

THE COUNCIL OF STATE GOVERNMENTS
2011 NATIONAL CONFERENCE AND NORTH AMERICAN SUMMIT
BELLEVUE, WASHINGTON
COMMITTEE ON SUGGESTED STATE LEGISLATION
DOCKET 33A
MEETING MINUTES

The CSG Committee on Suggested State Legislation convened Thursday, October 20 and Saturday, October 22, 2011 to consider 105 bills on the first docket in the 2013 SSL cycle. Notable topics addressed on this docket included hydraulic fracturing, taxing Internet sales, and fixed tuition.

The committee voted to include 30 bills in the 2013 Suggested State Legislation volume. It deferred 8 bills for further consideration, and it rejected the remaining 67 bills.

ATTENDANCE
OCTOBER 20

MEMBERS

1. Ms. Liz Alvey, Senior Policy Advisor, Office of the Senate Majority Leader, Tennessee
2. Mr. Jerry Bassett, Director, Alabama Legislative Research Service, (Committee Vice Chair)
3. Ms. Charlotte Carter-Yamauchi, Acting Director, Hawaii Legislative Research Bureau
4. Rep. Isaac Choy, Hawaii
5. Mr. Alan Conroy, Director, Kansas Legislative Research Department
6. Sen. Bart Davis, Majority Leader, Idaho
7. Mr. Jose Diaz, Senior Policy Analyst, Office of the Speaker, Puerto Rico
8. Rep. Cindy Evans, Hawaii
9. Rep. Marc Feinstein, South Dakota
10. Sen. David Givens, Kentucky
11. Rep. Max Gruenberg, Alaska
12. Rep. Alice Hausman, Minnesota
13. Rep. Kim Koppelman, North Dakota
14. Sen. Ronald Kouchi, Hawaii
15. Rep. Sara Lampe, Missouri
16. Rep. Thomas Lubnau, Majority Floor Leader, Wyoming
17. Ms. Katrina Matheny, Chief of Staff, Office of the Senate President, Alaska
18. Rep. Bobby Moak, Mississippi, (Committee Chair)

19. Ms. Paula Roy, Executive Director, Delaware Health Care Commission
20. Rep. Jennifer Seelig, Utah
21. Mr. Jim Smith, Director, North Dakota Legislative Council
22. Rep. Vern Swanson, Kansas

CSG ASSOCIATES AND GUESTS

1. Mr. Terrence Aratani, Hawaii
2. Mr. David Bauer, Global Automakers
3. Mr. Michael Behm, Stateside Associates
4. Mr. Marc Berejka, Recreational Equipment/REI, North Carolina
5. Mr. Dennis Brown, Equipment Leasing and Finance Association
6. Mr. Roman Buhler, Constitutional Advocates
7. Sen. Bruce Burns, Wyoming
8. Ms. Jean Cantrell, Philips Electronics
9. Mr. Will Castleberry, AOL
10. Mr. David Christman, NBWA
11. Mr. Giovanni Colberg, NASA DEVELOP
12. Mr. Cameron Derksen, Manitoba
13. Sen. Dick Dever, North Dakota
14. Ms. June Dewetering, Parliament of Canada
15. Ms. Laura Dooley, Alliance of Automobile Manufacturers
16. Sen. Jay Scott Emler, Kansas
17. Sen. Will Espero, Hawaii

