

STATE AND LOCAL UPDATE

May 30, 2019

Policy and Politics**I. Trending Topics****Issue in Focus**

STATE TAX REVENUES ARE HIGHER THAN EVER, BUT GOOD TIMES MAY NOT LAST: States' purchasing power has [never been better](#), but there are signs that the upswing is waning. A record 41 states collected more revenue last year than they did before the 2008 recession, even when inflation is considered. And in many cases, the recovery is significant. In 16 states, tax revenue was at least 15 percent higher in the third quarter of 2018 than their last peaks. The findings come from the latest analysis of state revenues by the Pew Charitable Trusts. Collectively, states during the third quarter of last year had the equivalent of 13.4 cents more in purchasing power for every \$1 they collected at their recession-era peak. Despite last year's numbers, preliminary figures of tax collections in more recent months cast a cloud over this sunny picture. Sales and corporate tax revenues are remaining steady, but income tax collections are missing the mark in nearly half the states. According to data compiled by the Urban Institute's Lucy Dadayan, income tax revenues were lower than expected in 19 states heading into tax season. On average, there is a 2.2 percent income tax revenue gap those states have to make up before the current fiscal year ends on June 30 (for most places).

A. BUDGETS, TAXES, & REVENUE

MIDWESTERN GOVERNORS PUSH MAJOR GAS TAX HIKES: Citing pressing transportation needs, three Midwestern governors – two Democrats and one Republican – are [calling](#) for significant gas tax hikes in their states. If the governors get their way, drivers in Michigan, Minnesota, and Ohio will soon be paying significantly higher gas taxes at the pump. Ohio, Republican **Gov. MIKE DEWINE** has proposed raising the tax by 18 cents a gallon. That would be in addition to the 28 cents a gallon drivers in the Buckeye State currently pay. Minnesota's Democratic-Farmer-Labor **Gov. TIM WALZ** has proposed increasing his state's gas tax by 20 cents a gallon, double the amount he proposed during his 2018 election campaign. This would boost Minnesota's gas tax to 48.6 cents per gallon. Michigan's **Gov. GRETCHEN WHITMER** has proposed the largest gas tax increase of the three governors; 45 cents a gallon, phased in over the course of a year, beginning October 2019. Whitmer's plan would result in Michigan drivers paying 71.4 cents a gallon in gas taxes, the highest gas tax in the country. All three states' tax hikes would come on top of the federal gas tax of 18.4 cents per gallon, a rate that has remained unchanged since 1993.

HOW WILL GOVERNMENTS SPEND THEIR OPIOID SETTLEMENT MONEY? In recent weeks, drug companies have [reached](#) their first settlements in lawsuits related to their role in the opioid crisis. They will pay Oklahoma and West Virginia a total of nearly \$300 million. With hundreds of similar cases still pending, many wonder, what will governments do with the money? The scale and public health implications of this legal battle has made for frequent comparisons to governments' fight against big tobacco and the landmark settlement that followed in 1998. That agreement gave states \$246 billion during the first 25 years of the settlement, with payments continuing thereafter. In some ways, the tobacco settlement provides a cautionary tale. Most of those proceeds have disappeared into state general funds, leaving just a portion left over to help defray the public health costs of smoking. According to a 2007 report from the Government Accounting Office, states on average had allocated just 30 percent of their settlement money to health care. Nearly as much -- 23 percent -- went to cover budget deficits. States have also used the funds for education and infrastructure projects by issuing so-called tobacco bonds, which are paid back through states' annual tobacco settlement payments.

STATES THAT STRUGGLED TO FORECAST SALT CHANGES SAW AN APRIL TAX BOON: States are enjoying windfalls after struggling to [predict](#) how **PRESIDENT DONALD TRUMP'S** federal tax law changes would ripple through their revenue. All 15 of the states that have reported April tax collections so far have seen them come in better than expected, according to a list compiled by National Association of State Budget Officers. California, Illinois and Connecticut are among them, and New Jersey is expected to report its tally next week. Governor Phil Murphy said this week that tax collections will be more than \$250 million above projections.

B. HEALTHCARE & INSURANCE

SISOLAK SIGNS PATIENT PROTECTIONS FOR PREEXISTING CONDITIONS, SURPRISE BILLING: Gov. **STEVE SISOLAK** [signed](#) two patient protection bills into law aiming to both end surprise medical billing -- emergency services given to a patient by an out-of-network provider -- and put protections for pre-existing conditions into state statute. The bills -- Assembly Bills 469 and 170, respectively -- were both delivered to the governor earlier this month and passed both houses with overwhelming majorities. Sisolak signed them in a news conference with health care advocates present.

OPIOID CRISIS MEDICAL PRACTITIONERS TO RECEIVE HELP REPAYING LOANS: Pennsylvania **Gov. TOM WOLF** [announced](#) that the state will allocate \$5 million in federal funding to a loan repayment program for health care practitioners providing medical and behavioral health care and treatment for substance use disorder and opioid use disorder in areas with high opioid-use and a shortage of health care practitioners. The funding comes from the \$55.9 million Substance Abuse and Mental Health Services Administration (SAMSHA) grant meant to help states increase access to medication-assisted treatment of opioid use disorder, reduce opioid overdose related deaths through prevention, treatment and recovery, and to reduce unmet treatment need.

