

Dentons 50 2020 Outlook

An excerpt from Dentons'
US Policy Scan

ALABAMA

Republicans enjoy impressive supermajorities in both chambers of the Alabama Legislature as well as control of the governorship. Strains between Tea Partiers and Chamber of Commerce Republicans occasionally complicate the policy-making process, but the divide was bridged last year when both chambers passed an increase in the gas tax to invest in road and bridge infrastructure improvements.

Key issues in 2020

Prison and criminal justice reform:

Leadership is expected to prioritize prison and criminal justice reform to reduce cost and address federal lawsuits against the state alleging overcrowded conditions and subpar social services in state prison facilities.

Small cell vs. 5G: Legislators may preempt local government regulation of small cell infrastructure in favor of a statewide framework for 5G systems, setting up a confrontation with cities and counties as well as the cable industry.

Medical cannabis: The Alabama Medical Marijuana Study Commission will soon decide whether to send recommended legislation to the Legislature in 2020. A draft bill circulated in November contained stipulations for licensing dispensaries, advertisement of the drug, a statewide seed-to-sale tracking system, and other regulatory measures.

Gaming: Efforts to create a state lottery bogged down after lawmakers disagreed on where the revenue would go, but it is likely that lottery legislation will re-emerge in 2020, along with proposals from the Poarch Band of Creek Indians to expand from electronic bingo into broader table games.

ALASKA

The legislative session opens January 14 after a contentious budget year which saw major cuts to higher education and reduced spending in nearly all major programs.

Key issues in 2020

Taxation: Bills proposing significant tax increases on the oil and gas industry persist as lower than expected oil prices reduce tax revenues from this dominant industry.

Permanent Fund Dividend: The Governor wants to restore the dividend that all Alaskans receive from oil and gas revenues to \$3000. The republican House and Senate forced the Governor to accept a \$1600 payout as they grappled with continued budget shortfalls.

Spending: After vetoing the legislature's initial budget, the Governor accepted restored funding in several areas including childhood learning, legal service and senior citizen programs. He also moderated on cuts to the University of Alaska system. Look for all of these programs to be subject to cuts again in 2020.

ARIZONA

The 2020 legislative session will likely be highly contentious because for the first time in decades Republicans are seriously concerned about losing their majority.

Key issues in 2020

Education funding: Republican lawmakers are discussing bills to increase K-12 funding in order to fend off a possible initiative campaign that would take the issue away from the Legislature.

Criminal justice reform: A bipartisan study committee led by Republican Representative Walt Blackman last year released a consensus set of policy suggestions for reforming the criminal justice system. Republican Governor Doug Ducey is also a fan. A good combination for action in 2020.

Tax reform and cuts: Tax reform and tax cuts are perennial favorites of GOP lawmakers, but they may get added interest if it appears that Republicans could lose the majority in either the state Senate or House of Representatives.

School safety: School safety is expected to remain a priority for Governor Ducey, who has been unsuccessful in passing major legislation to this point.

Legalizing cannabis for adult use:

Legalizing recreational cannabis will likely be back on the ballot in 2020 after a 2016 initiative to legalize adult use failed with 48.7 percent of the vote.

ARKANSAS

The General Assembly meets for its abbreviated fiscal session in April 2020.

Key issues in 2020

Medicaid: It appears the work requirement tied to the state's Medicaid expansion program, Arkansas Works, will be struck down in federal court, which could prompt the conservative Arkansas General Assembly, the state legislature, to consider withdrawing funding from the program altogether.

Possible special session: Republican Governor Asa Hutchinson may call a special session of the legislature to address vaping and hate crimes, but only if he has the votes to pass the bills.

Highway funding: A highway funding ballot initiative has the support of the Governor, the state Chamber of Commerce and several trade organizations. The initiative would make permanent a half-cent sales tax for highways, which is projected to raise \$205 million per year for highways and \$43 million per year for cities and counties.

CALIFORNIA

California expects a busy legislative year in 2020. The state's economy continues to perform above the national average and Democratic Governor Gavin Newsom projects a \$7 billion surplus in the next budget year.

Key issues in 2020

Housing: Look for legislation limiting local government's zoning authority and requiring more multifamily housing to be built near transportation hubs.

Disaster preparedness: Wildfires have caused significant loss of life and property in California over the past couple years prompting the state to continue to invest in forest management practices while also looking for electricity providers to modernize transmission systems. Insurance companies may also receive attention due to the high number of home and business owners who can no longer obtain property insurance.

Homelessness: The state has provided more than \$500 million to local governments in an effort to address homelessness and is expected to focus next on mental health in an effort to ease the crisis.

Climate change: California and the Trump administration are locked in a number of legal and policy battles relating to climate change. The State Legislature will continue its efforts toward a zero-emission economy, including the likely passage of the most comprehensive legislation in the country regulating single-use packaging.

Water needs: Water quality and quantity issues will remain a top regulatory priority. The state has committed to negotiating voluntary agreements with water users and environmental interests to balance the needs of nature with those of agriculture, business and communities. Additionally, the implementation of the Sustainable Groundwater Management Act (SGMA) will start impacting communities and business interests throughout the state.

COLORADO

The Colorado General Assembly will be in session from January through May.

Key issues in 2020

Family Medical Leave Insurance (FAMLI) program: This will be the sixth attempt by the legislature to pass the FAMLI bill, which

would require employers and employees to pay into a state fund to support 12 weeks of paid family leave for pregnancies, infant or sick relative care, or recovery from illness. Disagreements include the definition of “familial relationship,” set length of paid leave, and payment responsibilities. The actuarial cost is estimated to be between \$1 billion and \$2.2 billion.

Public health insurance option: In an attempt to bring down health insurance prices, the legislature plans to introduce a public insurance option. The option would only apply to the individual market for health coverage and would set caps on how much hospitals can charge for treating people, require hospitals to participate, and require insurance companies of certain size to offer state-option plans.

Transportation funding: Look for several ballot initiatives to try and address funding for transportation and infrastructure maintenance and improvements across the state. The Tax Payers Bill of Rights (TABOR) prohibits the legislature from raising a tax without a popular vote approving the increase. It is likely that a new, indexed fee on gasoline and a streamlined process for approving a Regional Transportation Authority (RTA) to allow local communities to fund their own infrastructure projects will be proposed.

K-12 education funding: Last year the legislature passed the Governor’s request to establish free full-day kindergarten. Now they have to pay for it while also addressing the Governor’s new proposal to provide free preschool.

CONNECTICUT

The 2020 legislative session will be a “short session,” beginning in February and wrapping up in May.