18. Mr. Jamie Favors, NASA DEVELOP
19. Mr. Troy Flanagan, Parquet Public Affairs
20. Mr. Gordon Fry, Global Automakers
21. Ms. Stephanie Fullmer, NCSBN
22. Mr. John Gibson, Pfizer
23. Ms. Janet Haebler, American Nurses Association
24. Mr. Zack Hart, American Institute of Architects
25. Rep. Brenda Heller, North Dakota
26. Sen. Jimmy Higdon, Kentucky
27. Mr. Mike Hiltner, Best Buy Co., Inc.
28. Mr. Adrian Hochstadt, American Veterinary Medicine Association
29. Ms. Shelley Hughes, Alaska Primary Care Association
30. Rep. Donna Hutchinson, Arkansas
31. Mr. Tom Kaczmarek, ASID
32. Mr. Rob Kincaid, MedSolutions
33. Ms. Sarah Lashford, Edison Electric Institute
34. Mr. Paul Loeffelman, American Electric Power
35. Mr. Jay Magure, 1-800 Contacts
36. Ms. Marcie McNelis, MultiState Associates
37. Ms. Jenn Mendez, The Carpet and Rug Institute
38. Mr. Brett Michelin, Endo Pharmaceuticals
39. Mr. Craig Mischo, Bayer HealthCare
40. Mr. Paul O'Connor, American Dental Association
41. Mr. Joe Oros, Boehringer-Ingelheim Pharmaceuticals
42. Mr. Christopher Oswald, ReedElsevier/LexisNexis
43. Mr. Mark Ourada, ACCCE
44. Mr. Russell Palk, MedImmune
45. Mr. Ben Pearlman, Serlin Haley
46. Ms. Tina Phillips, SGAC
47. Mr. Rachael Phinney, Serlin Haley
48. Mr. Pete Poynter, AT&T
49. Mr. Steve Rauschenberger, Teva Pharmaceuticals
50. Mr. Jose Rodriguez-Amoros, Puerto Rico Senate
51. Mr. Roger Roy, Burris Firm
52. Rep. John Rusche, Idaho
53. Sen. John Schickel, Kentucky
54. Ms. Tracey Silcox, NASA DEVELOP
55. Ms. Angie Taylor, American Institute of Architects
56. Mr. Francisco Uribe, The Home Depot
57. Ms. Lauri White, American Electric Power
58. Ms. Heather Williams, Stateside Associates
59. Rep. Lonny Winrich, North Dakota
60. Rep. Dwight Wrangham, North Dakota

CSG STAFF

1. Mr. Crady DeGolian
2. Ms. Pam Goins
3. Ms. Maggie Mick
4. Ms. Deb Miller
5. Mr. Jason Moseley
6. Mr. Mike Robinson
7. Ms. Nancy Vickers
8. Mr. Bill Voit

ATTENDANCE
OCTOBER 22

MEMBERS

1. Ms. Liz Alvey, Senior Policy Advisor, Office of the Senate Majority Leader, Tennessee
2. Mr. Jerry Bassett, Director, Alabama Legislative Research Service, (Committee Vice Chair)
3. Ms. Charlotte Carter-Yamauchi, Acting Director, Hawaii Legislative Research Bureau
4. Rep. Isaac Choy, Hawaii
5. Mr. Alan Conroy, Director, Kansas Legislative Research Department
6. Sen. Bart Davis, Majority Leader, Idaho
7. Mr. Jose Diaz, Senior Policy Analyst, Office of the Speaker, Puerto Rico
8. Rep. Cindy Evans, Hawaii
9. Rep. Marc Feinstein, South Dakota
10. Sen. David Givens, Kentucky
11. Rep. Max Gruenberg, Alaska
12. Rep. Alice Hausman, Minnesota
13. Rep. Kim Koppelman, North Dakota
14. Sen. Ronald Kouchi, Hawaii
15. Ms. Katrina Matheny, Chief of Staff, Office of the Senate President, Alaska
16. Rep. Bobby Moak, Mississippi, (Committee Chair)
17. Sen. Mark Norris, Majority Leader, Tennessee
18. Ms. Paula Roy, Executive Director, Delaware Health Care Commission
19. Rep. Jennifer Seelig, Utah
20. Mr. Jim Smith, Director, North Dakota Legislative Council
21. Rep. Vern Swanson, Kansas
22. Mr. W. Paul White, Massachusetts
4. Mr. Marc Berejka, Recreational Equipment/REI, North Carolina
5. Mr. Roman Buhler, Constitutional Advocates
6. Sen. Richard Devlin, Oregon
7. Mr. Gordon Fry, Global Automakers
8. Ms. Stephanie Fullmer, NCSBN
9. Mr. Zack Hart, American Institute of Architects
10. Mr. David Howell, Wells Fargo
11. Mr. Tom Kaczmarek, ASID
12. Ms. Sarah Lashford, Edison Electric Institute
13. Ms. Cindy Laubacher, Medco
14. Mr. Jay Magure, 1-800 Contacts
15. Mr. Brett Michelin, Endo Pharmaceuticals
16. Mr. Paul O'Connor, American Dental Association
17. Mr. Ron Orlando, Comcast
18. Mr. Christopher Oswald, ReedElsevier/LexisNexis
19. Mr. Ben Pearlman, Serlin Haley
20. Mr. Stewart Perry, Novo Nordisk
21. Ms. Rachael Phinney, Serlin Haley
22. Mr. David Root, Medco
23. Rep. Pete Schwartzkopf, Delaware
24. Mr. Manan Shah, Novo Nordisk
25. Rep. Tom Sloan, Kansas
26. Ms. Angie Taylor, American Institute of Architects
27. Ms. Amy Tenhouse, Molina HealthCare
28. Ms. Danielle Waterfield, Institute of Scrap Recycling Industries