UNIONS, STATES CHALLENGE TRUMP ON HOME CARE WORKER RULE: Public-sector unions, struck last year by a U.S. Supreme Court decision that ended their ability to charge non-members fees, suffered another blow this month when the Trump administration blocked hundreds of thousands of Medicaid-funded home health aides from deducting union dues from their paychecks. California, Connecticut, Massachusetts, Oregon and Washington state and, separately, the Service Employees International Union (SEIU) sued the Trump administration earlier this month over the new regulation, which they say also will stop the workers from making payroll deductions for health insurance premiums and training costs. In their suit, the state attorneys general, all Democrats, said the rule will disrupt their longstanding labor arrangements and make it harder for home care professionals to work together to improve their jobs and better serve their elderly and disabled clients.

STATES BRING PRICE FIXING SUIT AGAINST GENERIC DRUG MAKERS: Attorneys general from more than 40 states are [alleging](#) the nation's largest generic drug manufacturers conspired to artificially inflate and manipulate prices for more than 100 different generic drugs, including treatments for diabetes, cancer, arthritis and other medical conditions. The lawsuit, filed in federal court in Connecticut, also names 15 individual senior executives responsible for sales, marketing and pricing. Connecticut Attorney General William Tong, a Democrat, said investigators obtained evidence implicating 20 firms. The suit was filed by 43 states and Puerto Rico with Connecticut taking the lead in the probe.

STAKES TAKE ABORTION LAWS IN 2019: In 2019, states are [taking action](#) to restrict or expand access to abortion amid a national debate over Roe v. Wade. Multiple states such as Kentucky and Georgia have passed bills that ban abortion once a fetal heartbeat is detected, around six weeks of pregnancy, while Alabama recently passed the strictest abortion law in the country, banning the procedure with few exceptions. Several other states are considering "trigger" laws that go into effect to ban abortion should Roe v. Wade be overturned, while other states like New York have passed bills that enshrine abortion rights.

C. ECONOMY, TRADE & INFRASTRUCTURE

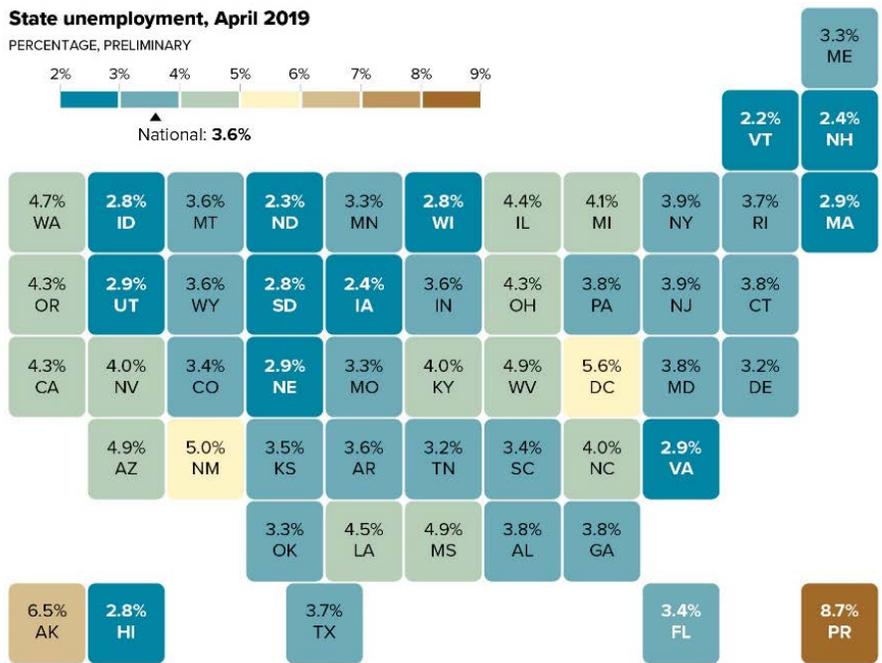
MAYORS INCREASINGLY CONCERNED ABOUT INFRASTRUCTURE: As the prospects for a federal infrastructure package this year become vanishingly thin, mayors are [becoming](#) more concerned about infrastructure in their own cities. More than half of mayors (57 percent) discussed infrastructure at length during their annual State of the City addresses this year, according to a new report by the National League of Cities (NLC). That made it the second-most popular topic for the second year in a row, trailing only economic development.

LAMONT LEAVES TOLLS FOR SPECIAL SESSION: Gov. NED LAMONT [conceded](#) that the 2019 session of the General Assembly will end June 5 without a vote on highway tolls, recasting his focus for the final weeks to delivering a budget that will provide a reliable fiscal blueprint for Connecticut for the next two years.

