

STATE AND LOCAL UPDATE*June 20, 2019***Policy and Politics****I. Trending Topics****Issue in Focus**

WHAT THE GOVERNORS FIGHTING THEIR PARTIES HAVE IN COMMON: In New Jersey, Democratic Gov. Phil Murphy is engaged in a [feud](#) with state Senate President Stephen Sweeney that has led to threats of a primary challenge. In Kentucky, Republican Lt. Gov. Jeanne Hampton warned recently about “dark forces” operating within Gov. Matt Bevin’s administration. Craig Blair, who chairs the state Senate Finance Committee in West Virginia, called on Republican Gov. Jim Justice to resign. The circumstances in Kentucky, New Jersey and West Virginia are all different. Separate sets of personality disputes and policy differences have led to intraparty disagreements. But the three states do have something in common. In each case, the governor is a wealthy man who had never held elected office before. None rose up through the ranks in a way that would have allowed them to foster legislative relationships over the long haul and build up reservoirs of support.

A. BUDGETS, TAXES, & REVENUE

NY, CALIF. HIGH-TAX STATE EXODUS JUST BEGINNING: The cap on state and local tax (SALT) deductions has [already](#) begun to drive some residents away from high-tax states like New York and New Jersey, but experts say that trend is only going to intensify. The Tax Cuts and Jobs Act introduced a number of reforms, including the notorious \$10,000 cap on state and local tax deductions, which has caused Americans to look into establishing legal primary residences in states where they can limit their liabilities. States that some Americans have already begun leaving for are Florida, Texas and Nevada, all three of which have no individual income tax. Some higher-tax states, like New York, have looked into work arounds in order to limit the impact and stem the potential revenue loss. However, the Treasury Department officially squashed one of the more popular options last week, which could also contribute to outmigration.

‘LOST DECADE’ CASTS POST-RECESSION SHADOW ON STATE FINANCES: Nearly 10 years after the end of the Great Recession, state governments have [put](#) the worst behind them. But the deepest downturn since World War II also has lived up to early predictions that states would face a “Lost Decade” because of missed economic and revenue growth. The legacy of the lost decade is easily overlooked given the second-longest U.S. economic expansion on record, arguably the longest bull market for stocks in U.S. history, unemployment at near-historic lows, and a recent spurt in the growth of state tax revenue. Although the 18-month recession, which ended in June 2009, may seem long ago, a closer look reveals that many states are still coping with lingering—maybe even lasting—effects on their finances. Like a family that suffered a job loss or pay cut during the recession, states missed out on billions of dollars in tax revenue. Even if a family’s earnings are now back to par, the household faces consequences from those years when it was unable to save for college, add to retirement accounts, or fix the roof. Likewise, even though total state tax revenue recovered nearly six years ago from its losses in the downturn, many states are still dealing with fallout from the tough choices they had to make to fill budget holes during the recession, including recent strikes by teachers who went years without pay raises, higher tuition at public universities, complaints from local governments living with less state aid, mounting repair bills for public infrastructure, and smaller state workforces. State policymakers also feel pressure to replenish rainy day funds for the next inevitable downturn, even though their budgets are squeezed by higher health care costs and unfunded pension liabilities.

PEOPLE CAN'T FLEE THESE CITIES FAST ENOUGH: Americans have always moved to big cities to try to get ahead -- but maybe not so much anymore. As many of the largest metro areas in the U.S. become too expensive, homeowners and potential homebuyers are ready to go elsewhere for lower taxes, good jobs and affordable homes. Redfin [counts](#) down the 20 metro areas that people most want to leave, Residents of these places are ready to get out of town and are inclined to search for homes in other areas.