CSG ASSOCIATES AND GUESTS

1. Mr. Christopher Badgley, Daiichi Sankyo, Inc.
2. Ms. Mindy Baker, Walgreens
3. Mr. David Bauer, Global Automakers

CSG STAFF

1. Ms. Deb Miller
2. Ms. Maggie Mick
3. Mr. Jason Moseley
4. Mr. Mike Robinson
5. Ms. Nancy Vickers
6. Mr. Bill Voit

CSG POLICY TASK FORCE RECOMMENDATIONS TO THE COMMITTEE ON SUGGESTED STATE LEGISLATION

ITEM NO., TITLE OF ITEM UNDER CONSIDERATION (*) Indicates item is carried over from previous SSL cycle.	SOURCE	RECOMMENDATION
(01) CONSERVATION AND THE ENVIRONMENT		
01-33A-01 Disclosure of Composition of Hydraulic Fracturing Fluids	TX	INCLUDE
01-33A-02 Community Forest Trusts	WA	DEFER TF
01-33A-03 Recycling Asphalt Roofing Shingles	IL	REJECT
(02) HAZARDOUS MATERIALS/WASTE		
02-33A-01 Motor Vehicle Brake Friction Materials	CA	NO ACTION
02-33A-02 Rechargeable Battery Recycling	NY	REJECT
(03) ENERGY		
*03-32A-01 New Energy Improvement District	CO	REJECT
*03-32B-01A Property Assessed Clean Energy	ME	INCLUDE
*03-32B-01B Property Assessed Clean Energy	MI	NO ACTION
03-33A-01A Green Jobs	NY	REJECT
03-33A-01B Green Jobs/Green Power Statement	NY	REJECT
(14) TRANSPORTATION		
14-33A-01A Personal Vehicle Sharing	CA	DEFER TF
14-33A-01B Personal Vehicle Sharing	OR	DEFER TF
14-33A-02 School Bus Safety via Digital Tracking	CT	DEFER TF
14-33A-03 Universal Fare Card for Mass Transit	IL	DEFER TF
14-33A-04 Alternative Fuel/Autonomous Vehicles	NV	DEFER TF
(20) EDUCATION		
20-33A-01 Positive Youth Development Grant Program	AR	NO ACTION
20-33A-02 Fixed Tuition Rate	TX	INCLUDE
20-33A-03 College Credits for Heroes	TX	INCLUDE
20-33A-04 Teacher Excellence	AR	DEFER TF
20-33A-05 School Reform (Teacher Tenure, Teacher Performance) Statement	IL	INCLUDE
20-33A-06 Teacher Collective Bargaining	IN	DEFER TF
20-33A-07 DREAM Act	IL	INCLUDE
20-33A-08 Education Investment Board	OR	REJECT
(21) HEALTH CARE		
*21-32B-01 Recording Radiation X-Rays Radiation Doses (32B-i) Add a bill to the next docket that makes some changes to this bill.	CA	REJECT
21-33A-01 Radiation Control	CA	REJECT
21-33A-02 Health Professions Disciplinary Process Transparency	WA	REJECT
21-33A-03 Health Care Sharing Ministry	GA	REJECT
21-33A-04 Medicaid Smart Card	NC	INCLUDE
21-33A-05 Prenatal Nondiscrimination	AZ	REJECT