CT'S LARGEST BUSINESS GROUP SAYS IT 'CANNOT SUPPORT' TOLLS: The state's largest business advocacy group has come down [against](#) highway tolling, adding its voice to one of the most contentious debates in the General Assembly just 15 days before the legislative session adjourns. The Connecticut Business & Industry Association said in a statement posted on its website that it "cannot support" tolls. "It is the consensus of the board that at this time of fiscal instability due to high state spending and fixed costs, we cannot support highway tolls as one of those funding mechanisms," CBIA said.

BLUE STATES SEEING FASTER JOB GROWTH IN 2019: Preliminary estimates for the unemployment rate fell to 3.6 percent in April, the lowest recorded since 1969. Nine states — Arkansas, Iowa, Kentucky, North Dakota, Pennsylvania, Tennessee, Texas, Vermont and Wisconsin — experienced their lowest unemployment rate on record.

STATE AGs LOOKING INTO EXPEDIA GROUP, HOTEL PRACTICES IN ANTITRUST PROBE: A group of U.S. state attorneys general are [investigating](#) Expedia Group and hotel chains like Hyatt Hotels Corp and Marriott International Inc for alleged violations of antitrust law in online travel booking, according to a court filing. The filing in a state court in Utah relates to a dispute originally filed in Texas in which Travelpass accused the hotel chains last year of agreeing with each other, and with online travel groups like Expedia, to not advertise to consumers who searched for another company's hotel. This means, for example, that a traveler who searches online for a Marriott in Dallas would not be shown advertising for competing hotels, the Travelpass lawsuit alleges. The Utah



Sources: Bureau of Labor Statistics, Indeed

By Taylor Miller Thomas, POLITICO Pro DataPoint

attorney general's office indicated that it and an unspecified number of other state attorneys general were investigating Travelpass' complaints against Expedia and hotel chains. The chains named in a document filed with the court included Hyatt, Marriott, Caesars Entertainment Corp and Choice Hotels International Inc.

STATES MAKE PROGRESS ON HIGH-SPEED RAIL: A new era of passenger rail in the United States may [finally](#) be on the way, according to high-speed rail advocates. Despite the Trump administration's recent move to yank federal funding from California's long-troubled high-speed rail venture, that project and others like it are quickly moving from drawing-board concepts to physical reality. By the end of this year, the country may have as many as three new passenger railroad systems under construction, each promising fast service between cities in just a few years. The projects in California, Florida and Texas differ quite a bit from one another in size, scope and funding sources. But each one of those projects seems to be moving forward despite significant obstacles, something many rail proponents see as a promising sign.

NYC LEAVES BILLIONS IN SANDY AID UNSPENT, ADDING TO RISKS: New York City has only [spent](#) 54% of the \$14.7 billion in already-approved U.S. funds for recovery and storm-protection following 2012's Hurricane Sandy, according to city Comptroller Scott Stringer. The unspent money from the Federal Emergency Management Agency and the U.S. Department of Housing and Urban Development could be used to protect public housing and hospitals and fund large-scale engineering proposals to safeguard low-lying vulnerable neighborhoods such as Coney Island, Sheepshead Bay and Breezy Point, according to a recent report.

D. EDUCATION & THE ENVIRONMENT

A CALL TO EXPAND CIVIC EDUCATION: A coalition of 90 organizations [working](#) to improve civic education is calling on state legislators to expand K-12 civics lessons and offering policy [recommendations](#) for how to do it. The CivXNow Coalition says civic education is facing a "crisis," with only nine states requiring a full year of such classes in high school. In 31 states, students only have to learn civics for one semester, and 10 states don't have a civics requirement at all, according to the group, which includes the National Conference of State Legislatures, the Council of State Governments and National Council for the Social Studies:

STATE 'TAKEOVER' COULD BE REPLACED BY CONSULTANTS, NEW PANEL: Yet another proposal to [rework](#) Ohio's controversial state "takeover" plan for struggling school districts is emerging in the state Senate: having outside consultants work with individual schools to improve them. The plan calls for a new Ohio School Transformation Process to replace the state's "Academic Distress Commissions," panels that are mostly state-appointed and that supersede local school boards, with a single state Transformation and Student Success Board that would work with any troubled school in the state. Districts would then pick outside consultants approved by the state panel to do a "root cause analysis" of the issues at individual schools and help those schools solve them. The new panel would then track how well the consultant's plans are carried out.

What We Are Reading

U.S. CITIES GROWING AT SLOWEST PACE SINCE RECESSION: The largest cities in America are [growing](#) at their slowest rates since before the great recession, amid rising housing prices and a continued baby bust that has seen birth rates sink to their lowest levels in more than a generation. New population estimates from the U.S. Census Bureau show the 10 largest cities in the country added a combined total of just 31,000 residents over the last year, a growth rate of just over one tenth of one percent. Among those largest cities, all of which have more than a million residents, three — New

York, Chicago and San Jose, Calif., — actually lost residents in the last year. Los Angeles added 8,400 new residents, but the larger Los Angeles metropolitan area saw its overall population decline by a fraction.