Key issues in 2020

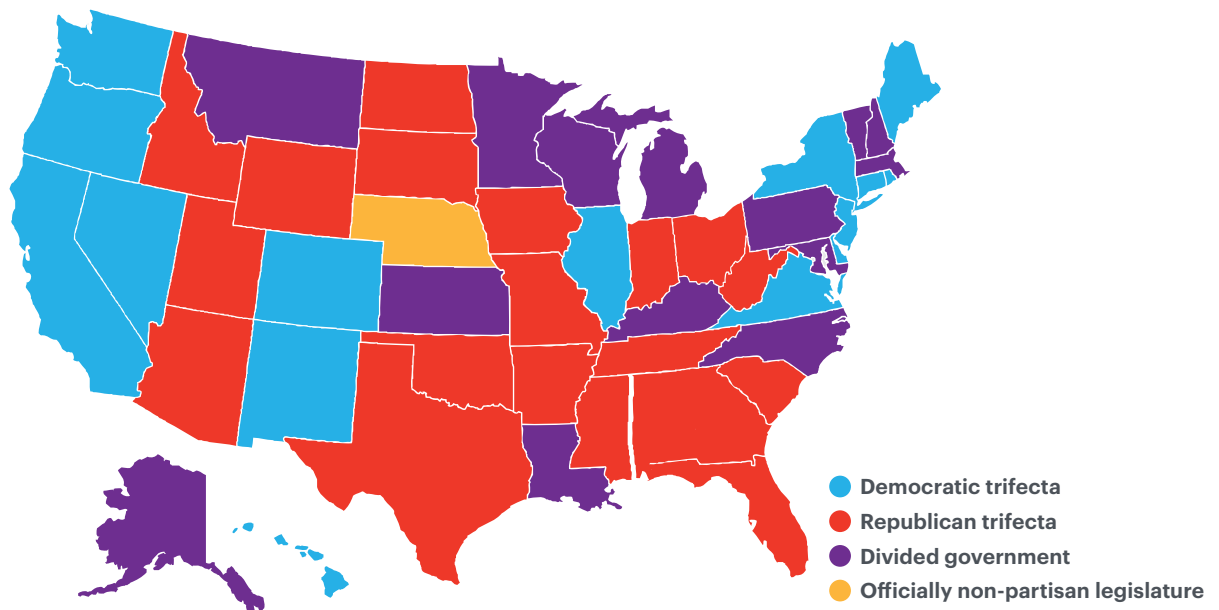
Transportation infrastructure: Democratic Governor Ned Lamont’s top priority is to shore up revenue to make investments in the state’s aging highways and bridges. Tolling trucks and leveraging low-interest federal loans are considered two crucial elements of the plan.

Vaccines: The battle over state-mandated vaccination requirements for children is expected to come to a head this session, as Democratic leaders push for stricter vaccination requirements.

Gaming: Stakeholders on all sides are expected to mount another push to expand gaming in the state. Proposals are likely to include legalized sports betting, online gaming, and a new casino in Bridgeport.

Cannabis: Advocates for legalization and taxation of recreational cannabis plan to mount an aggressive lobbying effort to pass

STATE HOUSE ELECTIONS



enabling legislation this session. Legislative leaders and the Governor are supportive, but the issue has fallen short due to resistance from a coalition of urban and conservative lawmakers.

Budget: The General Assembly will once again face a perennial budget deficit due to the state's ongoing struggles to cover the costs of ballooning unfunded pension liabilities.

DELAWARE

Key issues in 2020

Cannabis: While the state expanded its medical-marijuana program, efforts to make cannabis legal for adult-use moved forward only in the House. Look for legalization efforts to gain momentum early in 2020.

Gun control: Three major gun control measures - ban on assault weapons, limits on magazine size, and training for gun ownership - all failed. The bills are the state's response to mass shootings and are likely to come up again in 2020.

FLORIDA

Republican Governor Ron DeSantis, who has a strong approval rating of 68 percent statewide, will include several initiatives as part of his "Bolder, Brighter, Better Future" budget for fiscal year 2020-21.

Key issues in 2020

Teacher pay: The Governor would increase the Florida Education Finance Program (FEDP) by more than \$1 billion, which includes \$600 million to raise the minimum salary for full-time classroom teachers.

Opioids: Over \$54 million is recommended to continue fighting the opioid epidemic, with \$17 million new dollars provided for mental health and substance abuse programs.

Infrastructure: To stimulate economic growth and employment in the state, the budget provides \$8.8 billion for the state Department of Transportation's Work Program and \$50 million for the Florida Job Growth Grant Fund to provide funding for public infrastructure and job training projects.

Elections: The Governor recommends \$6.6 million for state-level election oversight activities, with a focus on cybersecurity enhancements to Florida's election system (\$1.3 million for ten new positions dedicated to providing local supervisors of elections with support and recommendations to combat cyber threats; and \$1.4 million for voter registration list maintenance services and voter outreach through the Electronic Registration Information Center (ERIC)).

Immigration: The Governor wants all Florida businesses to use a system to prevent undocumented immigrants from getting jobs in the state, but attempts to impose the mandate have gone nowhere in the Republican-dominated Legislature.

Ballot initiatives: Measures to be voted upon in a future election include initiatives to: (1) limit voting to only US citizens; (2) increase the minimum wage to \$15 by 2026; and (3) establish a top-two open primary system for state-office primaries.

GEORGIA

The 2020 legislative session will be a busy one, largely driven by Republican Governor Brian Kemp's continued focus on healthcare, rural economic development initiatives, public safety, school safety, and education. However, going into an election year where Democrats have, for the first time in a decade, a realistic chance of retaking the House, both parties are unlikely to take up contentious issues.

Key issues in 2020

Health care: Governor Kemp received the authority from the Georgia General Assembly, the state legislature, in 2019 to peruse a health care waiver from the federal government. The Governor will submit and seek federal approval for this waiver in 2020. The legislature will focus on health care legislation resulting from the work of several off-session study committees including maternal mortality, patient billing, indigent care, and scope of care.

Rural development initiatives: The House Rural Development Council continued its work exploring health care and economic development in the state's rural communities. While it is unlikely they will pursue as aggressive an agenda as they did in 2019,

the group, led by powerful members of both the House and Senate, will surely introduce legislation.

Gaming: Faced with declining revenues, Georgia is increasingly studying sports betting, casino gambling and horse racing. A study committee has yet to agree on how to move forward and the Governor hasn't come out in support of any one strategy.

State Budget: Facing declining revenues and a campaign commitment to raise teacher pay, the Governor is tasking state agencies to find inefficiencies and cut costs in this year's budget cycle. Specifically, the Governor instructed several state agencies to reduce spending in the current 2020 fiscal year by 4% and by 6% in 2021. The cuts are aimed at shrinking the size of government, preparing for the possibility of a recession, and finding funding for the Governor's priorities in light of shrinking state revenue.