B. HEALTHCARE & INSURANCE

TEXAS IS LATEST STATE TO ATTACK SURPRISE MEDICAL BILLS: Texas is [now](#) among [more than a dozen states](#) that have cracked down on the practice of surprise medical billing. Texas **Gov. GREG ABBOTT**, a Republican, signed legislation Friday shielding patients from getting a huge bill when their insurance company and medical provider can't agree on payment. [Senate Bill 1264](#) is bipartisan legislation that removes patients from the middle of disputes between a health insurance company and a hospital or other medical provider. Under the new law, insurance companies and medical providers can enter into arbitration to negotiate a payment — and state officials would oversee that process. Surprise medical billing typically happens when someone with health insurance goes to a hospital during an emergency and that hospital is out of network. It also happens if a patient goes to an in-network hospital and the patient's doctors or medical providers are not in network. Sometimes insurance companies and medical providers won't agree on what's a fair price for that care, and patients end up with a hefty medical bill.

FIDUCIARY BATTLE SPREADS TO NJ, MASS., NEVADA: The battle over the fiduciary standard is [far from over](#). Various states are moving ahead with plans to fill the void they believe was left when the Department of Labor was forced to vacate its fiduciary rule and the SEC failed to meet their expectations with Regulation Best Interest. The comment period for New Jersey's proposed fiduciary rule ended Friday, but was later [extended](#) to July 18, one day after a public hearing on the proposal will be held, according to law firm Stradley Ronon. Also on Friday, Massachusetts proposed its own fiduciary standard for broker-dealers and other financial professionals. Meanwhile, Nevada is working on the fiduciary rule it proposed in January. Tens of thousands of brokers and registered representatives stand to be affected by these pending state initiatives. There were 4,949 broker-dealer branches in New Jersey, 3,625 in Massachusetts and 1,278 in Nevada as of 2017, the latest data released by self-regulator Finra. Combined, those three states made up 6% of the total broker-dealer branches in the U.S. in 2017.

C. ECONOMY, TRADE & INFRASTRUCTURE

STATES DEVELOPING STRATEGIES TO UNDERSTAND IN-DEMAND SKILLS, CONNECT WORKERS: For the better part of a year, state governors and their workforce development teams have been [gathering](#) every few months to work on the [National Governors Association's \(NGA\) Good Jobs for All Americans initiative](#). Their goal is clearly defined: figure out how to provide workers with all the skills they need to compete for the new jobs being created by rapidly changing technology.

NYC, MTA REACH AGREEMENT ON CONGESTION PRICING ROLLOUT: New York City's congestion pricing program is [inching](#) forward. The Metropolitan Transportation Authority and the city's Department of Transportation reached an agreement last week to work together on implementing the car-taxing scheme. Lawmakers had included a provision in the congestion pricing measure that required both parties to come to terms on the program within 60 days. Officials signed off on the deal on June 11, the day before the deadline. The agreement, seen by the Daily News on Tuesday, says that the MTA and DOT will both have a hand in planning, designing, installing and maintaining the infrastructure used to run the toll program, which will charge cars for entering Manhattan south of 61st St.

WOLF, TRUMP FIND COMMON GROUND ON WORKFORCE ISSUES: Gov. Tom Wolf and President Donald Trump don't agree on much, but [common ground](#) brought them together – along with seven other governors – to discuss barriers to workforce entry. Two initiatives both support are criminal justice reforms that make it easier for people convicted of crimes to re-enter the workforce and occupational licensing reforms that loosen requirements and make it easier for military spouses to transfer licenses between states. Republicans like Mr. Trump oppose regulations they believe impede business growth. Democrats like Mr. Wolf support regulations that protect health, safety and the environment. But both stand together against regulations that serve mainly as barriers to protect insiders' strongholds on professions. Some professional licensing requirements fall in that category, Mr. Wolf said in an interview after the White House meeting. Earlier, in his meeting with the governors, Mr. Trump said burdensome licensing laws especially hurt low-income workers who can't afford the time and money to meet requirements and military spouses who have to become re-certified each time they move. Mr. Trump and Mr. Wolf also agreed, at least in principle, that non-violent criminals should have better access to the workforce after they have served their sentences.