BEST STATES RANKINGS: Some states shine in health care. Some soar in education. Some excel in both – or in much more. The Best States [ranking](#) of U.S. states draws on thousands of data points to measure how well states are performing for their citizens. In addition to health care and education, the metrics consider a state's economy, its roads, bridges, internet and other infrastructure, its public safety, the fiscal stability of state government, and the opportunity it affords its residents. More weight was accorded to some state measures than others, based on a survey of what matters most to people. Health care and education were weighted most heavily. Then came state economies, infrastructure, and the opportunity states offer their citizens. Fiscal stability followed closely in weighting, followed by measures of crime & corrections and a state's natural environment.

GOP RAMPING UP GRASSROOTS, STATE-LEVEL EFFORTS: State party committees have [descended](#) onto the nation's capital to start training under a new Republican National Committee initiative that intensifies the party's focus on grassroots development before 2020. The previously-under-wraps initiative, called Project GROW, started in 2019 as a way for the GOP to filter its massive knowledge and resource base through party-strengthening plans tailored to each state's challenges. That includes advising parties on outreach strategy and fundraising, in addition to giving them free access to detailed voter data that it's been accumulating for the past several years. The new program reflected RNC Chairwoman Ronna McDaniel's interest in building the party from the grassroots up. Project GROW represented the culmination of Republicans' attempt to reach deeper into states and localities -- taking a page from Democrats' and former President Barack Obama's community-focused model that helped them beat the GOP in 2012.

E. TECHNOLOGY & PROCUREMENT

COLORADO BECOMES FIFTH STATE TO ENACT NET NEUTRALITY: On May 17, Colorado Gov. JARED POLIS [signed](#) SB19-078 into law, which prohibits internet service providers from throttling or blocking otherwise legal content, services, and apps, and from establishing internet fast lanes. Providers violating the law would be required to repay the state for any funding received for rural broadband initiatives. Colorado is the fifth state to establish net neutrality rules, after California, Oregon, Vermont, and Washington. Implementation of California's law is on hold pending the outcome of a lawsuit brought against the Federal Communications Commission [FCC] in federal court.

HUTCHINSON SETS 2022 AS GOAL FOR EXPANDING BROADBAND: Gov. ASA HUTCHINSON [set](#) a goal of expanding access to high-speed broadband Internet to all communities in the state with more than 500 people by 2022, calling for vast increases in Internet speed and connections for a state that ranks last in access to the Web. The governor's State Broadband Plan, which does not call for a new commitment of state funds, instead relies on the expectation that large amounts of federal funds will be made available for Internet service providers to build networks and run wires into rural areas that now lack broadband access.

SOME CITIES MOVING TO REAL-TIME FACIAL SURVEILLANCE: Civil liberties activists [trying](#) to inspire alarm about the authoritarian potential of facial recognition technology often point to China, where some police departments use systems that can spot suspects who show their faces in public. A report from Georgetown researchers on Thursday suggests Americans should also focus their concern closer to home. The report says agencies in Chicago and Detroit have bought real-time facial recognition systems. Chicago claims it has not used its system; Detroit says it is not using its system currently. But no federal or state law would prevent use of the technology. According to contracts obtained by the

Georgetown researchers, the two cities purchased software from a South Carolina company, DataWorks Plus, that equips police with the ability to identify faces from surveillance footage in real time. A description on the company's website says the technology, called FaceWatch Plus, "provides continuous screening and monitoring of live video streams." DataWorks confirmed the existence of the systems, but did not elaborate further.

BGR In The News

GOVERNOR BARBOUR MAKES THE ROUNDS ON CABLE NEWS, RADIO: Earlier this month, BGR Founding Partner Governor Haley Barbour joined David Westin on "[Bloomberg Markets: Balance of Power](#);" June Grasso and Bob Moon on "Politics, Policy, Power and Law;" and, Neil Cavuto on "[Cavuto: Coast to Coast](#)."



WORKFORCE DEV. CRUCIAL TO IMPROVING CYBERSECURITY: State governments [looking](#) to improve their cybersecurity policies can do so by building workforces capable of dealing with ever-evolving threats, Louisiana Gov. **JOHN BEL EDWARDS** told StateScoop. Edwards, appearing at the National Governors Association's cybersecurity conference in Shreveport, said state governments in recent years have become better-focused on the topic, but still need to figure out ways how to attract students and current members of the workforce to cybersecurity careers, especially those in the public sector. Edwards is among many other governors with ambitions to make their states factories of cybersecurity expertise, often through academic competitions or mandatory computer-science curriculums. Similar agendas have been announced across the United States, including scholarships in Delaware, training for all public-school students in North Dakota, and free re-skilling academies for veterans in North Carolina.