HAWAII

This month, the Hawai'i State Legislature will review, revise and adopt the state budget submitted by Democratic Governor David Ige. The budget focuses on infrastructure, education and sustainability.

Key issues in 2020

Infrastructure: A \$2.6 billion (FY21) CIP (capital improvement plan) budget includes an additional \$151 million for airports, \$495 million for highways, \$220 million for public schools and \$87 million for the University of Hawai'i.

Prisons: Hawai'i's prison system is expected to receive additional funding for a healthcare unit at Halawa Correctional Facility (\$30 million) and planning for the relocation of the Oahu Correctional Center (\$20 million).

Teachers: The proposed budget includes additional compensation of \$14.5 million in FY20 and \$26.7 million in FY21 to address Hawai'i's teacher shortage; as well as \$19 million for Hawai'i's Promise, a program that enables students to obtain college credit during high school.

A colossal (and controversial) telescope: Finally, the Legislature will consider the fate of a proposed Thirty Meter Telescope (TMT) on the island of Hawai'i. The TMT, which is proposed to be built on lands

sacred to native Hawaiians, has created renewed interest and activism on indigenous rights issues related to land, water and development.

IDAHO

The fastest-growing state for the past three years, Idaho is facing a myriad of issues.

Key issues in 2020

Property tax relief: Idaho's growth from in-migration has increased home prices and property valuations, which in turn has increased property taxes. Idaho legislators will likely seek to provide property tax relief statewide.

Transportation/Infrastructure funding: Funding for Idaho's roads is considered a priority, yet last year the Legislature rejected measures that would have increased the state's vehicle registration fee and it has yet to identify new sources of revenue.

Red Tape Reduction Act: In 2019, in an effort to become the "least regulated state in the county," Idaho passed the Red Tape Reduction Act. Through this process, the state's entire code was nullified, requiring all state agencies to review each rule, reduce redundancies and resubmit the rules they want to keep to the Legislature during the 2020 and 2021 sessions.

ILLINOIS

In November 2019 John Cullerton, President of the Illinois Senate, surprised the Democratic-controlled General Assembly, the state legislature, and his Senate, with an early retirement set for January, 2020. While maneuvering to replace him dominates the Senate, the looming prospect of numerous indictments of Senate and House members has cast a cloud over both chambers. In response, ethics reform will be front and center when the session convenes at the beginning of the year.

Key issues in 2020

Gaming: Last session a law was enacted authorizing a land-based Chicago casino, but the tax rate in the new law is discouraging investment so the city is seeking changes.

Cannabis: On January 1, Illinois became a legal adult-use state. That being said, legislation to incentivize and promote greater minority participation in the marketplace is likely.

Energy: Last session an omnibus energy package was ultimately tabled when federal raids raised concerns about the behavior of top ComEd (Commonwealth Edison) employees, lobbyists and legislative members. The package may be reconsidered, but members also may be squeamish about tackling the issue.

Taxes: Democratic Governor J.B. Pritzker was successful in placing a constitutional amendment on the 2020 ballot to change the state's income tax from flat to graduated (progressive). This proposal and the campaigns supporting and opposing it, are likely to dominate the legislative session.

INDIANA

The Indiana General Assembly, the state legislature, will convene for its "short" session on January 6 and must conclude its work no later than March 15.

Key issues in 2020

Leadership: Longtime Republican Speaker of the House Brian Bosma announced on Organization Day in November 2019 that this would be his last session and he would not seek re-election. The Republican Caucus has elected Representative Todd Huston as speaker-elect. Rep. Huston will spend the next several months shadowing Speaker Bosma before taking over in May 2020.

Budget: Indiana has a record fiscal surplus of nearly \$2.7B. Though it is a non-budget year, the legislature will likely have a bill allocating a portion of the surplus for capital projects around the state.

Health care: Leaders in both chambers are looking at engaging on several health care-related issues, including increasing the smoking and vaping age to 21, a health care transparency portal to help consumers cut through the confusion of hospital/health care bills, and measures to limit surprise billing.

IOWA

Republicans continue to control the governorship and both houses of the Iowa General Assembly, but their majorities in both chambers are narrow going into the 2020 election year.

Key issues in 2020

Budget surplus: The state boasts a \$289 million budget surplus. Initial budget decisions, by law, will include supplemental aid to the state's public schools, but it is likely the majority of the surplus will be returned to taxpayers via some form of tax reduction.

Sales tax increase for water quality: The idea stems from a 2010 ballot measure that approved a constitutional amendment to create a National Resources and Outdoor Recreation Trust Fund. Per the amendment, the next time the legislature approves a sales tax increase, three-eighths of every penny could be used to support the Fund. If the sales tax increase comes up, conservative leadership is likely to amend the formula of Fund allocations and distribute the remaining five-eighths of each penny to provide Iowans a net tax reduction.

Mental health funding: In May 2019, Governor Kim Reynolds signed a bill establishing a statewide children's behavioral health system that lacked a secured funding source. In the midst of a surplus and possible sales tax increase, legislators may push for assured funding for both the children and adult mental health systems.

Health care: The state Senate, including Majority Leader Jack Whitver (R), has set its sights on raising to 21 the legal age to purchase cigarettes and vaping products. There is also carry-over conversation on expansion of medical cannabis after Governor Reynolds' veto of a bipartisan expansion effort last year.

Workforce: Because of the state's low unemployment rate, Iowa employers are having a difficult time filling open positions. To streamline employment opportunities and increase workforce readiness, the Governor has created Future Ready Iowa, which houses initiatives such as the Last Dollar Scholarship and the Employer Innovation Fund.

KANSAS

Key issues in 2020

Broadband expansion: The Statewide Broadband Expansion Task Force is scheduled to release its legislative recommendations to the Legislature by January 15, 2020.

Budget: Democratic Governor Laura Kelly announced that she will release a proposed annual statewide budget (as opposed to the two-year budgets that were announced prior to her tenure). The result will be a budget fight this year over providing additional funding to state programs and initiatives after years of budget cuts under former Governor Sam Brownback (R).

Abortion: The Kansas Constitution protects a woman's right to an abortion, the state Supreme Court ruled in April 2019. Lawmakers will likely attempt to pass a constitutional amendment in 2020 making it explicit that abortion is not a right and the court cannot interpret the constitution to say it is. If passed, the proposed amendment will be placed on an election ballot for a vote by the people.