21-33A-06 Informed Consent for Abortions	AZ	REJECT
21-33A-07 Exclusive Provider Benefit Plans	TX	REJECT
21-33A-08 Medicaid Community Service Pilot	UT	REJECT
21-33A-09 Remote Automated Medication System	GA	INCLUDE
21-33A-10 Diabetes Reporting	KY	INCLUDE
21-33A-11 Health Insurance Rate Review	NM	DEFER
21-33A-12 Authorizing Electronic Prescriptions	ND	REJECT

ACTIONS OF THE COMMITTEE ON SUGGESTED STATE LEGISLATION
ON ITEMS VETTED BY CSG POLICY TASK FORCES

TEM NO., TITLE OF ITEM UNDER CONSIDERATION	SOURCE	ACTION
(*) Indicates item is carried over from previous SSL cycle.		
(01) CONSERVATION AND THE ENVIRONMENT		
01-33A-01 Disclosure of Composition of Hydraulic Fracturing Fluids	TX	INCLUDE
01-33A-02 Community Forest Trusts	WA	REJECT
01-33A-03 Recycling Asphalt Roofing Shingles	IL	REJECT
(02) HAZARDOUS MATERIALS/WASTE		
02-33A-01 Motor Vehicle Brake Friction Materials	CA	REJECT
02-33A-02 Rechargeable Battery Recycling	NY	REJECT
(03) ENERGY		
*03-32A-01 New Energy Improvement District	CO	REJECT
*03-32B-01A Property Assessed Clean Energy	ME	REJECT
*03-32B-01B Property Assessed Clean Energy	MI	REJECT
03-33A-01A Green Jobs	NY	REJECT
03-33A-01B Green Jobs/Green Power Statement	NY	REJECT
(14) TRANSPORTATION		
14-33A-01A Personal Vehicle Sharing	CA	DEFER TF
14-33A-01B Personal Vehicle Sharing	OR	DEFER TF
14-33A-02 School Bus Safety via Digital Tracking	CT	DEFER TF
14-33A-03 Universal Fare Card for Mass Transit	IL	REJECT
14-33A-04 Alternative Fuel/Autonomous Vehicles	NV	DEFER SSL
(20) EDUCATION		
20-33A-01 Positive Youth Development Grant Program	AR	REJECT
20-33A-02 Fixed Tuition Rate	TX	INCLUDE
20-33A-03 College Credits for Heroes	TX	INCLUDE
20-33A-04 Teacher Excellence	AR	DEFER TF
20-33A-05 School Reform (Teacher Tenure, Teacher Performance) Statement	IL	INCLUDE
20-33A-06 Teacher Collective Bargaining	IN	DEFER TF
20-33A-07 DREAM Act	IL	REJECT
20-33A-08 Education Investment Board	OR	REJECT
(21) HEALTH CARE		
*21-32B-01 Recording Radiation X-Rays Radiation Doses (32B-i) Add a bill to the next docket that makes some changes to this bill.	CA	REJECT
21-33A-01 Radiation Control	CA	REJECT
21-33A-02 Health Professions Disciplinary Process Transparency	WA	REJECT
21-33A-03 Health Care Sharing Ministry	GA	REJECT
21-33A-04 Medicaid Smart Card	NC	REJECT
21-33A-05 Prenatal Nondiscrimination	AZ	REJECT
21-33A-06 Informed Consent for Abortions	AZ	REJECT
21-33A-07 Exclusive Provider Benefit Plans	TX	REJECT

21-33A-08 Medicaid Community Service Pilot	UT	REJECT
21-33A-09 Remote Automated Medication System	GA	INCLUDE
21-33A-10 Diabetes Reporting	KY	INCLUDE
21-33A-11 Health Insurance Rate Review	NM	DEFER TF
21-33A-12 Authorizing Electronic Prescriptions	ND	DEFER SSL

ACTIONS OF THE COMMITTEE ON SUGGESTED STATE LEGISLATION
ON ITEMS NOT VETTED BY CSG POLICY TASK FORCES

ITEM NO., TITLE OF ITEM UNDER CONSIDERATION SOURCE ACTION
(*) Indicates item is carried over from previous SSL cycle.

