JERSEY** Assembly gives final approval to SB 2609, which would allow Garden State pawn shops to raise interest rates from a maximum of 3.7 percent per month to 4.5 percent. The measure, which also increases the monthly minimum interest a pawnbroker could charge from \$1 to \$1.50 if the minimum percentage is less than that, moves now to Gov. Chris Christie (R) for review (STATE NET, STAR-LEDGER [NEWARK]). • **MAINE** Gov. Paul LePage (R) allows HB 490, a bill that requires food retailers to label foods that contain genetically modified organisms (GMO), to become law without his signature. The bill cannot take effect until at least five contiguous states, including Maine, adopt similar requirements (BANGOR DAILY NEWS, STATE NET). • The **KENTUCKY** House approves HB 66, a bill that would allow the creation of public benefit corporations in the Bluegrass State. The bill, which would allow a portion of a company's profits to be used for social purposes, moves to the Senate (KENTUCKY.COM, LEXINGTON HERALD-NEWS).

CRIME & PUNISHMENT: The **NEW JERSEY** Assembly and Senate overwhelmingly endorse SB 2636, a bill that would require registered sex offenders to pay a \$30 monthly fee to help offset the cost of that supervision. The bill would also allow minors convicted of "sexting," or sending nude or sexually suggestive photos over a cell phone, to avoid registering as a sex offender. It moves to Gov. Chris Christie (R) for review (STATE NET, STAR-LEDGER [NEWARK]). • The **NEW HAMPSHIRE** House overwhelmingly rejects HB 675, legislation that would have made the Granite State the last to allow police to use license plate scanners. Lawmakers also banned the issue from being considered again this session (NEW HAMPSHIRE UNION LEADER). • Also in **NEW HAMPSHIRE**, the House approves HB 492, a bill that would make it legal for residents to possess up to one ounce of marijuana for recreational use. The bill must pass the full House one more time before it can move to the Senate (CONCORD MONITOR).

EDUCATION: A federal judge approves a settlement to allow **ARKANSAS** to set an end date for payments to three Little Rock-area school districts to aid their desegregation efforts. U.S. District Judge Price Marshall signed off on the deal that

requires the Razorback State to make payments only through 2017. Since 1989, the state has given the Little Rock, North Little Rock and Pulaski County Special school districts more than \$1 billion, total, above their regular state appropriations (USA TODAY). • **NEW JERSEY** Gov. Chris Christie (R) vetoes SB 2965, which would have created a state commission to study how to make higher education more affordable. Christie called the commission “unnecessary” (NJ.COM).

ENVIRONMENT: The **NEW JERSEY** Assembly and Senate approve AB 4531, legislation that would delay for two more years the implementation of a 2008 law that limited new development in the Garden State by removing up to 300,000 acres of environmentally sensitive land from new sewer service areas. It moves to Gov. Chris Christie (R) for review (STATE NET, NJ.COM).

HEALTH & SCIENCE: The **OHIO** House approves HB 314, legislation that would require a youth’s parent or guardian to sign a consent form before a health professional can prescribe non-emergency medications. It moves to the Senate (STATE NET, OHIO HOUSE OF REPRESENTATIVES). • **MAINE** Gov. Paul LePage (R) vetoes HB 261, legislation that would have required Medicaid to pay for tobacco cessation treatment for people who are at least 18 or pregnant. LePage said the bill equated to an expansion of welfare (STATE NET, BANGOR DAILY NEWS). • **NEW YORK** Gov. Andrew Cuomo (D) signs AB 6963, a bill that requires medical providers treating clients with autism spectrum disorder using applied behavior analysis to be licensed by the state. The bill goes into effect July 1 (STATE NET, AUTISMSPEAKS.ORG). • The **PENNSYLVANIA** House unanimously approves HB 1654, a bill that would add Krabbe disease and five related disorders to the list of conditions all babies in the Keystone State are screened for at birth. It moves to the Senate (STATE NET, HARRISBURG PATRIOT-NEWS).

IMMIGRATION: The **WASHINGTON** House re-approves HB 1817, a bill it first endorsed last year that would allow any graduate of an Evergreen State high school who is otherwise eligible for state-sponsored college aid to receive it even if they are not a legal resident. The measure returns to the Senate, which previously let the measure die in committee (SPOKANE SPOKESMAN-REVIEW).