Medicaid expansion: In 2019, the Kansas House of Representatives passed a Medicaid expansion plan similar to the one proposed by the Governor which would expand coverage to include any adult under the age of 65 whose income does not exceed 133 percent of the federal poverty level. The Senate, however, refused to take up the plan. Republicans in the Senate have now introduced their own plan and hope to pass a bill through their chamber by the end of January.

Sports wagering: Kansas hopes to join the ranks of states that have passed laws allowing sports wagering to take place. Since the US Supreme Court lifted the federal ban on sports betting in May 2018, 13 states have legalized the practice, 8 (including DC) have passed laws to do so but their launch dates are pending, and 24 states have pending legislation.

Tax policy: Several tax reform proposals will likely garner attention, including a move to decouple Kansas from certain provisions of the federal tax code, raise the standard deduction, provide relief for corporations, reform property taxes, and address online sales taxes and taxes on food.

Tort reform: The state Supreme Court struck down on constitutional grounds the state's cap on damages for noneconomic injuries, such as pain and suffering and mental anguish, which currently stands at \$325,000.

Almost immediately, the business community called for legislative reform to correct the issue.

KENTUCKY

The 2020 legislative session is a 60-working day session during which the Republican dominated General Assembly must pass the state's biennial budget, but will no doubt also tackle a number of high-profile issues, from increased transportation funding to sports wagering. New Democratic Governor Andy Beshear can veto legislation, but vetoes can be overridden by simple majority.

Key issues in 2020

Transportation funding: Road contractors, the Chamber of Commerce, and city and county associations have prioritized legislation intended to increase the per-gallon gas tax by \$0.10 to \$0.20, increase electric vehicle registration fees, and retool the city-county distribution formula.

State budget: Kentucky's legislature is accustomed to lean budgets thanks to the massive costs required to pay down the public employee retirement systems' unfunded liabilities, the state's increased responsibility for Medicaid expansion, and burgeoning corrections costs. Governor Beshear campaigned on \$2,000 raises for the state's 42,000 public school teachers. House and Senate leadership have remained open to the proposal but have put the onus on the Governor to account for the \$80 to \$100 million it will cost.

Revenue measures and tax reform: The General Assembly passed substantive tax reform measures the past two sessions and appears to be taking a "wait-and-see" approach on their impact before making further changes in 2020.

School safety: In response to a fatal school shooting in western Kentucky, the legislature formed a working group on school safety, whose recommendations were included in a 2019 bill. That legislation was unfunded and, after a full review, public education associations have placed a nine-figure price tag on implementation. During the 2019 interim, legislators suggested funding solutions ranging from a bond issuance to finding dedicated revenues in the form of tax increases on vaping products.

LOUISIANA

Louisiana's 2019 fall election cycle ushered in significant changes in the state's political landscape: First, Democratic Governor John Bel Edwards was re-elected to a second term by a razor-thin margin. Second, term limits forced substantial vacancies in both chambers, resulting in a host of new inexperienced lawmakers joining the State Legislature. The 2020 legislative session begins March 9 and must adjourn sine die by June 1.

Key issues in 2020

Tort reform: There will likely be a push to lower the state's \$50,000 jury trial threshold to some lower figure. This matter has met stiff resistance from plaintiff's attorneys who maintain a very powerful presence in the state.

Budget: Louisiana has an anticipated \$500 million-plus surplus resulting from a series of increased "temporary" sales taxes and the elimination of a litany of tax exemptions and credits passed over the past few years. Fights over where to direct surplus spending will dominate the Legislature, with education funding a likely focal point.

Transportation: Competition for surplus dollars will likely involve efforts to address lingering backlogs at the Department of Transportation.

Equal pay and minimum wage: Governor Edwards once again intends to push for legislation (1) requiring employers to pay men and women equally for doing the same work and (2) boosting the minimum wage paid to Louisiana workers. Both these issues will likely face an unfriendly Legislature.

MAINE

Key issues in 2020

Health care: Members of the Maine Legislature will review bills (already approved for consideration by the state's Legislative Council) to expand MaineCare coverage, improve and increase access to reproductive healthcare, and create a grant program to treat substance abuse during pregnancy. Democratic Governor Janet Mills is expected to seek greater state control over managing Maine's Affordable Care Act exchange.

Broadband expansion: Legislators will explore various methods to expand access to broadband Internet for Mainers, particularly in rural areas. Legislation to increase funding for rural broadband is already up for consideration, and a new proposal to create a tax credit for new jobs that allow employees to work remotely is seen as an adjacent and potentially collaborative measure.

MARYLAND

The 2020 legislative session will be challenging and unpredictable as the longstanding leadership of both the House and Senate has changed, making both chambers more progressive.

Key issues in 2020

Funding for K-12 education: A commission has recommended increased investment of more than \$4 billion annually through a combination of state and local funds. The Governor has dubbed this group "the tax commission" as the state and several local jurisdictions will need to identify revenue sources, existing or otherwise, to implement its recommendations.

School construction: The Governor and the House and Senate leadership plan to introduce legislation to fully fund school construction projects using a share of casino revenues in the education lock box. Prioritizing facility needs will prove contentious.

Banning flavored tobacco products: House leaders plan to propose legislation banning all flavored tobacco products, including menthol cigarettes popular among African-American smokers.

Legalizing sports betting: The General Assembly will again consider legislation to authorize a referendum to legalize sports betting. This will need to be enacted this session in order to be placed on the ballot in the 2020 general election.

Restricting the transfer of long guns:

Maryland regulates the sale, transfer and possession of handguns and assault weapons, but not the regulation of rifles or shotguns. Legislation to require a licensed firearms dealer to facilitate the transfer of a rifle or shotgun died in conference committee last session.

MASSACHUSETTS

With 2020 being both the second half of Massachusetts' two-year legislative session and an election year, legislators will be busy fulfilling promises that were made at the start of the session in January 2019.

Key issues in 2020

Health care: Governor Charlie Baker (R) filed a bill in October 2019 that would expand access to behavioral health and primary care, target hidden consumer costs, and aim to hold drug companies accountable for unjustified price hikes.

Infrastructure and transportation: Increases in the state gas tax and ride service fees are on the table, as well as exploration of a dedicated funding source for the Massachusetts Bay Transportation Authority and a regional cap-and-invest program to reduce transportation sector emissions.

Sports betting: Governor Baker filed a bill legalizing sports betting in January 2019 with the hope that it would pass in time for the start of the NFL season in September. While legislators held a hearing on the legislation, they have yet to release their own version of the bill.

Affordable housing: Massachusetts housing production has slowed dramatically in recent decades, leading to a shortage in supply of affordable options. Governor Baker has filed legislation that would lower the threshold for new project approvals from a two-thirds majority of the relevant municipal body to a simple majority.