(04) SCIENCE AND TECHNOLOGY

(05) PUBLIC, OCCUPATIONAL AND CONSUMER HEALTH
AND SAFETY

(06) PROPERTY, LAND, HOUSING, AND INFRASTRUCTURE, DEVELOPMENT/PROTECTION

*06-32B-01 State Trust Land Exchanges	AZ	REJECT
06-33A-01 Uniform Partition of Heirs Property Act	NV	INCLUDE
06-33A-02 Mortgage Foreclosure Statement	HI	INCLUDE
06-33A-03 Deduction for Residence in Inventory	IN	INCLUDE

(07) GROWTH MANAGEMENT

(08) ECONOMIC DEVELOPMENT/GLOBAL DYNAMICS/
DEVELOPMENT

08-33A-01 First Five Jobs Program	CT	REJECT
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(09) BUSINESS REGULATION AND COMMERCIAL LAW

*09-32B-08 Extraordinary Circumstances Affecting Credit and Insurance Rates	IA	INCLUDE
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(32B-b) Add similar legislation from other states, if available, to the next docket.

09-33A-01A Benefit Corporation	MD	REJECT
09-33A-01B Benefit Corporation	NJ	REJECT
09-33A-01C Benefit Corporation	VT	REJECT
09-33A-01D Sustainable Business Corporation	HI	REJECT
09-33A-02 Portable Electronics Insurance	KS	REJECT
09-33A-03 Veterans Benefits Appeal Services	IA	INCLUDE
09-33A-04A Beneficiaries' Bill of Rights	KY	INCLUDE
09-33A-04B Beneficiaries' Bill of Rights	RI	REJECT
09-33A-05 Brew Pubs Statement	IL	INCLUDE
09-33A-06A Issuing Accident and Health Insurance Policies Authorized in Other States	GA	REJECT
09-33A-06B Health Insurance - Interstate Purchasing	WY	INCLUDE

(10) PUBLIC FINANCE AND TAXATION

10-33A-01A Sales and Use Taxes	AR	INCLUDE
10-33A-01B Sales and Use Taxes	IL	INCLUDE

(33A-a) Include 01A, 01B, and 01D as Note. Remove IL abstract (01B) if IL bill is being litigated.

10-33A-01C Sales and Use Taxes	SD	REJECT
10-33A-01D Sales and Use Taxes	CA	INCLUDE

