

THE COUNCIL OF STATE GOVERNMENTS
2010 NATIONAL CONFERENCE
PROVIDENCE, RHODE ISLAND

COMMITTEE ON SUGGESTED STATE LEGISLATION
MEETING MINUTES
DECEMBER 3, 2010 AND DECEMBER 6, 2010
DOCKET 32A

PRESIDING:

CHAIR: REP. BOBBY MOAK, MISSISSIPPI

VICE-CHAIR: MR. JERRY BASSETT, ALABAMA

The CSG Committee on Suggested State Legislation convened Saturday, December 3, 2010 and December 6, 2010 to consider 101 bills on the first docket in the 2012 SSL cycle. The committee voted to include 30 bills in the 2012 Suggested State Legislation volume. It deferred 2 bills for further consideration, and it rejected the remaining 69 bills. The SSL Committee will meet next in March 2011 at the 2011 CSG Summit. February 1, 2011 is the deadline to submit bills to that docket.

ATTENDANCE - DECEMBER 3, 2010

Committee Members

Mr. Jerry Bassett, Director, Alabama
Legislative Research Service (Committee
Vice Chair)
Sen. Stephen Buehrer, Ohio
Rep. Pat Colloton, Kansas
Sen. Julie Denton, Kentucky
Mr. Jose Rafael Diaz, Office of the Speaker,
Puerto Rico
Rep. Cindy Evans, Hawaii
Sen. Vivian Davis Figures, Alabama
Rep. Robert Foose, New Hampshire
Ms. Marie Ganim, Rhode Island Senate
Policy Office Director
Sen. David Givens, Kentucky
Rep. Jenniffer Gonzales-Colon, Puerto Rico
Rep. Max Gruenberg, Alaska
Rep. Deborah Hudson, Delaware
Mr. Michael R. Kerr, Legislative
Director/Legal Counsel, Uniform Law
Commission
Rep. Kim Koppelman, North Dakota
Ms. Katrina Matheny, Chief of Staff, Office
of the Senate President, Alaska
Rep. Bobby Moak, Mississippi, (Committee
Chair)
Sen. Mark Norris, Tennessee
Rep. Chris Ross, Pennsylvania
Mr. W. Paul White, Committee for Public
Counsel Services

CSG Associates and Other Guests

Ms. Nicole Barranco, Toyota
Mr. Dennis Brown, Equipment Leasing &
Finance Association
Mr. James Brown, Capital One Financial
Corporation
Ms. Judy Butler, Merck & Company, Inc.
Mr. Kevin Callahan, American Forest &
Paper Association
Mr. Luis Caraballo, Puerto Rico House of
Representatives
Mr. Rob Clark, Medtronic, Inc.

Mr. David Critchlow, LifePoint Hospitals
Ms. Heather Densmore, Merck & Company,
Inc.
Ms. Laura Dooley, Alliance of Automobile
Manufacturers
Mr. Eric Ebenstein, TechAmerica
Ms. Dawn Fenton, Diesel Technology
Forum
Mr. Patrick Green, Wells Fargo & Company
Ms. Deborah Grundmann, Alaska legislative
staff
Mr. Pierce Haley, Johnson Haley LLP
Mr. Matt Hedberg, Mead Johnson Nutrition
Ms. Kelly Hobbs, Bank of America
Rep. Craig Johnson, Alaska
Ms. Tammy Kelch, National Rural Electric
Cooperative Association
Rep. Brian Kennedy, Rhode Island
Mr. Jim Kiley, General Motors
Sen. Jim Kyle, Tennessee
Mr. Jonathan Levy, Institute of Scrap
Recycling Industries, Inc. (ISRI)
Ms. Marcie McNelis, MultiState Associates,
Inc.
Ms. Cathy McGeehan, Novartis
Pharmaceuticals Corporation
Ms. Jenn Mendez, The Carpet & Rug
Institute
Mr. Jake Menefee, Citigroup
Sen. Kevin Meyer, Alaska
Ms. Stefani Millie, Stateside Associates
Mr. Adam Miller, Astellas Pharma US Inc.
Mr. Brian O'Connor, Biotechnology
Industry Organization (BIO)
Ms. Cathy O'Kelley, 1-800 Contacts, Inc.
Mr. Sean Peterson, American Express
Mr. Paul Poe, American Forest & Paper
Association
Mr. Pete Poynter, AT&T
Mr. Steve Rauschenberger, Teva
Pharmaceuticals
Mr. Joe Rinzel, Retail Industry Leaders
Association (RILA)
Mr. Roger Roy, Cable Associates/Medco