AGRICULTURE AGENCIES HEAD TO THE HEARTLAND: In a highly anticipated announcement, **AGRICULTURE SECRETARY SONNY** Perdue [said](#) that the Kansas City region will be the new headquarters for two U.S. Department of Agriculture agencies. The 58-year-old Economic Research Service (ERS) analyzes agricultural and rural economics, and the grant-making National Institute of Food and Agriculture (NIFA) uses agricultural research to inform science policy decision-making. They are the only two USDA agencies without a presence outside Washington, and the move puts them closer to agricultural producers, the department said. It also said the move will cut costs, improve its ability to recruit top talent — in part because of the lower cost of living in Kansas City — and boost the Kansas City economy.

STATES SEEKING CLARITY IN BOOMING HEMP OIL MARKET: Federal regulators' murky response to the rapid legalization of the hemp extract CBD has [created](#) a patchwork of state responses — ranging from broadly permissive to raids on retailers and seizures of trailers loaded with lucrative leaf. At a recent meeting, FDA panelists asked pharmaceutical companies and patient organizations whether the widespread availability of off-the-shelf CBD products — ranging from pet food to skin oils touted as salves for all sorts of ailments — had an impact on efforts to research and develop cannabis-based medicines. But companies that want to use CBD as medicine countered that federal red tape is what's holding up progress on developing drugs. Confusion about the status of CBD dates back to December, when Congress's farm bill threw a curve ball at regulators and state officials. It legalized hemp production nationwide, and with it the plant's most profitable byproduct, the non-intoxicating drug cannabidiol, or CBD. The chemical also is found in marijuana, which is still banned under federal law, though plentiful in 33 states that have legalized it for either medical or recreational use. The FDA has reminded Congress that there was already one approved product containing CBD — a prescription drug for two specific forms of childhood epilepsy — but that it needed at least a year to make federal rules that reflected the oil's safety and effectiveness, as a medical product or a low-dose additive for foods, ranging from lattes to waffles.

D. EDUCATION & THE ENVIRONMENT

NY LAWMAKERS AGREE TO HISTORIC CLIMATE PLAN: Gov. Andrew Cuomo [said](#) he has reached an agreement with legislative leaders over a bill to slash New York's greenhouse gas emissions, setting the stage for one of the most significant state climate victories since President Trump took office. The announcement, coming just days before the close of the legislative session, represented a big victory for climate activists, who have spent three years pushing for major legislation to curb greenhouse gases in the Empire State. Lawmakers were still working on final amendments yesterday, but the outlines of the deal were becoming clear. The legislation calls for reducing emissions by 40% from 1990 levels by 2030 and 85% by 2050. The remaining 15% of emissions would be offset, making the state carbon neutral.

The bill would also require that all electricity generation come from carbon-free sources by 2040. A Climate Action Council would be established to ensure the state meets its targets.

NJ REJOINS RGGI CLIMATE PROGRAM: New Jersey will soon [breathe](#) easier thanks to **GOVERNOR PHIL MURPHY'S** fulfillment of a major promise. In a recently issued [final rule](#), the state's environmental agency has committed to [rejoin](#) the groundbreaking pollution-cutting program known as the Regional Greenhouse Gas Initiative or RGGI ("Reggie") on January 1, 2020, after an eight-year hiatus. Over the last decade, RGGI, a forward-thinking [market-based program](#) that facilitates the transition to clean electricity, has helped cut in half carbon pollution from power plants in Northeast and Mid-Atlantic states while generating billions of dollars in benefits.

OREGON TO CAP GREENHOUSE GAS EMISSIONS: The Pacific Northwest is [becoming](#) a veritable hotbed of climate policy. Just months after Washington state passed a [comprehensive package of climate bills](#), its neighbor Oregon is on the verge of passing a fateful bill of its own, one that would have repercussions far beyond the region. The Clean Energy Jobs Bill (HB 2020A) was [voted through](#) by the Oregon Joint Committee on Carbon Reduction, the key legislative barrier to passage. Now it goes to the state Ways and Means Committee, then to the full House and Senate, then to the desk of **GOV. KATE BROWN**. Though anything can happen, advocates are optimistic that the bill is headed for passage.

STATES THAT SPEND THE MOST (AND THE LEAST) ON EDUCATION: Schools in some states receive much larger sums of money -- up to three times more per pupil -- than in other states. Where the money comes from differs, too. And how schools opt to spend their funding varies significantly from state to state. The U.S. Census Bureau recently released its Annual Survey of School System Finances, depicting revenues and spending for all public elementary-secondary school systems in 2017. *Governing* is out with a full breakdown of the highlights [here](#).

