

STATE BATTLES WEEKLY UPDATE: 1/11/13

NATIONAL UPDATES

Right to Work

[Reporting from Bridge Magazine](#) this week counters claims by the Indiana Economic Development Corporation that the state's right to work law has been a factor in corporate decisions to locate or expand in Indiana. [A report from the Economic Policy Institute](#) in December 2012 also found that there is no evidence that Indiana's right to work law, which was passed early last year, has had any impact on job creation in the state.

Voter Suppression

Republican lawmakers in nine states (AK, AR, MO, MT, NY, NC, VA, WV, and WI) have announced that voter ID bills will top their 2013 legislative agendas, according to a [report published this week](#). Some of the proposed legislation will aim to enact voter ID in the state for the first time, while other bills will seek to make current laws more stringent.

STATE UPDATES

30 states have begun their legislative sessions for 2013. These states are CA, CO, CT, DC, DE, ID, IL, IN, KY, MA, MD, ME, MI, MN, MO, MS, MT, ND, NE, NH, NJ, NY, OH, RI, SC, SD, TX, VA, VT, WI and WY. More information on the status of state sessions can be found [here](#).

ALABAMA

Alabama's legislative session will begin on February 5th.

Right to Work

Legislation has been prefiled in the Senate that would refer to the ballot a measure that would place the state's right to work law in the constitution. [SB 41](#) will be read for the first time on February 5th and will be referred to the Senate Committee on Business and Labor.

ALASKA

The legislature will convene on January 15th.

This week, the legislature released prefiled bills for the 2013 session. A summary of the bills that have been prefiled can be found [here](#). Meanwhile, Governor Parnell will give his State of the State address on January 16th.

Voter Suppression

Voter ID bill HB 3 was prefiled in the House this week. This bill would require voters to provide identification prior to voting, and would disqualify absentee ballots if it was determined that the voter failed to provide identification.

ARKANSAS

Arkansas' legislative session will begin on January 14th.

Voter Suppression

Two voter ID bills have been prefiled in the Senate. SB 2 would require Arkansas voters to present a photo ID prior to voting, and SJR 1 would place a photo ID constitutional amendment on the 2014 ballot. The senator who filed the two bills has also [called for the creation](#) of a voter fraud investigation unit.

ARIZONA

Arizona's legislative session will begin on January 14th.

Budget

HCR 2004 was prefiled this week. The constitutional amendment stipulates that any taxes or fees collected for a specific purpose may only be spent for that purpose and may not be appropriated elsewhere. In order for a constitutional amendment to pass in Arizona, both chambers of the legislature and the people must pass the measure by a simple majority.

Public Sector Workers

Payroll deduction bill [HB 2026](#) was prefiled last week. The bill would require every city and town council in the state to vote on whether or not to allow the deduction of union dues from their public employees' paychecks by December 31, 2013. If the municipality failed to vote by the deadline, then payroll deduction for union dues will be prohibited.

INDIANA

The state legislature began its 2013 session in late November 2012.

Education

The legislature is planning to expand what is already the country's largest voucher system for education. Republicans are proposing to eliminate the \$4,500 cap on vouchers that students in second through eighth grades can receive, and allow students to receive vouchers for up to 90 percent of tuition. More information can be found [here](#).

[SB 184](#) was introduced this week and referred to the Committee on Education and Career Development. This bill would expand the state's school voucher program by eliminating the requirement that siblings of a student who is currently enrolled in the voucher school program must first attend public school for a year before they are eligible to participate in the program. More information about the expansion measure can be found [here](#).

Privatization

This week, SB 291 was read for the first time and referred to the Senate Appropriations Committee. The bill would allow school districts to use money in their capital fund to contract out custodial, landscaping, waste removal, and other maintenance services.

Public Employees

SB 102 was read for the first time and referred to the Senate Committee on Pensions and Labor. The bill would prohibit the state from entering a contract that grants compensation to a public employee or third party for labor organizing activities, and would permit the Attorney General or any member of the public to sue for violation of the bill.

SB 248 was read for the first time and referred to the Senate Committee on Pensions and Labor. The bill would increase a public employees' contribution to the state pension plan to 2% of their base salary in their first year of eligibility.