Ms. Alejandra Sites, American Financial
Services
Mr. Paul Stranz, Bank of America
Mr. David Swartley, Bank of America
Mr. Erik Taylor, National Apartment
Association
Ms. Kim Verdi, Rhode Island
Mr. Brock Wanless, Illinois Tools Works,
Inc. (ITW)
Ms. Danielle Waterfield, Institute of Scrap
Recycling Industries, Inc. (ISRI)

Staff

Ms. Carol Juett, CSG Lexington
Ms. Maggie Mick, CSG Lexington
Mr. Jason Moseley, CSG Lexington
Mr. Mike Robinson, CSG Lexington
Mr. Edgar Ruiz, CSG West
Ms. Nancy Vickers, CSG Lexington
Mr. Bill Voit, CSG Lexington

ATTENDANCE - DECEMBER 6, 2010

Committee Members

Sen. Don Balfour, Georgia
Sen. Stephen Buehrer, Ohio
Sen. Bart Davis, Idaho
Mr. Jose Rafael Diaz, Puerto Rico
Rep. Cindy Evans, Hawaii
Ms. Marie Ganim, Rhode Island Senate
Policy Office Director
Sen. David Givens, Kentucky
Rep. Bob Godfrey, Connecticut
Rep. Max Gruenberg, Alaska
Rep. Deborah Hudson, Delaware
Mr. Michael R. Kerr, Legislative
Director/Legal Counsel, Uniform Law
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Rep. Kim Koppelman, North Dakota
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of the Senate President, Alaska
Rep. Bobby Moak, Mississippi (Committee
Chair)
Sen. Mark Norris, Tennessee
Rep. Chris Ross, Pennsylvania
Sen. Gary Stevens, Alaska
Mr. W. Paul White, Committee for Public
Counsel Services

CSG Associates and Other Guests

Mr. Mike Altier, Walgreen Co.
Mr. Dan Bellingham, Healthcare
Distribution Management Association
Mr. Kevin Bourque, PhRMA
Mr. James Brown, Capital One Financial
Corporation
Mr. Roman Buhler, Constitutional
Advocates
Mr. Braden Cox, NetChoice
Mr. Jeff Case, Croplife America
Mr. Don Davis, ASID
Mr. Eric Ebenstein, TechAmerica
Mr. Nate Elias, Allergan, Inc.

Mr. Ritchard Engelhardt, BD
Ms. Stephanie Fullmer, National Council of
State Boards of Nursing
Ms. Deborah Grundmann, Alaska legislative
staff
Ms. Janet Haebler, American Nurses
Association
Mr. Pierce Haley, Johnson Haley LLP
Mr. Matt Hedberg, Mead Johnson Nutrition
Ms. Kelly Hobbs, Bank of America
Ms. Katrina Iserman, Sunovion
Pharmaceuticals, Inc.
Mr. Joe Kefauver, Parquet Public Affairs
Ms. Joan Lawrence, Toy Industry
Association
Mr. Jonathan Levy, Institute for Scrap
Recycling Industries, Inc. (ISRI)
Mr. Ray McInerney, National Education
Association (NEA)
Mr. Jake Menefee, Citigroup
Ms. Stefani Millie, Stateside Associates
Mr. Craig Mischo, Bayer HealthCare
Mr. Brian O'Connor, Biotechnology
Industry Organization (BIO)
Ms. Mara Osman, URAC
Mr. Justin Peters, URAC
Mr. Pete Poynter, AT&T
Mr. Joe Rinzel, Retail Industry Leaders
Association (RILA)
Mr. Mike Rose, Comcast
Mr. Paul Russinoff, Visa
Ms. Alejandra Siles, American Financial
Services
Ms. Falecia Smith, CMS
Mr. Joseph Solomon, Rhode Island House
policy staff
Mr. Mike Splaine, Alzheimer's Association
Mr. Gary Surmay, Bayer HealthCare
Ms. Angie Taylor, The American Institute of
Architects
Rep. Donna Walsh, Rhode Island