GOVERNORS ARE PROVIDING LEADERSHIP IN HELPING STUDENTS SUCCEED IN POSTSECONDARY EDUCATION: Postsecondary education was an [important](#) theme of the 36 state gubernatorial races last year, with almost every elected governor making it an important part of their campaign platforms. Unsurprisingly, governors are acting on the same topics emphasized during last fall's campaigns. Topping the list of focus areas, postsecondary skills training and workforce preparation was identified as a priority by at least 23 governors in their state of the state addresses this spring. Some governors emphasized their intention to continue building on existing workforce initiatives, such as **GOVERNOR KIM REYNOLDS'** Future Ready Iowa or **GOVERNOR TOM WOLF'S** PASmart. Others are proposing new initiatives, like **GOVERNOR MIKE PARSON'S** Fast Track program in Missouri. And National Governors Association's current chair, **GOVERNOR STEVE BULLOCK** of Montana, continues to advance this work through his chair's initiative, Good Jobs for All Americans.

What We Are Reading

BRAIN DRAIN – WHAT STATES STAND TO LOSE: West Virginia suffers from it. So do Oklahoma, the Dakotas, the Deep South and the post-industrial states of the Mid-Atlantic. It's [brain drain](#), and it's not only affecting the economies and budgets of the states, but is contributing to political polarization as educated people leave the middle of the country for the coasts. Left unchecked, the trend threatens to result in two, mutually suspicious Americas: one that's more urban, liberal and diverse, and one that's more rural, conservative and homogenous. And across the country, states are fretting about losing educated residents the way a plaintive parent wheedles children who have left the nest: Why did you leave us, and what can we do to get you to come back home?

E. TECHNOLOGY & PROCUREMENT

ARKANSAS HOSTS FIRST COMPUTER SCIENCE MEET-UP FOR STATES: Arkansas was the center of the computer science education universe on Monday. Industry and government leaders from 30 states, Washington, D.C. and Canada [convened](#) at the Arkansas Governor's Mansion for the National Computer Science Summit for State Leaders. Arkansas regularly finds itself in the bottom of half of nationwide rankings, so state leaders -- including **Gov. ASA HUTCHINSON** -- bask in the state's status as the leader in kindergarten through 12th-grade computer science education. South Carolina **Gov. HENRY MCMASTER** said that the very fact that so many stakeholders gathered in Little Rock for the summit illustrates how Arkansas is viewed as a leader in the field. McMaster, a Republican, attended the summit alongside Republican Iowa **Gov. KIM REYNOLDS**. Monday's conference was the first national computer science conference held in Arkansas, Hutchinson said. In addition to Reynolds and McMaster, it included presentations and discussions from education commissioners from Kentucky, Mississippi, North Carolina and Tennessee. Hutchinson has made computer science education one of his chief initiatives since taking office in 2015.

TEN STATES OPPOSING SPRINT-T-MOBILE MERGER: New York **ATTORNEY GENERAL LETITIA JAMES** is [leading](#) nine states and the District of Columbia in opposing the mega-merger of T-Mobile and Sprint, saying the deal would do particular damage to consumers in cities as well as rural areas of upstate New York. The Republican head of the Federal Communications Commission has given his blessing to T-Mobile's \$26.5 billion bid to acquire Sprint. The Justice Department's antitrust division has yet to weigh in. But James insisted New York and the other states — California, Colorado, Connecticut, Maryland, Michigan, Mississippi, Virginia and Wisconsin — and the District of Columbia have legal rights to go to court to block the merger. The states filed suit in federal court in Manhattan.