MICHIGAN

The Michigan Legislature, a full-time legislature, will return the third week of January, legislate till April when it takes a two-week spring break, after which the session will reconvene and continue until adjournment on the first of July.

Key issues in 2020

Infrastructure: Governor Esther Whitmer (D) continues to seek increased funding for roads.

Criminal justice reform: Michigan considers itself a leader in criminal justice reform. The Senate will likely consider a House-passed bill on expungement, while the House will move to review measures on earned time or productivity credits and trauma recovery centers.

Regional transit: The Legislature is working to allow the counties and municipalities in the areas of Detroit and its suburbs to collaborate on a regional transportation system.

Ethics and election reforms: The Legislature may move to put a term-limits extension on the ballot along with other changes to Michigan's lobbying laws and regulations and election system.

New payday loan product: In January the House will take up legislation to provide a new product to the payday loan industry. It will be a short-term, higher-amount loan not currently provided by other financial institutions.

MINNESOTA

The 2020 legislative session will begin on February 11 and focus on resolving issues left over from the previous session, specifically the passage of a supplemental budget bill and a bonding bill.

Key issues in 2020

Climate change: A debate on clean energy, global warming and achieving 100 percent renewable energy by 2050 will continue. Governor Tim Walz (DFL) has invested tremendous political capital and state resources into the discussion. His latest proposal—to adopt California's vehicle emission standards—will be especially controversial this session.

Cannabis: The Governor has instructed all state agencies to prepare for the legalization of recreational cannabis. He intends to push this initiative with the strong support of the Democratic house and despite equally strong opposition in the GOP-controlled Senate.

Ethics: Over the past 12 months, the Minnesota Department of Human Services has faced numerous media reports and investigations regarding fiscal mismanagement. Estimates of nearly \$100 million in misspent funding will result in a strong legislative attempt to break up and restructure one of the state's largest state agencies.

MISSISSIPPI

Session opens January 7 with a new Administration and 16 new members of the Senate. Budget issues will dominate debate as revenues from the newly passed lottery and settlement funds from the BP oil spill become available for infrastructure.

Key issues in 2020

Infrastructure: Dedicated revenues from the state lottery and the first year of revenues from the BP oil spill settlement mean increased competition for infrastructure projects.

Education: Look for legislators to target more spending for early education programs.

Medicaid expansion: Democrats will once again push for expanding Medicaid, but Republicans are steadfast in their opposition

MISSOURI

Republican Governor Mike Parson and Republican supermajorities in both the House and Senate will control the election-year agenda, which will include redistricting, online sales tax, public safety, tort reform and education reform.

Key issues in 2020

Redistricting: In 2018, voters approved a redistricting plan, dubbed "Clean Missouri," backed by the state Democratic Party. The top priority of the Missouri Republican Party is to rewrite this plan to protect its legislative majorities.

Online sales tax: Missouri and Florida are the only states with a state-level sales tax that have not ratified a sales tax on Internet purchases.

Public safety: Governor Parson has partnered with the mayors of Missouri's four largest cities to request that the state legislature restrict firearm access to minors, domestic abusers and prior offenders.

Tort reform: The American Tort Reform Association has ranked St. Louis as the fifth-worst "judicial hellhole." The legislature plans to respond with a host of tort reform proposals, including limitations on punitive damages.

Education reform: Republican leadership in both chambers will once again attempt to expand charter schools and create education savings accounts.

MONTANA

Since Montana's biennial Legislature (which meets in regular session for no longer than 90 days in each odd-numbered year) will not be in session in 2020, the election cycle will take center stage and likely drive policy agendas for the 2021 legislative session.

Key issues in 2020

Tech: A tax credit bill to incentivize broadband development passed in the 2019 Legislature only to be vetoed by Governor Steve Bullock (D). Currently, the Legislature's Economic Affairs Interim Committee is studying ways to incentivize broadband, and legislation could result from their work. Additionally, the Transportation Interim Committee is studying establishing regulations to govern the use of self-driving vehicles.

Energy: What to do with the Colstrip coal-powered generation plants in Colstrip, MT, slated for decommissioning, and associated coal mining operations in southeastern Montana, will continue to dominate the energy policy debate in the state.

Criminal justice: Montana has followed a number of states in adopting criminal justice reform measures that aim to reduce recidivism and save the state critical revenue resources. The Legislature's Economic Affairs Interim Committee is looking at ways to help

individuals with a criminal background obtain occupational licenses, which can be a path to a better-paying job.

Education: Montana has one of the oldest workforces in the US. The Legislature's Education Interim Committee is looking at ways to boost career and technical training opportunities for the state's high school students.

Good government: The Legislature's Energy and Telecom Interim Committee has taken up a study to review several aspects of the Montana Public Service Commission, including the election of commissioners, the structure of the commission, and the commission's role and function in utility regulation in the state.

NEBRASKA

The 2020 legislative session will be a short one (60 days). It appears the budget will have approximately \$400 million in excess revenues.

Key issues in 2020

Taxation: Relief from high property taxes has been the top issue for Nebraska voters for some time. However Governor Pete Ricketts (R) and the Nebraska Legislature have only made moderate progress on this front. Look for more significant relief this session.

College athletes: Paying college athletes when businesses use their name, image or likeness, while also remaining on scholarship.

Health care: Bills that cap copays on insulin and address surprise billing.

NEVADA

In 2019, Nevada voters elected Democrat Steve Sisolak governor, giving the Democrats "trifecta" control of the executive branch and both chambers of the State Assembly. The election also established the first female-majority legislature in US history. While 2020 is an off year for the legislature, the interim session, which is comprised of a host of standing committees and issue studies, is already in full swing.

Key issues in 2020

Patient Protection Commission: One of Governor Sisolak's first session agenda items was the creation of a Patient Protection

Commission to drive future legislative and executive policy that addresses patient concerns.

Cannabis Control Board: Another first session agenda item for the Governor was the creation of a professional regulatory body for the cannabis industry. Modeled after the Gaming Control Board, it was designed to enhance and elevate the fledgling industry into another Nevada behemoth. The body will have professional staff and be comprised of both industry and non-industry professionals.

Education funding: During the 2019 legislative session, a new funding formula for K-12 was introduced with an eye on the next biennium for implementation. Information regarding the performance of the new funding formula should filter in over the 2020 interim, setting up a battle in the 2021 legislative session, as any changes to the way schools are funded will have both winners and losers.

NEW HAMPSHIRE

Key issues in 2020

Cannabis: Legalization stalled in the Senate, but legislators are likely to introduce competing bills to either fully legalize cannabis for adult use with a corresponding commercial marketplace, or simply legalize use and home growing without authorizing sale. Expansion of the medical cannabis program will also be considered, but must overcome objections from the Governor.