(11) LABOR/WORKFORCE RECRUITMENT, RELATIONS
AND DEVELOPMENT

(12) PUBLIC UTILITIES AND PUBLIC WORKS		
12-33A-01 Freedom in Contracting	TN	REJECT
12-33A-02 Capital Improvements for Renewable Energy	HI	REJECT
12-33A-03 Renewable Energy Systems	HI	REJECT
(13) STATE AND LOCAL GOVERNMENT/INTERSTATE COOPERATION AND LEGAL DEVELOPMENT		
*13-32B-04 Emergency Interim Successors for Legislators (32B-d) Add similar legislation from other states, if available, to the next docket.	WI	REJECT
*13-32B-06 Fraud, Enforcement, and Recovery (32B-e) Add similar legislation from other states, if available, to the next docket.	NY	REJECT
13-33A-01A False Claims	MD	REJECT
13-33A-01B False Claims	OR	REJECT
13-33A-02 Local Government and School District Fiscal Accountability	MI	REJECT
13-33A-03 Private Activity Bonds	WA	REJECT
13-33A-04 Lean Government Principles	CO	REJECT
13-33A-05 Surplus Lines Insurance		
Multi-State Compliance Compact	KY	INCLUDE
13-33A-06 State Employees' Ideas That Improve State Government Operations	CO	INCLUDE
(15) COMMUNICATIONS/TELECOMMUNICATIONS		
*15-32B-02 Deregulating Telephone Companies Statement (32B-g) Add similar legislation from other states, if available, to the next docket.	OH	INCLUDE
15-33A-01A Telecom Deregulation (33A-b) Include 01A, B, C, D, E as a Note.	MI	INCLUDE
15-33A-01B Telecom Deregulation	TX	INCLUDE
15-33A-01C Telecom Deregulation	VA	INCLUDE
15-33A-01D Telecom Deregulation	WI	INCLUDE
15-33A-01E Telecom Deregulation	NC	INCLUDE
15-33A-02 Uniform Access, Competition, and Consumer Fairness	TN	REJECT
15-33A-03 Interoperable Communications in Schools	CO	REJECT
15-33A-04 Electronic Communications in Public Meetings	UT	REJECT
15-33A-05 Municipal Broadband Systems	NC	INCLUDE
(16) ELECTIONS/POLITICAL CONDITIONS		
(17) CRIMINAL JUSTICE, THE COURTS AND CORRECTIONS/PUBLIC SAFETY AND JUSTICE		
*17-32B-02 Crimes against Children by People in Positions of Trust (32B-h) Add similar legislation from other states, if available, to the next docket.	DE	REJECT
17-33A-01A Sexual Assault of Youths by Persons Standing in a Position of Power, Authority or Supervision	CT	REJECT
17-33A-01B Prohibited Acts by a Person in a Position of Authority		

or Special Trust	KY	REJECT
17-33A-01C Sexual Assault Against a Child by a Person in a Position of Trust	NY	REJECT
17-33A-01D School Employees and Students	AL	REJECT
17-33A-02 Tort Arbitration	UT	REJECT
17-33A-03A Criminal Background Checks, Mental Illness, and Firearms	IA	REJECT
17-33A-03B Criminal Background Checks, Mental Illness, and Firearms	KY	REJECT
17-33A-04 Sexting and Cyberbullying	NV	INCLUDE
(33A-c) Add similar legislation from other states, if available, to the next docket, focused on sexting.		
17-33A-05 Blue Alert	VA	REJECT
17-33A-06 Medical Parole for Severely Ill Inmates	RI	REJECT
17-33A-07 Civil Actions Remedies and Procedures Reform	TX	REJECT
17-33A-08 Justice Reinvestment	NC	INCLUDE
 (18) PUBLIC ASSISTANCE/HUMAN SERVICES		
18-33A-01 Elder and Vulnerable Adult Placement Referrals	WA	REJECT
18-33A-02 Volunteer Drivers Who Transport Seniors	IL	REJECT
(33A-d) Add similar legislation from other states, if available, to the next docket.		
 (19) DOMESTIC RELATIONS/DEMOGRAPHIC SHIFTS/SOCIAL AND CULTURAL SHIFTS		
19-33A-01 Disposing Remains of Members of the Armed Forces	AK	REJECT
19-33A-02 Gender Identity and Public Accommodations	NV	REJECT
19-33A-03 Posthumous Children	IA	REJECT
19-33A-04 Defrauding Prospective Adoptive Parents	AR	REJECT
19-33A-05 Heirloom Birth Certificates	MI	REJECT
19-33A-06 Next-of-Kin Registry	NJ	INCLUDE
19-33A-07 Prohibiting Employers from Discriminating Against Domestic Violence Victims	HI	INCLUDE
 (22) CULTURE, THE ARTS AND RECREATION		
22-33A-01 Creative Districts	CO	REJECT
22-33A-02 Movable Soccer Goal Safety	IL	REJECT
 (23) PRIVACY		
 (24) AGRICULTURE		
24-33A-01 Selective Vegetation Removal Standards	NC	REJECT
 (25) CONSUMER PROTECTION		
25-33A-01 Securities Fraud Reporting	UT	REJECT
 (26) MISCELLANEOUS		