MILLS SIGNS BILL BANNING INTERNET PROVIDERS FROM SELLING DATA WITHOUT CONSENT: Maine **Gov. JANET MILLS** [signed](#) into law one of the nation's strongest privacy bills, banning internet service providers (ISPs) from using, selling or distributing consumer data without their consent. The Act to Protect the Privacy of Online Consumer Information would prohibit any ISPs in Maine from refusing to serve a customer, penalizing them or offering a discount in order to pressure consumers into allowing the ISP to sell their data. The law will take effect on July 1, 2020. Maine is one of the first states to take that step after California passed its own strict privacy law last year, setting off a flurry of industry lobbying and praise from privacy activists. Maine's law, passed amid pushback from top ISPs, is geared toward those such as AT&T and Spectrum. California's law, meanwhile, also applies to tech companies including Google, Microsoft, Amazon and Facebook.

MORE STATE LEGISLATURES SCRUTINIZE FACIAL RECOGNITION TECH: Lawmakers in California are [considering](#) legislation that would crack down on the use of facial recognition software by law enforcement, joining several other states also weighing limitations to the controversial technology. The California Senate Public Safety Committee held a hearing on a bill that would impose a statewide prohibition against the use of facial recognition software on footage collected by police officers' body-worn cameras. Such a move would follow action taken last month by officials in San Francisco, which approved a [citywide ban](#) on the technology for nearly all local government agencies. Critics argue that facial recognition tools disproportionately misidentify women and non-whites, while [research](#) by the National Institute of Standards and Technology has found that some demographic groups "are more susceptible to errors in the face matching process." But California's statewide measure, [Assembly Bill 1215](#), is drawing criticism from law enforcement. In [a statement](#) to the Public Safety Committee, the Riverside County Sheriffs' Association accused supporters of the ban of placing an undue burden on facial recognition that is not applied to other forms of technology.

NY'S PRIVACY BILL IS EVEN BOLDER THAN CA'S: The New York Privacy Act, [introduced](#) last month by **STATE SENATOR KEVIN THOMAS**, would give residents there more control over their data than in any other state. It would also require businesses to put their customers' privacy before their own profits. The bill is still seeking a cosponsor in the state assembly, but Thomas says he is confident that he has majority support in the senate and hopes to pass the bill this summer. The Committee on Consumer Protection, which Thomas chairs, is scheduled to hold a [hearing](#) on the bill Tuesday. With it, the Empire State is poised to become the next battleground in the fight for state privacy laws. California became the first state to pass such a law last year with the California Consumer Protection Act; industry groups and consumer advocates have been [sparring over its language](#) ever since. Businesses argue that the CCPA is overly broad and that complying with different laws in every state is unworkable, preferring instead a lighter touch regulation at the federal level.

FCC AUTHORIZES \$166.8 MILLION FOR RURAL BROADBAND: The Federal Communications Commission recently [authorized](#) \$166.8 million in funding to expand rural broadband efforts in 22 states. This, the second wave of funding under the commission's Connect America Fund Phase II auction held last year, is expected to reach 60,850 currently unserved homes and businesses. The latest authorizations are part of a \$1.49 billion program expected to improve connectivity for approximately 700,000 locations within a decade. FCC Chairman Ajit Pai said the majority of the locations included in the latest funding authorization will receive gigabit-speed connections. Four providers account for approximately \$100 million of the latest authorizations. They include the electricity cooperative Central Virginia Services, which is expected to deliver service to about 11,000 new locations in Virginia; the Navajo Tribal Utility Authority, expected to serve more than 7,000 homes and businesses in tribal areas of Arizona, New Mexico and Utah; the electricity cooperative Co-Mo Connect, serving 8,350 new locations in Missouri; and Commnet Wireless, which is slated to serve more than 12,800 new locations in Nevada. A complete map of Connect America Fund locations [can be found here](#).

BGR In The News

MUNSON JOINS CGTN TO TALK IRAN: BGR Group Principal Lester Munson [joined](#) CGTN's Mike Walter this week to discuss the rising tensions between the U.S. and Iran.



F. FEDERAL/STATE RELATIONS

NEW AGE CONFLICT BETWEEN WASHINGTON, THE STATES: A new proposal from **SENATOR KAMALA HARRIS** [requiring](#) federal approval of state laws restricting abortion access captures how the unrelenting escalation of conflict between the parties is igniting fresh tensions between the federal government and the states. More and more, both parties are seeking to use federal authority to block state initiatives they oppose, even as they routinely mobilize their power in the states to resist the other party's agenda in Washington. Coalitions of conservative and liberal states now regularly sue to block federal maneuvers when the other party controls the White House.