Infrastructure: The state's reliance on the gas tax to fund New Hampshire's roads is proving problematic as cars become fuel-efficient. Legislators may consider a road use fee to supplement the gas tax.

Plastic trash: A ban on single-use straws died in the Senate, but legislation to allow localities to ban plastic straws is still on the table.

Renewable energy: Despite repeated vetoes, measures to increase the size of solar facilities that can participate in net metering and subsidize biomass power will come back before the legislature.

NEW JERSEY

New Jersey's two-year legislative session commences on January 14. With no state offices up for reelection, 2020 promises to be a busy year on the legislative front.

Key issues in 2020

Cannabis: It is widely expected that both the General Assembly and the Senate will approve a constitutional resolution that would put the question of cannabis legalization before voters on the 2020 ballot.

Taxation: To pay for his spending priorities, Governor Phil Murphy (D) is expected to renew his effort to (1) raise the income tax on millionaires and (2) hike the sales tax to 7 percent.

Other: Other legislative issues to expect in 2020 include pension and health benefit reforms for public workers, bills to crackdown on the misclassification of independent contractors, and business incentive legislation to attract and retain companies in the state.

NEW MEXICO

New Mexico has a particularly short session in 2020 - noon January 21 through noon February 20.

Key issues in 2020

Free tuition: The Governor hopes to get \$35 million to fund free in-state college tuition for New Mexico residents.

Cannabis: While legalization efforts fell short in 2019, the governor is expected to include it in her 2020 budget.

Health care: Look for the democratically controlled legislature to follow its success in backstopping Obamacare by protecting people with pre-existing conditions with additional measures aimed at shoring up consumer protection should the federal law fail.

NEW YORK

The 2020 legislative session begins on January 8 and will end in early June to accommodate the new June primaries. Democratic Governor Andrew Cuomo will be looking for money to fix a \$4 billion budget gap due in part to a projected \$6.1 billion Medicaid gap.

Key issues in 2020

New revenue: The Governor and Legislature will look at (1) legalizing cannabis for adult use and (2) approving online gaming as new revenue sources.

Privacy: New York is likely to follow California's lead in enacting stricter privacy standards for individual's data.

Regional initiatives: Look for New York to lead on regional transportation and climate issues, along with neighboring states in the Northeast and the mid-Atlantic.

NORTH CAROLINA

North Carolina has biennial sessions, with "long" sessions beginning in January of odd-numbered years and "short" sessions beginning in May of even-numbered years.

Key issues in 2020

Budget veto override: Democratic Governor Roy Cooper vetoed the GOP's \$24 billion two-year state budget in June 2019 because it lacked Medicaid expansion and robust pay raises for teachers. House Republicans were able to override the veto in September, putting the issue squarely in the Senate's hands as 2020 begins.

Medicaid expansion: North Carolina is one of 14 states that has not expanded Medicaid. Divisions remain among Democrats and Republicans on how to move forward. Complicating the issue is the upcoming February 2020 handoff of most of the state's Medicaid system to managed care companies.

Teacher pay: The state budget had average teacher raises of 3.9 percent over two years. Republicans offered Senate Democratic leadership a 4.9 percent increase as part of a larger proposal that was contingent on the Senate overriding the Governor's veto of the overall state budget.

Public school funding: The \$24 billion state budget vetoed by Governor Cooper has a variety of education-related items, including new funding for school construction, paying school lunch costs for low-income students and new curriculum requirements. It is unclear whether or how these items will be addressed when state lawmakers return in January.

NCDOT oversight: The state Department of Transportation spent \$296 million in FY2019, well above the budgeted \$50 million, due to disaster-related needs. The legislature will be closely watching NCDOT and requiring more transparency in 2020.

NORTH DAKOTA

North Dakota is one of four states in which the legislature meets biennially in odd-numbered years. Despite North Dakota's Legislative Assembly not meeting until January 2021, its lawmakers will be busy with several interim items.

Key issues in 2020

Legacy Fund: In 2010 voters approved the Legacy Fund, a constitutional change that directs 30 percent of monthly oil tax revenue to a savings account, which now stands at \$6.5 billion. The Fund's principal cannot be tapped without a two-thirds vote from the House and Senate, but the earnings (\$400 million biennium) are currently directed into the state's General Fund.

Ethics Commission: North Dakota voters approved the establishment of a five-member ethics commission, a ban on foreign political contributions, and the enactment of constitutional provisions relating to lobbying and conflicts of interest.

ND's smart-state journey: North Dakota's Main Street Initiative provides community leaders with direct access to tools and resources to capitalize on their community's strengths and make sound planning decisions. These efforts help create vibrant communities that attract and retain the 21st-century workforce the state needs to compete and succeed in a global economy.

Unmanned aircraft systems: North Dakota is one of seven Federal Aviation Administration (FAA) UAS test sites conducting research to determine how to best integrate autonomous technology into the national airspace for both private and public uses.

OHIO

Key issues in 2020

Surprise billing: Bills moved forward in the House and Senate and will likely reemerge in 2020 to compliment action at the federal level.

Mental Health: Bills were introduced in both the House and Senate to conform to the federal Mental Health Parity and Addiction Equity Act, which prohibits insurers from covering illnesses of the brain more restrictively than illnesses of the body.

Price transparency: The Senate passed a bill to require hospitals to provide patients with costs estimates for scheduled hospital procedures 7 days in advance.

OKLAHOMA

Key issues in 2020

Tribal gaming disputes: Republican Governor Kevin Stitt recently notified all tribes that have signed gaming compacts with the state that Oklahoma will resume auditing gaming operations as of January 2, 2020. This escalation comes as the tribes and the Governor find themselves locked in a dispute as to whether or not the state's 15-year gaming compacts automatically renew in the new year. Revenue is, effectively, at the center of the dispute as the Governor would prefer to impose a higher exclusivity rate on certain slot machines, thus generating additional revenue for the state.

Budget: The State Board of Equalization recently certified an estimated \$8.3 billion in available state funds for Oklahoma's FY2020, an increase over FY2019 of just 0.1%. The Governor will need to find additional funding sources if he is to pursue meaningful efforts surrounding education, health care and criminal justice reform. Adding to the budgetary uncertainty is the fact that current budget projections indicate a 3.5 percent drop-off in revenue tied largely to projected decreases in gross production taxes for natural gas and oil.

Cannabis: Oklahomans voted to legalize medical marijuana in 2018. Now two residents have gone a step further, filing a ballot proposal to amend the state constitution to allow for possession and consumption of marijuana for a recreational or non-medical purpose for all individuals 21 and older.