Staff

Ms. Carol Juett, CSG Lexington

Ms. Maggie Mick, CSG Lexington

Ms. Deb Miller, CSG Lexington

Mr. Jason Moseley, CSG Lexington

Mr. Mike Robinson, CSG Lexington

Ms. Nancy Vickers, CSG Lexington

Mr. Bill Voit, CSG Lexington

ITEM NO., TITLE OF ITEM UNDER CONSIDERATION (*) Indicates item is carried over from previous SSL cycle.	SOURCE	ACTION
(01) CONSERVATION AND THE ENVIRONMENT		
01-32A-01 Water Smart Homes	CO	Include
01-32A-02 Water Stewardship	GA	Reject
01-32A-03 Diesel Emissions	RI	Reject
01-32A-04 Bioprospecting	UT	Reject
(02) HAZARDOUS MATERIALS/WASTE		
02-32A-01 Universal Recycling	DE	Reject
02-32A-02 Solid Waste Management Planning for Residential Recycling	WA	Reject
02-32A-03 Biobased Products	OH	Include
(03) ENERGY		
03-32A-01 New Energy Improvement District (32A-a) Add Maine legislation about this issue to the next docket.	CO	Defer
03-32A-02 Geothermal Energy	CO	Include
03-32A-03 Community Solar Gardens	CO	Include
03-32A-04 Financing Energy Efficiency Improvements	SC	Include
03-32A-05 Energy Infrastructure Corridors	ME	Include
(04) SCIENCE AND TECHNOLOGY		
04-31B-01 Computer Merchandise Hoarding (31B-b) Revise summary and if applicable, note how this bill differs from 2009 SSL draft about reselling tickets. (32A-b) See if there is other state legislation that penalizes companies for the practice instead of making it illegal to use software to do it.	IN	Reject
04-32A-01A Event Tickets: Prohibited Practices	MN	Reject
04-32A-01B Ticket Sales	TN	Reject
04-32A-02 Virtual Street Map	LA	Reject
(05) PUBLIC, OCCUPATIONAL AND CONSUMER HEALTH AND SAFETY		
05-32A-01 Premise Alert Program	IL	Include
(06) PROPERTY, LAND, HOUSING AND INFRASTRUCTURE, DEVELOPMENT/PROTECTION		
06-32A-01A Stays of Foreclosure Proceedings Against Military Veterans (31B-c) Add similar bills from Illinois and Virginia to next SSL docket.	IL	Reject
06-32A-01B Stays of Mortgage Foreclosure Proceedings Against Military Service Members	MI	Include
06-32A-02 Free Exercise of Religion	AZ	Reject
06-32A-03 Stabilize Neighborhoods	MA	Reject
06-32A-04 Real Property Transfer Fee Covenants	IA	Include

(07) GROWTH MANAGEMENT

(08) ECONOMIC DEVELOPMENT/GLOBAL DYNAMICS/
DEVELOPMENT

(09) BUSINESS REGULATION AND COMMERCIAL LAW

09-32A-01 Contracts With Automatic Renewal Clauses	LA	Include
09-32A-02 Simultaneous Regulatory, Licensing, and Permitting Processes	RI	Include
09-32A-03 Fictitious Business Name Registration	MS	Reject
09-32A-04 Limiting Swipe Fees	VT	Reject
09-32A-05 Organized Retail Theft	PA	Include

(10) PUBLIC FINANCE AND TAXATION

*10-31B-01 The Model State Administrative Tax Tribunal Act (31B-e) If applicable, add similar Mississippi legislation to next SSL docket.	ABA	Reject
10-32A-01 State Debt Collection Coordinator	IA	Include

(11) LABOR/WORKFORCE RECRUITMENT, RELATIONS
AND DEVELOPMENT

11-32A-01 Green Technology Education and Training	CT	Reject
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(12) PUBLIC UTILITIES AND PUBLIC WORKS

12-32A-01 Clean Air, Clean Jobs	CO	Reject
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(13) STATE AND LOCAL GOVERNMENT/INTERSTATE
COOPERATION AND LEGAL DEVELOPMENT

(14) TRANSPORTATION

*14-31B-05 Automotive Mobility Dealers (31B-g) Get updated legislation from Indiana expanding the definition of automotive mobility dealer.	IN	Reject
14-32A-01 Indemnification Agreements and Motor Carrier Transportation Contracts	AK	Include
14-32A-02 Tax Credit for Qualified Plug-In Electric Vehicles	MD	Include
14-32A-03 Plug-In Electric Vehicles Using High Occupancy Vehicle Lanes	MD	Include

(15) COMMUNICATIONS/TELECOMMUNICATIONS

*15-31B-03 Online Harassment (31B-h) Add California legislation to next docket and similar legislation from other states if applicable.	TX	Reject
15-32A-01A Online Impersonation (32A-c) Add other state legislation about this and related topics (e.g., anonymous postings) to the next docket.	CA	Defer
15-32A-01B Online Impersonation	PA	Reject
15-32A-02 Advanced Broadband Collocation	GA	Reject
15-32A-03 Private Shared Services	MN	Reject