II. Politics

A. GOVERNORS & STATEWIDE OFFICES

REPUBLICAN GOVERNORS UNANIMOUSLY URGE CONGRESS TO PASS USMCA: All member governors of the Republican Governors Association (RGA), representing 27 states and one United States territory, [issued](#) a letter to Congressional leaders this week urging expedient action to pass the United States-Mexico-Canada Agreement (USMCA), touting it as "a comprehensive, 21st Century trade agreement that protects workers across the nation, establishes a level playing field among the United States and our partners, and encourages free and fair trade." The signatories represent unanimous agreement among Republican chief executives that ratification of the USMCA will promote economic growth in their states and the nation. View the signed letter [here](#).

REPUBLICAN ATTORNEYS GENERAL ADVOCATE FOR EXPANSION OF HEALTH CARE OPTIONS: RAGA Chairman and Texas **ATTORNEY GENERAL KEN PAXTON** is [leading](#) a 16-state coalition, made up of 14 Republican attorneys general and two Republican governors, that is supporting the U.S. Department of Labor's rule allowing millions of Americans employed by small businesses to access quality, affordable health coverage via Association Health Plans. The rule proposed by the Department of Labor will significantly increase health care options available to small businesses and self-employed individuals who were affected by Obamacare's failure to implement competition in the health care market. Obamacare was ruled unconstitutional by a Federal District Court in Texas last year, as a result of a lawsuit filed by many Republican attorneys general from across the country. Since that time, Republican attorneys general have been working with state and federal leaders to find Obamacare alternatives.

B. STATE LEGISLATURES & MAYORS

MAINE HOUSE SPEAKER TO CHALLENGE SEN. COLLINS: Maine **HOUSE SPEAKER SARA GIDEON** will soon [announce](#) her candidacy for the U.S. Senate, challenging four-term incumbent Republican Susan Collins. Citing five unnamed sources – three Democrats in Maine and two national Democratic strategists – the Washington, D.C.-based news organization said Gideon will launch her campaign sometime after the close of the 129th Legislature next week. Gideon, 47, a Freeport Democrat, has flirted with the idea of a Senate run since last fall, when Collins faced enormous pressure over her vote to confirm U.S. Supreme Court nominee Brett Kavanaugh. Gideon is in her fourth and final term in the Maine House and has been speaker for the last two.

DEMS WIN IN VA RACIAL GERRYMANDERING CASE: A narrowly-divided Supreme Court on Monday [dismissed](#) an appeal from Virginia's Republican-controlled House of Delegates which sought to reinstate the state's legislative districts

map after it was struck down for improper racial gerrymandering. A lower court held that 11 state legislative districts represented unconstitutional racial gerrymanders. The state attorney general, a Democrat, declined to challenge the lower court decision. On Monday, in a 5-4 decision, the court said the House of Delegates lacked standing to bring the case.

C. BALLOT INITIATIVES & POLITICS

MEDICAL MARIJUANA INITIATIVE CLOSES IN ON SIGNATURES FOR MISSISSIPPI BALLOT: All that stands between Mississippians and the [chance](#) to vote on the legalization of medical marijuana next year is around 30,000 petition signatures. The group behind the Medical Marijuana 2020 ballot initiative, Mississippians for Compassionate Care, has been gathering signatures since September of 2018. Organizers say more than 57,000 of the required 86,185 signatures have been certified by state circuit clerks, but the clock is ticking as their Sept. 6 deadline approaches. Currently, over 100 people are deployed across the state gathering signatures, organizers say. The group faces an uphill battle because getting a measure on a ballot in Mississippi is no easy task. Only six have successfully gone to a vote and just two of those, eminent domain and voter ID requirements, were voted into state law.