OREGON

Republicans walked out of last year's session to protest action on a bill to reduce carbon emissions. That move succeeded, killing the bill and slowing an otherwise aggressive legislative session.

Key issues in 2020

Cap and trade: As the catalyst for the republican walkout, cap and trade remains a priority for the Governor and will be a major focus in 2020.

Cannabis use by employees: As an adult-use cannabis state, the legislature moved to protect employees who test positive for cannabis from termination. The bill died, but is likely to come back as the state works to improve its cannabis regulatory system.

Drug pricing: Legislation to improve transparency in drug pricing stalled in 2019, but will come back in 2020 along with legislation to address surprise billing.

Privacy: The Attorney General is hosting a working group intended to develop recommendations for privacy protections similar to those passed in California.

Guns: Legislation to fix the state's age restriction (18) fell victim to other controversies, but will be back on the docket in 2020.

PENNSYLVANIA

The General Assembly begins the second year of a two-year legislative session this month.

Key issues in 2020

Budget: The state is constitutionally obligated to pass a balanced budget by June 30 of each year. In early February, Democratic Governor Tom Wolf will outline his budget proposal to a joint session of the House and Senate. The House and Senate Appropriations Committee's will then hold budget hearings through early March.

Charter school reform: Both the Governor and the legislature want to reform the state's charter school system, with a focus on reducing payments to cyber charter schools.

Telemedicine: Last year the Senate passed a bill aimed at promoting telemedicine as a way to overcome barriers to quality patient care created by distance and to reduce the costs of those services. The House is likely to follow suit, but there are differing views on what should be included in the final product.

Criminal justice reform: In recent years the General Assembly has enacted several reforms to the criminal justice system, led by a bipartisan group of legislators. Reforming the probation and parole system is expected to be at the forefront of their efforts in 2020.

Infrastructure funding: The House Republican Caucus is preparing to introduce a package of bills to address infrastructure funding gaps in the state. The caucus created a task force last year to study the issue and the legislation will be based on its recommendations.

RHODE ISLAND

The Rhode Island General Assembly will be back in session on January 7 with Democrats holding comfortable majorities in both chambers.

Key issues in 2020

Financial outlook: Rhode Island faces a \$200 million deficit for fiscal year 2021. The state will start the year with a \$132.7 million structural deficit according to the House Fiscal Office projections. The budget gap is being driven by excess spending at state agencies, which are on pace to spend about \$21 million more than lawmakers authorized in the budget passed in early 2019.

Health care: Lifespan, the state's biggest hospital group and largest private employer, has reported a significant operating loss and announced that it is offering early retirement packages to some employees.

Cannabis legalization: Last year, Democratic Governor Gina Raimondo included in her proposed state budget the legalization of recreational cannabis. Instead, the General Assembly added six new medical marijuana dispensaries in the state budget. The Governor has indicated that she will again propose legalizing adult-use cannabis in the 2020 legislative session.

SOUTH CAROLINA

When the General Assembly returns to work on January 14, looming over the 2020 legislative session will be the election of all House and Senate seats.

Key issues in 2020

Budget: Driven by a growing economy and record low unemployment, state fiscal authorities forecast a record \$1.8 billion surplus in the 2020-2021 fiscal year. How to allocate that revenue will be a central debate when lawmakers return.

K-12 education: The House passed a bill last session that would overhaul the state's education system, including a new per-pupil spending formula. The Senate version of this bill has been passed out of committee with a lengthy debate in the full chamber expected to follow.

Santee Cooper: The legislature will vote this session on the future of state-owned electric and water utility. The options on the table include keeping the business under its current management, hiring another company to manage it or selling it outright to an investor-owned utility.

Rural broadband and small cell: Bringing broadband access to rural South Carolina has emerged as a top priority for policy makers and the business community. The House passed a bill in 2019 to expand access to high-speed Internet that will be taken up in the Senate. Also on the Senate agenda is House-passed legislation that establishes a statewide framework for deployment of small cell technology.

Tax reform: The ongoing legislative debate on a comprehensive overhaul of the state tax code has, for 2020, taken the shape of a more narrow bill to reform the business license tax fees imposed by municipalities.

SOUTH DAKOTA

Key issues in 2020

Hemp: Look for the legislature to try and override the governor's threatened veto and put in place a state hemp program to compliment legalization of hemp at the federal level.

Mental health: Lawmakers are working to reduce acute mental health hospitalizations by making it easier for people to have access to mental health for crisis situations.

Budget: Budget talks will dominate the 2020 session as the state grapples with a slowing economy and the loss of tax revenues from the taxation of internet access services.

TENNESSEE

The second session of the 111th General Assembly will be the first for newly elected House Speaker Cameron Sexton (R).

Key issues in 2020

Criminal justice reform: Last summer, Republican Governor Bill Lee launched a Criminal Justice Investment Task Force to develop policy recommendations for reducing crime, addressing recidivism and supporting victims.

Medicaid block grant: The Lee administration released a proposal in early 2019 to replace the federal funding for TennCare, the state's Medicaid program, with an \$8 billion modified block grant. The legislature will have a vote on the final proposal if and when it is approved by the federal government.

Spending plan for TANF reserve: It recently came to light that the state had amassed a \$732 million balance in its Temporary Assistance for Needy Families (TANF) fund. A working group of legislators is currently reviewing ways in which the state can utilize this large reserve. Spending plans could include job training programs, housing costs, in-home services, opioid treatment, transportation and child care.

TEXAS

Key issues in 2020

Basking in budgetary balance: In 2019, Texans witnessed a highly successful biennial session of the state Legislature. State leaders and lawmakers passed a balanced, \$250 billion, two-year state budget that included an additional \$11.5 billion to reduce school property taxes, increases in teacher pay and aid to school districts, and \$3 billion for Hurricane Harvey relief and improvements in disaster preparedness, resilience and response.

Keeping busy during the "off" year: While the Legislature does not meet in regular session again until January 2021, legislative committees will soon be reviewing issues as directed by Lieutenant Governor Dan Patrick (R) and House Speaker Dennis Bonnen (R), including vaping, school violence prevention, data privacy, IT modernization, teacher recruitment and retention, and performance based-contracting.

UTAH

Key issues in 2020

Tax reform: Utah activists and residents are pursuing a citizen-initiated ballot referendum to repeal a new tax reform law passed in December 2019. The new law lowers the state income tax rate and provides larger dependent exemptions, but is opposed by a number of citizens because it raises sales taxes on food and gasoline.

Affordable housing: Current Utah state law prohibits any municipality from imposing any sort of rent control absent the express approval of the state legislature. In response to a growing lack of affordable housing in the SLC metro area and in Utah County, legislators plan to propose legislation that would simply allow towns and cities to choose for themselves whether or not they wish to implement rent controls within their own city limits.