(16) ELECTIONS/POLITICAL CONDITIONS		
16-32A-01 Electronic Access to Ballot Materials	CA	Reject
16-32A-02 Campaign Finance Contributions, Independent Expenditures, and Attribution Statements	IA	Reject
(17) CRIMINAL JUSTICE, THE COURTS AND CORRECTIONS/PUBLIC SAFETY AND JUSTICE		
17-32A-01 Electronic Service of Process	CA	Reject
17-32A-02 Tampering with Surveillance, Accounting, Inventory, or Monitoring Systems	LA	Reject
(18) PUBLIC ASSISTANCE/HUMAN SERVICES		
18-32A-01 Enhanced, Special Foster Care	WV	Include
18-32A-02 Homeless ID	IL	Reject
(19) DOMESTIC RELATIONS/DEMOGRAPHIC SHIFTS/SOCIAL AND CULTURAL SHIFTS		
(20) EDUCATION		
*20-31B-01 Bachelor's Degree in Three	RI	Reject
*20-31B-02 Math and Science Teacher Step Up	GA	Reject
*20-31B-03 Students with Disabilities	MO	Reject
*20-31B-04 Graduation Coaches	OK	Reject
*20-31B-05 Higher Education Credit Card Marketing Statement	IL	Reject
*20-31B-06 Open-Source Textbooks	TX	Include
*20-31B-07 Preparing Low-Income Students for High-Demand Occupations	TX	Reject
*20-31B-08 Educator Identifier System	CO	Include
*20-31B-09A Persistently Low-Achieving Schools	KY	Reject
*20-31B-09B Race to the Top, Part I	CA	Reject
*20-31B-09C Race to the Top, Parent Intervention Trigger	CA	Reject
*20-31B-10 Troops to College	NJ	Reject
*20-31B-11 School Accountability and College Readiness Standards Statement	TX	Reject
*20-31B-12 Revised School Assessment Standards Statement	KY	Reject
*20-31B-13 Higher Education Cares	NY	Reject
*20-31B-14 Whole-Grade Sharing of Students	SD	Reject
*20-31B-15 Mobile Learning	AR	Reject
20-32A-01 Principal and Teacher Effectiveness	CO	Include
20-32A-02 Charter School Collaborative	CO	Include
20-32A-03 Twice-Exceptional Children	IL	Reject
20-32A-04 Summer School Tuition	NJ	Reject
(21) HEALTH CARE		
*21-31B-01 Individual Health Care Coverage	CA	Reject
*21-31B-02 Conscience in Health Care Protection	LA	Reject
*21-31B-03 Minors' Health Data	ME	Reject

*21-31B-04 Health Care Bill of Rights	ME	Reject
*21-31B-05 Clinical Pharmacist Practitioner	MT	Include
*21-31B-06 Health Carrier External Review Statement	IL	Reject
*21-31B-07 Nursing Care Quality Indicators	NY	Reject
*21-31B-08 Successor Coverage Health Claims	TN	Reject
*21-31B-09 Temporary Family Healthcare Structures	VA	Reject
*21-31B-10 Insurance Coverage for Clinical Trials	IA	Include
*21-31B-11A Health Freedom Act	ID	Reject
*21-31B-11B Mandatory Health Insurance Requirement	VA	Reject
*21-31B-11C Reporting on Federal Health Reform	UT	Reject
*21-31B-12 Abortion and Criminal Homicide of an Unborn Child	UT	Reject
*21-31B-13 Genetic Testing and Medicare Supplements	MI	Reject
*21-31B-14 Health Insurance Exchange Statement	UT	Include
*21-31B-15 Health Insurance Risk Pool	NC	Reject
21-32A-01 Abortion Reporting	AZ	Reject
21-32A-02 Treating Human Embryos	AZ	Reject
21-32A-03 Protecting Human Egg Providers	AZ	Reject
21-32A-04 Preabortion Screening and Counseling	NE	Reject
21-32A-05 Transplant Medication Notification	IL	Include
21-32A-06 Dispensing Medication through Contact Lenses	NJ	Reject
21-32A-07A Patient Protection and Affordable Care	CA	Include
21-32A-07B Health Benefit Exchange	CA	Include

(22) CULTURE, THE ARTS AND RECREATION

(23) PRIVACY

*23-31B-01 Data Collection Standards	NV	Reject
*23-31B-02 RFID Restrictions	RI	Reject
*23-31B-03 Driver License Information and Federal Real ID Act of 2005	MO	Reject
23-32A-01 Memorial Privacy	GA	Reject
23-32A-02 Tracking Devices	LA	Reject

(24) AGRICULTURE

*24-31B-01 Agricultural Industrial Centers	FL	Reject
*24-31B-02 Agricultural Operations and Sustainable Agriculture	KY	Include
24-32A-01 Animal Welfare	KY	Include

(25) CONSUMER PROTECTION

(26) MISCELLANEOUS

Uniform Military and Overseas Voters Act	ULC	Include
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