COLORADO TO PROCEED WITH BALLOT ON TABOR LAW ELIMINATION: The Colorado Supreme Court [ruled](#) Monday that a group wanting to eliminate Colorado's Taxpayer's Bill of Rights (TABOR) can proceed with a proposed ballot initiative in 2020. The [state's high court](#) ruled in a 5-2 opinion that the state Title Board should not have [rejected the proposed initiative](#) from the Colorado Fiscal Institute, saying that the proposed ballot question did indeed constitute one single subject – [a requirement of ballot initiatives](#) under the state Constitution. Many have argued that the 1992 TABOR law, which was passed by Colorado voters as a constitutional amendment, contained too many moving parts to be repealed all at once after state voters passed a single-subject rule. The amendment requires tax increases, the issuance of bonds and increases in spending to go to statewide voters. The back-and-forth over the positive and negatives of the law [have been hashed out for years](#) without concrete conclusions.

Campaign News

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

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

KEEPING TRACK:

Days until the Mississippi gubernatorial primary election: 46

Days until the Louisiana gubernatorial primary election: 114

Days until the Kentucky, Mississippi, New Jersey and Virginia general elections: 138

MISSISSIPPI

CANDIDATES AVOID DEBATES: The Republican front-runner in the governor's race, **LT. GOV. TATE REEVES**, [ducked](#) the first two debates of this campaign season. And **TREASURER LYNN FITCH**, perhaps the best-known name in the attorney general race, also skipped the first two debates of that contest last week. The no-shows have frustrated Fitch's and Reeves' opponents, and led to questions of why they couldn't attend not once, but twice. Representatives for Reeves and Fitch insist it's about scheduling conflicts. The three Republican gubernatorial candidates, including Reeves, [did recently agree to a single televised debate](#) before the August primary, hosted by WJTV-TV next month. And Fitch and Reeves have attended many candidate forums, their spokespeople point out. But some argue forums — where candidates often make a general pitch about their candidacy — are vastly different than debates, where they are asked pointed questions by a moderator and each other.

WALLER HIT MAY CAMPAIGN TRAIL HARDER THAN FOSTER, REEVES: Down in the polls and thin in the pocketbook, **BILL WALLER JR.** and **ROBERT FOSTER** are [using](#) a tried and true campaign strategy to gain ground on **LT. GOV. TATE REEVES** in the 2019 Republican primary for governor: Retail politicking. Waller out-traveled Reeves and Foster during the month of May, a Mississippi Today analysis of campaign schedules shows. The schedules were compiled using schedules submitted by the campaigns, social media posts and news articles about election events. Reeves, holding more than \$6 million in campaign cash and running pricey television ads airing across the state since April 23, could afford to stay closer to home last month. The second-term lieutenant governor made 30 campaign stops in May, visiting 19 of the state's 82 counties. More than half of Reeves' stops were made in the 12 counties that were home to the most Republican voters in 2016. But with considerably less money to spend on television advertising, Waller and Foster hit the road hard, exhibiting two different campaign strategies.

KENTUCKY

WILL KENTUCKY REELECT GOVERNOR BEVIN? The political class may be especially [disposed](#) to overinterpret Kentucky's results in 2019, because four years ago it arguably under-interpreted them: Few saw **GOVERNOR MATT BEVIN'S** come-from-behind performance in 2015 as foreshadowing the surprise of Trump in 2016. "It's easy in hindsight to make these connections," says the governor on the short flight to Somerset. He ticks off the similarities: Like **PRESIDENT DONALD TRUMP**, he has a background in business. He was running for what would become his first political office. Much of his party's establishment opposed him. Trump's campaign, he says, "was a scaled-up version of what I had done in 2015." Whatever Bevin's story teaches about Trump, however, it may say even more about the future of conservatism at a time when the word's very meaning is up for grabs. His governorship has tested the viability of an agenda of labor-market and entitlement reforms, and his victory or defeat later this year will help answer the question of whether a tea-party upstart can shift from populist protester to accomplished government executive.