Right to Work

This week, legislation to repeal the state's Right to Work law was read for the first time. [HB 1097](#) was then referred to the House Committee on Employment, Labor, and Pensions.

KANSAS

Kansas' legislative session will begin on January 14th.

Immigration

State lawmakers indicated that they will likely consider bills in the upcoming 2013 legislative session that would establish an Arizona SB-1070 style law and repeal the 2004 state DREAM Act. More information about the proposed bill can be found [here](#).

MAINE

Maine's legislative session began this week, and the Democrats released their 2013 legislative agenda. The Democrats have said that their agenda will focus on workforce development, education, infrastructure improvements, and managing health care costs. More information about their agenda can be found [here](#).

Budget and Taxes

[A report by the Maine Center for Economic Policy](#) has found that the recent budget shortfall is primarily the result of recession and tax breaks, not social services spending. The report estimates that over \$600 million of the state's estimated \$881 million budget shortfall is the result of the recession forcing down revenues. Tax cuts enacted in the past two years also contributed to the shortfall, reducing revenue by \$433 million. The report calls for a fairer tax system.

Education

Democrats in the legislature have announced their opposition to legislation that Governor LePage will introduce that would remove the cap on charter schools. More information can be found [here](#).

MARYLAND

Maryland's legislative session began this week.

Labor Standards

This week, paid sick leave bill [HB 55](#) was introduced. This bill would require employers to provide 2.5 days of paid sick leave per month to employees. The bill has been assigned to the Economic Matters Committee.

MASSACHUSETTS

Massachusetts' legislative session began last week.

Health Care

Governor Patrick is expected to introduce a proposal today that would change state and municipal workers' retirement plans. More information on the Governor's proposal can be found [here](#).

MICHIGAN

Michigan's legislative session began this week.

Legislators were greeted on the first day of session by activists from *We Are Michigan* who set up a [walk of shame](#) to protest the passage of right to work legislation in December. More information about legislative priorities of the Republican leaders can be found [here](#).

Governor Snyder is scheduled to give his state of the state address on January 16th. His address is expected to include proposals for funding for roads and bridges. More information can be found [here](#).

Electoral College

The House Majority Whip supports a plan that would eliminate the state's winner-takes-all Electoral College system and replace it with one that awards two electoral votes to the winner of the state and the remaining votes to the candidate who wins each congressional district. More information can be found [here](#).

Public Sector Workers

[Challenges are expected to the emergency manager law](#) that Governor Snyder signed last week. This law was passed by the legislature in the lame duck session in December after voters overturned a similar law that was passed in 2011.

MINNESOTA

Minnesota's legislative session began this week.

Labor Standards

Legislation to increase the state's minimum wage has been introduced in the state legislature. [HF 10](#) and [SF 3](#) would increase the state's minimum wage from \$5.85 to \$7.50 and would index the wage rate to inflation thereafter.

MISSOURI

Missouri's legislative session began this week. More information on what is expected in this upcoming session can be found [here](#), [here](#), and [here](#).

The Missouri Chamber of Commerce [outlined its legislative agenda for the coming year](#), which will include tax cuts, workers' comp reform, education and right to work. The agenda can be found [here](#).

Building Trades Workers

Legislation has been proposed in the House and Senate that would undermine prevailing wage requirements. [SB 30](#) and [SB 68](#) have been prefiled in the Senate; SB 30 would repeal prevailing wage laws in the state, and SB 68 would modify prevailing wage determinations for third class counties. [HB 34](#) was introduced in the House – the bill would establish a School Construction Act allowing school districts in certain counties to exempt their district from prevailing wage requirements for maintenance and construction work for educational facilities.

Education

This week, House Speaker Jones laid out his legislative agenda for the year, [which will include school "choice" type initiatives](#). Also expected on the agenda will be restrictions on teacher tenure and evaluation measures. More information can be found [here](#).

Health Care

Medicaid expansion will be a big priority for Governor Nixon in this legislative session. More information can be found [here](#).

Public Sector Workers

Payroll deduction/paycheck deception measures were read in the Senate this week. [SB 29](#) received its second reading and was referred to the Small Business, Insurance and Industry Committee, and [SB 71](#) received its first reading. These bills would prohibit payroll deduction for public employee union dues and agency fees, and would require public employee unions to obtain written annual permission for using dues or fees to make political contributions and expenditures. Extensive record keeping would be required and must be submitted to the state labor and industrial relations commission. First responders would be exempt from this requirement.