SOCIAL POLICY: The U.S. Supreme Court decides not to consider an appeal by **ARIZONA** officials of a lower court’s ruling that overturned a 2012 Grand Canyon State law that would have barred most abortions after the 20th week of pregnancy (WASHINGTON POST). • A District Court in **NEW MEXICO** rules that terminally ill, mentally competent patients have the right to get a doctor to help them end their lives. Second Judicial District Judge Nan Nash said his Court could not “envision a right more fundamental, more private or more integral to the liberty,

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safety and happiness of a New Mexican than the right of a competent, terminally ill patient to choose aid in dying.” State officials are considering an appeal (CNN.COM). • A federal judge rules that an **OKLAHOMA** law barring same-sex marriage is unconstitutional. The ruling by Judge Terence C. Kern of the United States District Court for the Northern District stayed his ruling pending an appeal by Sooners State officials (USA TODAY).

POTPOURRI: The **WISCONSIN** Assembly approves a quartet of bills aimed at combating heroine abuse in the Badger State. The four bills — AB 445, which requires people picking up prescriptions for opiates to show a legal ID; AB 446, which allows more EMTs and first responders to administer the drug Narcan, which is used to counter a heroin overdose; AB 447, which would grant limited immunity from criminal prosecution to people who bring a person suffering from an overdose to an emergency room or healthcare facility, or who call 911 for that person; and AB 448, which encourages the creation of statewide community drug disposal programs to accept and properly dispose of unwanted prescription drugs — move to the Senate (APPLETON POST-CRESCENT).

— *Compiled by RICH EHISEN*

Once around the statehouse lightly

A **WWW, NOW THAT HURTS:** With all of the hubbub last week over “BridgeGate” and then a federal investigation into his possible misuse of Hurricane Sandy relief funds, it’s hard to imagine life getting much worse for New Jersey Gov. Chris Christie. Oh, but then it did. Last Tuesday night, late night TV host Jimmy Fallon performed a riotously funny parody of Bruce Springsteen’s rock anthem “Born to Run” with the lyrics changed to mock the now infamous traffic jam the governor’s staff instigated on the George Washington Bridge for some still to be determined reason. But worse for Christie — much, much worse — Fallon was joined by Springsteen himself. Those not hiding in a cave the last four years surely know that Christie has a devotion to “The Boss” that borders on fanboy status, so it could not have felt good for the governor to see his hero singing that Christie was “killing the working man” who was “stuck in Governor Chris Christie’s Fort Lee New Jersey traffic jam.” Ooh, that’s gonna leave a mark.

ALL FIRED UP: Some lawmakers like to shoot off their mouths, but Kentucky Rep. Leslie Combs is more literal than that. As the *Lexington Courier-Journal* reports, Combs was unloading a gun in her office recently when the firearm unexpectedly went off. Although the incident sparked renewed debates among her colleagues over whether folks ought to be packing heat while on the job, Combs brushed off any thought that there was a problem with firing a live round inside a building where people — lots of people — are working, saying “I’m a gun owner. It happens.” Combs said she carries the weapon for protection, though it sounds like her colleagues might need protection from her.

PRETTY ONLY IN PINK: Some time in the next week or so approximately 1,000 Mainers are going to get a letter from the State Revenue Services agency telling them they are way behind on their taxes and it's time to pay up or else. Alas, as the *Bangor Daily News* reports, it is all just a big foul up. It seems the agency was running some printing tests for new form letters it is putting into use. As is the protocol, the first batch was printed out on bright pink paper, which tells the printing folks they are only a test and should be immediately disposed of. Unfortunately, one batch was sent through on plain old white paper, prompting the printers to package them up and send them out. The agency says anyone receiving one just needs to call them and they'll work it all out.

DOGGIE DIPLOMAT: Back in the heyday of John F. Kennedy’s administration, people were often as enthralled to meet his lovely wife Jackie as they were to touch base with the handsome young president. Well, California Gov. Jerry Brown is no JFK and we’re not remotely comparing the dignified Jackie to a dog, but let’s say Brown’s presence rarely draws the attention that is bestowed upon his Welsh Corgi, Sutter. This phenomenon was on display again last week when, as the *Sacramento Bee* reports, a restaurant owner in Fresno greeted the governor with a card and a bag of goodies for the state’s First Dog. Sadly, Sutter wasn’t with Brown at the time, but the card suggested that should he be in the area any time soon to “come by for a pint like any good Welshman would.” Man, oh man, that dog.

— By RICH EHISEN



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