F. FEDERAL/STATE RELATIONS

38 AGs ASK CONGRESS TO BRING MARIJUANA MONEY INTO BANKING SYSTEM: The attorneys general of 38 states and territories [sent](#) a letter to congressional leader, urging them: Please, let us bank the money generated by the country's booming cannabis business. Most states and several U.S. territories have legalized medical marijuana, and 10 states and the District of Columbia have legalized adult recreational use. But federal law still considers marijuana illegal, which exposes banks to legal risk if they handle weed-related money or transactions. The attorneys general say they want to move the marijuana business out of a financial gray area and into the regulated banking sector. Many marijuana businesses end up dealing in cash, and lots of it — making revenue tracking and taxation more difficult for states and creating targets for crime.

DEMS SUE TRUMP ADMIN OVER RELIGIOUS PROTECTIONS RULE:

A coalition of 23 Democrat-led states, counties and municipalities is [suing](#) the Trump administration for a final rule that protects health care providers who refuse to provide care on the basis of their religious beliefs. The lawsuit is led by New York **ATTORNEY GENERAL LETITIA JAMES** and seeks to have the rule declared unconstitutional, as well as a court order to prevent it from going into effect. It is the second lawsuit against the administration's so-called conscience protection rule. San Francisco announced a similar lawsuit earlier this month. The new complaint called the final rule "an unprecedented and unlawful expansion" of nearly 30 federal statutes that will prevent the plaintiffs from administering their own health care systems.

**Update from BGR's Austin Office**

INSIGHT FROM BGR VICE PRESIDENT, TEXAS DIRECTOR JERRY STRICKLAND: Just two years removed from a divisive session that was heavy on the fight over the "bathroom bill," Texas's 86th Legislature gaveled out this week accomplishing what many believed impossible – real property tax relief and school finance reform. In their 140-day, biennial session, Texas lawmakers and leaders were able to not only deliver property tax and school finance reform, but also pass legislation to bolster the state's response to devastating flooding from natural disasters, put more focus on school safety by identifying threats and providing funds to diffuse classroom threats, shore up the teacher pension system, and phase out red-light cameras. While heavy on the optimism from these bills being passed, Governor Greg Abbott now has until Father's Day to use his veto power, or allow bills passed by the legislature to go into law.

Despite sometimes contentious negotiations since January, the waning hours of the legislative session saw plenty of drama with the Governor, Lt. Governor and Speaker emerging from the Governor's Mansion with an agreement on property tax and school finance reform. The \$11.6 billion legislation cuts property tax rates while still increasing spending in education, including pay raises for teachers, increased spending for pre-kindergarten, and puts more state money into education. Those new dollars will be targeted toward low-income neighborhoods, while cutting some reliance on "Robin Hood" payments from wealthier to poorer school districts.

While many consider the 86th Legislative Session a resounding success, there were still plenty of bills left on the cutting room floor, including a measure that would pre-empt local sick-leave ordinances, a sweeping effort to target "voter fraud", reduction in criminal penalties for small amounts of marijuana, and legislation that would overhaul the state's eminent domain process.

Source: [Texas Education Agency - Twitter](#)

So, what was different this session? A new Speaker of the House and what appeared to be a greater sense of communication among the Big 3 – Governor, Lt. Governor and Speaker. For a state still very much in Republican control, losses in the last election and 150 members of the Texas House facing re-election, were clearly a factor. While not everyone in Texas is happy with the results of the 86th Legislative Session, unity among the Big 3 led to passing what few thought possible and left plenty of issues to debate when Texas gavels in on January 12, 2021.

Before joining BGR Group, Jerry Strickland served as Governor Greg Abbott's appointee to lead the Texas Office of State-Federal Relations, where he was the Governor's lead advisor on federal affairs. In this role, he provided advocacy, counsel and direction to the Governor, members of the Texas Congressional delegation, relevant Congressional committees and the White House. He can be reached directly at jstrickland@bgrdc.com. For more information on BGR's Austin office, click [here](#).

CALIFORNIA SUES OVER \$1 BILLION IN CANCELED HIGH-SPEED RAIL FUNDING: California [sued](#) to block the Trump administration from cancelling federal funding for the nation's first high-speed rail train, the latest move in an escalating conflict between the state and the White House. The lawsuit follows an announcement last week to revoke nearly \$1 billion for the California project, and comes months after **PRESIDENT DONALD TRUMP** and **GOV. GAVIN NEWSOM** argued about the funding on Twitter. Newsom said the Federal Railroad Administration's decision to deny the money awarded by Congress nearly a decade ago is punishment for the state criticizing Trump's immigration policies. Losing the \$929 million would damage the state and Central Valley's economies, he added.

II. Politics

A. GOVERNORS & STATEWIDE OFFICES

DGA TO HELP TWO ABORTION OPPONENTS WIN GOVERNORSHIPS: Even as pro-choice groups warn of the dangers of Republican legislators threatening abortion rights, the Democratic Governors Association is [preparing](#) to potentially spend millions of dollars backing two Democratic candidates who share that position: Louisiana **GOV. JOHN BEL EDWARDS**, who has indicated he plans to sign a "heartbeat" bill that would effectively ban abortion as early as six weeks into a pregnancy, and Mississippi **ATTORNEY GENERAL JIM HOOD**, the all-but-certain gubernatorial candidate in Mississippi who is defending a similar law in court.