VERMONT

The Vermont General Assembly, the state legislature, is set to convene on January 7 and to wrap the session in early May.

Key issues in 2020

Minimum wage: Facing a veto threat from Republican Governor Phil Scott, Democratic lawmakers, who control both chambers, struggled in 2019 to agree on a bill that would reach a \$15 minimum wage in the next few years and set sharper increases in the interim. "We're going to start the session with a new energy and resolve so that we can collectively, as two chambers, offer this package to Vermont workers," Senate Majority Leader Becca Balint said.

Paid family leave: The Vermont Senate approved a Paid Family Leave bill last May but the legislation was quite different from a proposal adopted in the House earlier in the session. The Senate and the House will now need to reconcile their two bills. A key difference is the House bill allows individuals to take leave time for a personal illness. The Senate plan does not. Either way, Governor Scott has consistently opposed a mandatory leave approach.

Carbon pricing, electric vehicles, energy markets and renewables: The Transportation and Climate Initiative (TCI), a regional low-carbon transportation

policy proposal that would cap and reduce carbon emissions from the combustion of transportation fuels through a cap-and-invest program or other pricing mechanism, is starting to come into focus and the legislature will push the Governor to join.

Workforce: A report requested by the Legislature regarding the state's workforce needs is due this month and will likely lead to a conversation about tax credits and other incentives to attract health care workers.

Cannabis: Cannabis is legal in Vermont, but only for medical and recreation usage, not to sell. Advocates of tax and regulate will make another push to allow for the sale of marijuana in the state in 2020.

VIRGINIA

The 2020 legislative session will start January 8 and is scheduled to run for 60 days. Democratic Governor Ralph Northam will have the benefit of his party controlling both the House of Delegates and the state Senate, the first time the Democrats controlled both chambers in nearly 30 years.

Key issues in 2020

Minimum wage: Multiple bills have already been filed seeking to raise the state's \$7.25 per hour minimum wage. These measures cover a range of options, ranging from an increase to \$9.75 per hour, effective July 1, 2020, to statutorily-mandated annual increases that set the wage floor at \$15 per hour in 2025, with future adjustments based on annual increases to the US Consumer Price Index.

Education: Proposals that seek to expand access to pre-kindergarten and community college are expected to feature prominently in discussions of the next biennial budget.

Gun control: Democrats have pledged to push for a raft of gun control measures, including mandating background checks on all firearm transactions, banning certain semiautomatic firearms and reinstating a one-handgun-per-month purchase restriction.

Health care: Although a bipartisan majority approved a conditional expansion of Medicaid in Virginia in 2018, Governor Northam, shortly after the 2019 election results were clear, moved to block

implementation of work requirements essential to winning Republicans' support. Democrats also have expressed interest in creating a state-run marketplace to increase enrollment, rather than continuing to rely on the federally-administered marketplace.

Criminal justice: Decriminalization of marijuana possession and renewed efforts to expand juvenile offenders' access to parole have drawn support from Democratic legislators, as has exploring the reinstatement of discretionary parole, which was abolished in 1995.

Casino gaming: Efforts to legalize casino gambling—and potentially reap substantial new state tax revenues—will feature prominently in the legislative session.

Local control: Democrats have increasingly advocated for local authority on the removal of Confederate monuments, particularly in progressive enclaves, such as Charlottesville and Norfolk.

WASHINGTON

A former democratic candidate for President, Governor Inslee was instrumental in moving the state's primary date up from May to March. Now off the campaign trail, Inslee and the democratic legislature have several issues left over from last year's session.

Key issues in 2020

Data Privacy: A proposal to require consumers to find out what data is collected and stored about them died in the House. The bill will come up again, especially in light of California's action on privacy issues.

Death Penalty: Following a state Supreme Court ruling, the legislature tried to remove capital punishment from state statutes. The measure stalled, but is likely to come up again this session.

Low-carbon Fuels: A cornerstone of the Governor's climate agenda, the legislature will revisit proposals to require reduced emissions from gasoline and other transportation fuels.

WEST VIRGINIA

Key issues in 2020

Manufacturing: A major business issue will be the elimination of property taxes on manufacturing machine inventory.

Education: After two consecutive statewide teachers' strikes during the past two legislative sessions, the Legislature will likely redirect its focus in 2020 to developing a new funding formula for the state's higher education system. There is also discussion in the K-12 arena on developing uniform language on how counties address absenteeism.

Budget: The state expects a budget shortfall, in part because monthly revenue estimates have missed recent projections due to the volatility of natural resource markets. As the Legislature looks at ways to tighten the budget, one idea that has Senate leadership support is eliminating the subsidy for greyhound racing.

Foster care: The state's well-documented opioid crisis has led to problems in its foster care system. Look for the Legislature to try and address the ongoing issues surrounding the state's overwhelmed foster care system, which has approximately 6,700 children, an increase of almost 70 percent in six years.

WISCONSIN

Democratic Governor Evers and republican majorities will once again square off in 2020.

Key issues in 2020

Taxation: A recent study by the nonpartisan Wisconsin Policy Forum found that most Wisconsin property owners would face considerably higher property tax bills due to state budget changes and local referendums. State lawmakers will introduce legislation to limit the increases.

Election reform: The House Speaker is lukewarm to the Governor's proposal to reimburse local clerks for the cost of holding special elections.

Appointments: More than half of the Governor's appointees have yet to be confirmed by the Senate.

WYOMING

Wyoming's 2020 legislative session will begin on February 10.

Key issues in 2020

Health care: A bill is set to come before the Wyoming Legislature that would prohibit the state's towns and municipalities from joining the state health insurance pool, potentially placing localities in the unenviable position of returning to a self-funded health insurance

model for public employees. The bill was filed in response to concerns that localities are not remitting appropriate premiums and are therefore straining total budgetary costs without adequate contribution, despite the state Attorney General's interpretation of state law as allowing localities to join the state's group plan.

Statute of limitations: The Legislature is expected to consider legislation that would effectively double the statute of limitations for victims of child sexual abuse in civil proceedings. Following a national trend, the state will consider amending the current SOL (which allows a civil action to be filed up till the victim's 26th birthday or within 3 years after the time of discovery) to run until the victim turns 53.

Toll lanes on I-80: The Legislature will decide whether to take action on a proposed bill that would grant the Wyoming Transportation Commission the authority to create a tolling program and establish fees along Interstate 80. The bill, which is sponsored by the Joint Transportation, Highways & Military Affairs Committee in the state Senate, does not propose any fee amounts.

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