Paycheck Deception

[HB 64](#) was introduced in the House this week. This bill would require employers and unions to get written consent each year from their employees and members for any political contributions made through payroll deduction.

Right to Work

A few right to work bills were read for the first time this week in the Missouri House: [HB 77](#) and [HB 91](#), which would refer a right to work proposal to the November 2013 ballot, and right to work bill [HB 95](#). More information about the status of right to work legislation can be found [here](#) and [here](#).

Voter Suppression

Voter ID bill SJR 6 received its first reading in the Senate this week. This measure would refer to the November 2014 ballot a constitutional amendment requiring photo identification for voting.

MONTANA

Montana's legislative session began this week.

Public Sector Workers

Two bills have been drafted that would prohibit payroll deduction for union dues and would also prohibit public employee payroll deduction for political contributions. [LC 0230](#) is considered ready for delivery, but has not yet been introduced, and [LC 1871](#) is being reviewed.

Right to Work

Americans for Prosperity and Republicans in the state legislature are looking to pass legislation referring right to work measures to the ballot. At least one right to work measure – [LC0229](#) - is currently in the drafting process on right to work. More information can be found [here](#).

Voter Suppression

The House State Administration Committee has scheduled a hearing on voter ID bill [HB 108](#) on Wednesday, January 16th at 8:00 am in hearing room 455. This bill would limit acceptable voter IDs to only state-issued identification or tribal photo ID cards. Non-photo IDs such as utility bills and bank statements would no longer be accepted. Passports, military, veterans', and student ID cards aren't issued by the state, so they wouldn't be valid either.

NEW HAMPSHIRE

New Hampshire's legislative session began last week. A summary of the issues that the General Court is expected to address can be found [here](#).

Education

This week, a lawsuit was filed to block the implementation of the state's Education Tax Credit Program. The program gives businesses an 85 percent tax credit for donations to scholarship programs which pay for student tuition at private schools, including religious institutions. More information can be found [here](#).

NEW JERSEY

New Jersey's legislature went back into session this week. Also this week, Governor Christie gave his state of the state address. The text of the address can be found [here](#).

Immigration

State DREAM Act bill [A 1659](#) was introduced this week. This bill and companion bill [S 2355](#) would allow undocumented immigrants to pay in-state tuition at all state funded colleges and universities if they have attended a state high school for at least three years and plan to apply to become a U.S. citizen. Both bills have been referred to the Higher Education Committees in their respective chambers.

Immigration and education measure [A3509](#) was introduced last month and would allow undocumented students to pay in-state tuition if they have applied for inclusion under the Deferred Action for Childhood Arrivals memorandum signed by President Obama in June 2012. The Deferred Action for Childhood Arrivals permits undocumented immigrants who were brought to the United States as children to apply for a work permit and protection from deportation.

More information about these bills can be found [here](#).

Minimum Wage

Governor Christie has taken no action yet on a bill passed by the legislature late last year that would raise the state minimum wage to \$8.50 and index the wage rate to inflation. More information on the state minimum wage campaign efforts can be found [here](#).

Right to Work

This week, the Senate President [wrote an op-ed in the Huffington Post](#) opposing right to work in New Jersey.

NEW YORK

New York's legislative session began this week.

Minimum Wage

This week, Governor Cuomo called for an increase in the state minimum wage from \$7.25 to \$8.75. Cuomo laid out his support for this measure in his state of the state address earlier this week. More information can be found [here](#).

OHIO

Ohio's legislative session began this week.

Electoral College

Ohio's Secretary of State previously supported reapportioning the state's electoral votes, but has since [backed off publicly](#) due to criticism of the proposal.

Right to Work

Late last month, Governor Kasich continued to [avoid answering questions](#) about whether he supported efforts to put right to work on the November ballot.

PENNSYLVANIA

Pennsylvania's legislative session began last week.