REYNOLDS BLOCKS PART OF BILL AIMED AT LIMITING AG POWERS: — Iowa **GOV. KIM REYNOLDS** [vetoed](#) sections of a measure that Republican lawmakers pushed through in the final days of the legislative session to stop the state's Democratic attorney general from filing or joining lawsuits challenging **PRESIDENT DONALD TRUMP'S** policies. The measure Reynolds vetoed was targeted at stopping Iowa **ATTORNEY GENERAL TOM MILLER** from joining multistate lawsuits filed against the federal government. Republicans argued Miller had sued Trump too much. The proposal would have required the attorney general to get the permission from the governor, Legislature or state executive council before filing any out-of-state court action. Iowa would have been the only state with such limits.

SUNUNU TO SEEK 3RD TERM: **GOV. CHRIS SUNUNU** will [seek](#) a third term as New Hampshire's governor in 2020, ending speculation that the Republican would make a bid for U.S. Senate. Sununu announced his decision saying in a statement that he wanted to preserve strong leadership in the state's executive office. He cited New Hampshire's unemployment rate and wages as proof of effective leadership and said he wanted to stave off a "more radical" agenda from Democrats, who took control of the Legislature in November's election.

CUOMO TO SEEK 4TH TERM: **GOV. ANDREW M. CUOMO** [says](#) he's planning to run for a fourth term in 2022, which could make him among the longest-tenured chief executives in New York history, eclipsing his father, Gov. Mario M. Cuomo. An April poll by the Siena Research Institute found Cuomo was still mired in some of the lowest popularity of his tenure. His favorability rating was a statistical dead heat, with 48 percent of voters finding him unfavorable to 47 percent who had a favorable view. His job performance was also negative for most voters, with 37 percent supporting his performance in office to 62 percent who were opposed.

GRAYBILL RUNNING FOR MONT. AG: **RAPH GRAYBILL**, the chief legal counsel for Montana **GOV. STEVE BULLOCK**, is [running](#) for the Democratic nomination for attorney general. Graybill announced his candidacy saying he would continue his efforts to fight dark money in politics and protect access to public lands. Graybill wrote executive orders signed by Bullock that require state government contractors to report their political contributions and another that requires internet service providers with state contracts to meet net neutrality principles.

B. STATE LEGISLATURES & MAYORS

WHAT THE TRIFECTAS ARE WORKING ON: The 14 states — which are home to about 112 million people — that are [totally controlled](#) by Democrats are pushing forward an agenda of, among other things, hiking the minimum wage significantly above the federal \$7.25 per hour, banning (for minors) therapy that is designed to “convert” gay and lesbian people from homosexuality (this treatment is widely condemned by medical experts) and mandating that the Electoral College votes in states go to whichever candidate wins the national popular vote. The issues being pushed in liberal states aren't too surprising. They reflect a combination of (i) initiatives the Obama administration was pushing in its latter stages but couldn't get approved nationally because the GOP controlled Congress; (ii) reactions to the Trump era (particularly trying to ensure that another president is not elected without winning the popular vote), and (iii) priorities of the party's activists. The 22 GOP-totally-controlled states — which are home to about 136 million people — have tried to eliminate restrictions on gun rights, stop cities from becoming “sanctuaries” for undocumented immigrants and weaken the Boycott, Divest and Sanctions movement that targets the Israeli government for how it treats Palestinians. Similar to the Democratic list, this legislative agenda represents (i) Trump administration priorities that can't get approved in Congress; (ii) reactions to the Obama administration (particularly the attempts to limit Medicaid, which was greatly expanded in the Obama years), and (iii) longtime conservative activists' causes (limiting gun restrictions, for example).

NCSL GETS FIRST NEW LEADER IN 32 YEARS: The National Conference of State Legislatures (NCSL) will be [getting](#) its first new leader since the Reagan presidency. Tim Storey, a 30-year veteran of NCSL, is set to become the group's new executive director. He will replace Bill Pound, who has run the organization since 1987, and is expected to maintain Pound's bipartisan approach. Given NCSL's role as the association for every legislature in the country, finding someone who can steer a nonpartisan course was essential, says NCSL President Toi Hutchinson, a Democratic state senator from Illinois. (NCSL's presidency rotates between the parties. Wisconsin Republican Assembly Speaker Robin Vos will become president in August.) Part of the appeal in hiring Storey, she says, is that he won't face the same kind of learning curve as someone coming from the outside. Storey started at NCSL in 1989 as an intern right out of graduate school. He's worn many hats since. For years, he ran the association's election and redistricting program, becoming one of the nation's most widely quoted experts on legislative races.

MAYORAL MISMATCH: Mayors have had [little](#) success in becoming president, with only one big-city chief executive, **Grover Cleveland** of Buffalo, later governor of New York, actually making it to the White House. Yet this year's running of the donkeys includes several: a minor-city chief executive, **Pete Buttigieg** of South Bend; a former big-city mayor, **Cory Booker** of Newark; former San Antonio mayor **Julian Castro**; and **John Hickenlooper**, formerly chief executive of

Denver before becoming Colorado's governor. Now they are joined by New York's **Bill de Blasio**. Los Angeles mayor **Eric Garcetti** considered a run but thought better of it, perhaps realizing that his city's burgeoning homeless population and rampant inequality would dog him on the campaign trail. The other mayors' records are not much better than Garcetti's, but they didn't hesitate to jump in. So why mayors for president?

C. BALLOT INITIATIVES & POLITICS

HOUSE VOTE PUTS PRITZKER'S GRADUATED INCOME TAX PLAN ON BALLOT: In a historic vote, the Illinois House on Monday [agreed](#) to ask voters to change the 1970 state constitution by authorizing a graduated-rate tax based on the size of income and repealing the currently mandated flat-rate income tax. The move came on a 73-44 party-line vote, two votes more than the bare minimum needed for approval. It represented a significant victory for first-term Democratic **Gov. J.B. Pritzker**, who campaigned for election on the concept of taxing wealthier incomes at a higher rate as part of an overall plan to deal with Illinois' ailing finances. Pritzker hailed the vote as "a giant leap forward for the middle class." The proposed amendment won't go before voters for ratification until the general election in November 2020. It would require approval from 60% of those voting on the issue, or a majority of those voting in the election, to be adopted. The action by the Democratic-led House, joining with a Senate vote May 1 that was approved by all 40 Democrats in the chamber, sets the stage for a lengthy and contentious battle between advocates and opponents of a graduated-rate tax system.

NEW JERSEY AIMS TO EXPAND MEDICAL MARIJUANA: SENATE PRESIDENT STEVE SWEENEY [says](#) he's given up trying to get enough votes in the Senate to try and legalize marijuana. He said the legislature could go ahead with a medical marijuana expansion bill that is popular in Trenton. He said it's also a good idea to also pass a bill that would expunge the criminal records of those with low-level marijuana convictions. Sweeney told NJTV News that a referendum on the ballot in 2020 is his second choice. "We were attempting to get marijuana passed through the legislative process, the legalization of marijuana, and we just don't have the votes to pass it right now. I made a decision as the president of the Senate that we're going to move to a ballot initiative for the 2020 general election," Sweeney said. On the difficulty of getting it on the ballot, he said it wouldn't be difficult.

FLORIDA LAWMAKERS TIGHTEN BALLOT MEASURE RULES: The Republican-controlled Florida Legislature, in the waning hours of its annual session, [voted](#) along party lines to make it more difficult for outside groups to place constitutional amendments on the ballot. If **Gov. Ron DeSantis** signs the bill into law, it could up throw up roadblocks to groups already gathering signatures ahead of the 2020 election. One proposal, which is being pushed by the same Orlando attorney who mounted a successful ballot initiative to legalize medical marijuana, would raise Florida's minimum wage. The constitutional amendment bill appeared dead initially, but in a surprise move, House Republicans attached it to a bill dealing with local tax referendums. The House passed the bill by a 67-43 vote Friday and sent it to the Senate, which voted 22-17 to send it to the governor.

Campaign News

NOTE: Only three states will hold gubernatorial elections in 2019: Kentucky, Louisiana, and Mississippi. BGR's 2019 *Campaign News* section will primarily include stories from those states. Please let us know if there are specific states or races you are interested in monitoring as well.

KEY ELECTIONS FROM ACROSS THE COUNTRY: The left-leaning *Daily Kos* is out with a [calendar](#) of this year's top races. A version of this calendar with more details about specific election procedures for each race as well as the population for each jurisdiction, can be found [here](#).

MISSISSIPPI

REEVES, HOOD FLEX LARGE FUNDRAISING TOTALS: Republican **LT. GOV. TATE REEVES** and Democratic Attorney General **JIM HOOD** [outraised](#) their respective primary opponents in the first four months of 2019, boosting their candidacies going into the August primary and fueling speculation of a formidable November general election bout. Reeves, the second-term lieutenant governor who has been endorsed by **GOV. PHIL BRYANT** and other GOP officials, raised \$1 million between Jan. 1 and April 30, giving himself \$6.7 million in cash to spend moving forward. Hood, the fourth-term attorney general who observers consider the Democratic Party's best shot at the Governor's Mansion since 2003, raised \$755,000 in the first four months of this year, giving himself \$1.2 million cash on hand. Bill Waller Jr., the former chief justice of the Mississippi Supreme Court who is running in the Republican primary, raised \$583,000 in just eight weeks of fundraising since publicly announcing his bid. Of that figure, his campaign spent \$69,000, giving him \$513,000 cash on hand.