Electoral College

The Senate Majority Leader is planning to reintroduce a revised plan to allocate Pennsylvania's electoral votes. Last year he introduced a bill that allocated presidential electors based solely on the percentage of each congressional district that was won. That bill failed. This year he [plans to](#)

[introduce a bill](#) that awards two electoral votes for the state’s winner and the rest to the winner of the congressional districts.

Minimum Wage

Sen. Christine M. Tartaglione (Democratic leader for the Senate Labor and Industry Committee) announced this week that she will work in this session to increase the state minimum wage and index the rate to inflation. More information can be found [here](#).

Privatization

Governor Corbett has proposed the privatization of the [commonwealth’s lottery](#), while this week the Pennsylvania Public Private Transportation Partnership Board approved a plan to [seek bids](#) on the system run jointly by the PennDOT and the Pennsylvania Turnpike that provides travelers information about traffic conditions.

Right to Work

Last month, Governor Corbett indicated that he believed the state did not have “the will” to pass right to work legislation, although a spokesperson has said that Corbett would sign the bill if passed by the legislature. More information can be found [here](#).

SOUTH CAROLINA

South Carolina’s legislative session began this week.

Privatization

For the fourth year in a row, Governor Haley has proposed privatizing the state’s [school busing system](#) as part of her budget proposal.

VIRGINIA

Virginia’s legislative session began this week.

Education

Several education bills have been prefiled in the legislature, including the following bills:

- HB 1808 would create the “Virginia Public School Improvement Program,” which makes it easier to convert public schools to charter schools.
- SB 935 would make several changes to the processes by which teachers and administrators are evaluated and retained.
- HB 1555 would establish a “Virginia State Virtual School,” and would pave the way for full-time online K-12 schooling.

Electoral College

SB 723 was prefiled last month. The bill would refer to the ballot a constitutional amendment to change the way the commonwealth’s electoral votes are allocated. This measure would change the current winner-takes-all system and would instead allocate votes based on who wins each congressional district. Constitutional amendments require passage of the bill in two consecutive

legislative sessions, after which a measure to amend the constitution would have to be passed by voters.

Right to Work

Last week, legislation was introduced that would refer to the ballot a measure to put the state's right to work law in the constitution. These bills, [SJ 293](#) and [HJ 536](#), would have to be approved by two consecutive legislatures for the measures to go on the ballot.

Voter Suppression

HB 1337 has been prefiled for the legislative session. This bill would strike utility bills, bank statements, government checks and pay stubs from the list of acceptable voting identification.

Voting Rights

Governor McDonnell announced his support for legislation this week that would give voting rights back to nonviolent felon offenders. More information about this position, which was outlined in McDonnell's 2013 State of the Commonwealth speech, can be found [here](#).

WEST VIRGINIA

West Virginia's legislative session will begin on February 13th.

Voter Suppression

West Virginia Republicans have made voter ID legislation one of their top legislative priorities in 2013, according to a [report last week](#).

WISCONSIN

Wisconsin's legislative session began this week.

ALEC

Wisconsin's 2011-2012 legislative session saw the introduction of 32 bills or budget provisions that were based of ALEC models, according to a [report released this week](#) by the Center for Media and Democracy. The report also speculates on what ALEC legislation Conservative Wisconsin legislators may introduce in the 2013 session

Electoral College

Though he's supported the idea in the past, the new Assembly Speaker has [indicated](#) that changing the way Wisconsin's electoral votes are allocated is not one of his legislative priorities. Governor Walker finds the idea ["interesting" and "plausible,"](#) but has not publicly stated whether he supports or rejects it.

Mining

The Senate Majority Leader has said that he expects legislation on the state's mining regulations to be voted on in March. Meanwhile, the Assembly Speaker says that legislation will be introduced next week in the Assembly. More information can be found [here](#).

Public Sector Workers

The Wisconsin Law Enforcement Association (WLEA) [filed a lawsuit last month](#) against Governor Walker's "Budget Repair Bill," Act 10 from 2011. The law, which retained collective bargaining for state troopers, but eliminated it for other state employees and other law enforcement, is being challenged on equal protection grounds.

Right to Work

This week, Assembly Speaker Vos reported that he will not allow right to work legislation to come up for a vote in the Assembly. Last month, Governor Walker said that right to work is not on his agenda for the 2013 legislative session. More information can be found [here](#) and [here](#).