REEVES SAYS HE WANTS 'TO TAKE MISSISSIPPI TO ITS FULL POTENTIAL': **LT. GOVERNOR TATE REEVES** sat down with Y'all Politics to [discuss](#) his decision to run for Governor of Mississippi in 2019. Reeves is running as a Republican and will face two other opponents in the Primary in August to be the official nominee. "I'm running for Governor to take Mississippi to its full potential," said Reeves. Reeves said that conservatives have only been in charge for the last eight years and Democrats had been leading the state for nearly 120 years prior to that. He believes the progress that has been made since conservatives took the majority in legislature in those last few years.

BAKER ON RUN FOR AG: Current Mississippi House **REP. MARK BAKER** [announced](#) just over a year ago that he would be running for Attorney General of Mississippi in 2019. He believes whoever is in that office needs to refocus from the current administrations direction, and make it a priority to fight crime and protect the public. As well as someone who will partner with local, state, and federal law enforcement to find ways to tackle the crime problem.

KENTUCKY

THEY DISLIKE BEVIN BUT VOTED FOR TRUMP. WHAT ABOUT BESHEAR? Kentucky **ATTORNEY GENERAL ANDY BESHEAR** [won](#) a little more than 38 percent of the vote in a competitive Democratic primary for governor, largely on the back of a strong showing in Kentucky's two largest cities — Lexington and Louisville. To do so, he had to overcome a surge of rural Democrats who favored **HOUSE MINORITY FLOOR LEADER ROCKY ADKINS**. The longtime state representative ran a campaign focused on the type of Democrat who has increasingly voted Republican in recent elections and racked up large margins in his home turf of Eastern Kentucky. It's the same territory that went heavily for **PRESIDENT DONALD TRUMP** in 2016 and **GOV. MATT BEVIN** in 2015. But Bevin lost that region, too. At least 19 of the 31 counties that were lost by Bevin were won by Adkins. Those counties are largely comprised of socially conservative voters, many of whom are either annoyed or angry at Bevin and could be tempted by a Democrat.

WHY AMERICA'S LEAST POPULAR GOVERNOR WILL LIKELY GET REELECTED: Heading into the primary, **GOV. MATT BEVIN** [looked](#) potentially vulnerable for reelection this year, despite Kentucky's strong Republican voting habits. He's still

avored in the fall, but his weak showing makes him look beatable. Against three opponents, Bevin took just 52 percent of the GOP primary vote, which was open only to Republican voters. His relatively little-known lead challenger, **STATE REP. ROBERT GOFORTH**, took 39 percent of the statewide vote, outpacing the incumbent in more than 30 counties. Bevin will face state **ATTORNEY GENERAL ANDY BESHEAR**, who came out on top of a four-way Democratic primary. Beshear's father, Steve, preceded Bevin in office. As attorney general, the younger Beshear has already clashed with Bevin, suing the governor repeatedly. "We did something we're going to do in November," Beshear said during his victory speech Tuesday. "We got more raw votes than Matt Bevin." A weak showing by an incumbent among voters of his own party can be a real danger sign. Last year, Illinois Gov. Bruce Rauner took just 51.5 percent of the primary vote on his way to being crushed by Democrat **J.B. PRITZKER** in the fall. Of course, Illinois is a much bluer state than Kentucky, which gave President Trump a 30-percentage point winning margin in 2016. Trump was prominently featured in Bevin's advertising and tweeted his support for the governor on Tuesday, attesting that he's "done a fantastic job." Declaring victory, Bevin said that Beshear is too liberal for the state and that the race will showcase a "night and day" difference between the candidates, notably on abortion.

LOUISIANA

EDWARDS LEADS CHALLENGERS: Louisiana **Gov. JOHN BEL EDWARDS** is [leading](#) his Republican gubernatorial challengers by several points in a new poll, but is still well short of the 50% needed to win re-election. The survey, conducted by Baton Rouge-based JMC Analytics and Polling and released at a Louisiana Chemical Association annual event, puts Edwards at 38% in his bid for re-election as the only Democratic governor in the Deep South. **CONGRESSMAN RALPH ABRAHAM** polled second, at 23%, while Baton Rouge businessman Eddie Rispone is in single digits at 7% and 32% are undecided.

TRUMP COURTS SCALISE TO RUN: On his Air Force One flight to Louisiana earlier this month, **PRESIDENT TRUMP** [tried](#) to persuade **REP. STEVE SCALISE** to run for governor of Louisiana, according to two sources familiar with the president's private conversation. The president's personal appeal to the second highest ranking Republican in the House shows how determined Republicans are to knock off Louisiana Democratic Gov. John Bel Edwards. Trump told Scalise that he would win easily if he ran for governor and that he should think about entering the race. Trump told Scalise that his congressional district was safe, that another Republican could win his seat, and that "everyone" in Louisiana "loves" Scalise, so he'd have the best chance of beating the Democratic incumbent governor. Scalise seemed flattered by Trump's pitch, but politely dismissed the idea, according to a source with direct knowledge. The election is in October and the deadline to enter the race is early August.