BEVIN LEADS IN GRAVIS POLL: GOVERNOR MATT BEVIN currently [leads](#) **ANDY BESHEAR** 48%-42%. Beshear does considerably better with college educated voters (trailing 51%-49% among those with a bachelor's degree and leading 55%-32% among those with a post-graduate education). The problem for Beshear is that there just aren't many those voters in Kentucky. Bevin holds a 53%-32% lead among voters with a high school diploma and 51%-40% among those with "some college" education. 38% of the sample has a bachelor's degree or higher compared to 62% without. The gender gap is evident as well with Beshear leading 47%-40% among women and trailing Bevin 57%-37% among men.

BESHEAR MAY BE EXAGGERATING COURT WINS OVER BEVIN: Democratic gubernatorial candidate **ANDY BESHEAR** has regularly [boasted](#) on the Kentucky campaign trail how, as the state attorney general, he has defeated Republican incumbent **MATT BEVIN** in court. Beshear has bested Bevin in two high-profile cases that Democrats use to energize supporters. He blocked the governor's \$18 million cut to Kentucky universities in 2016 and the administration's coveted pension reform bill in 2018. But Bevin got a slam dunk this month when the Kentucky Supreme Court unanimously upheld a 2017 executive order that shuffled various state education boards. And a review of the rivals' legal labyrinth since they both took office in 2015 shows a more complicated scorecard than Beshear presents to voters. Of the five legal battles in which Beshear challenged Bevin's authority that have concluded before the Kentucky Supreme Court, the decisions have either, through dismissal or rulings, been in the Republican incumbent's favor three times and kept his changes intact.

TEACHER TENSIONS FUEL GOVERNOR'S RACE: In a year [marked](#) by waves of teacher activism around the country, it wasn't unusual for elected officials to take issue with teachers calling in sick, walking out of classrooms, or holding multiday strikes. What was unusual was the personal and inflammatory tone of Kentucky **Gov. MATT BEVIN'S** comments. When a Rotary Club member asked the Republican, who is running for re-election, what should be done to stem gun violence, he brought up a 7-year-old girl who was accidentally shot in March. The girl was home that day after school was canceled when teachers called in sick with "pension flu" to protest proposed changes to the state's public-employee retirement system—something they had done several times before last year, Bevin suggested in April. "One thing you almost didn't hear anything about while we had people pretending to be sick when they weren't sick and leaving kids unattended to or in situations that they should not have been in—a little girl was shot, 7 years old, by another kid," he said. It was a prelude to a governor's race where educators, the public's support of them—and the incumbent's polarizing statements—have had an outsized influence. In November, Bevin faces Democratic Attorney General Andy Beshear, who has an educator as his running mate and has challenged Bevin in court over several education-related issues, including one that led to a stinging defeat for Beshear last week. Bevin's supporters and critics both agree that the governor's direct and provocative comments are characteristic of the state leader. In 2018, when schools also closed for teacher activism, he suggested that an unattended student might be sexually assaulted. He later apologized, but the comment was locked in the minds of Kentucky teachers, who were already sparring with the governor over such issues as charter schools and pensions.

LOUISIANA

EXPERTS HANDICAP GOVERNOR'S RACE: Louisiana's top three candidates for governor have [barely](#) left the starting gate for the Oct. 12 primary election, but they'll likely be in a full sprint on or after the July 4th holiday. Incumbent Democratic **Gov. JOHN BEL EDWARDS'** top two Republican challengers are U.S. **Rep. RALPH ABRAHAM** of Alto and wealthy Baton Rouge businessman **EDDIE RISPONE**. Edwards' and Rispon's campaign war chests each exceed \$10 million with Rispon investing \$10 million of his own fortune. Abraham had raised more than \$1 million during the last reporting period, all of it from donors.

STORYLINES FOR THE GOVERNOR'S RACE: Understanding the governor's race requires looking beyond the headlines. Look to these storylines as the campaign continues to unfold to see where each candidate lands:

- **Flood Recovery:** Edwards will argue that his team did the best it could, whereas critics will accuse him of doing a poor job. Some of Abraham's votes on related issues could be a bone of contention as well. Luckily for him, Rispone has no votes to explain.
- **The Trump Factor:** Will the president fly to Louisiana to campaign for a GOP candidate during the primary? As for raw politics, will the White House trip up any federal recovery money for Louisiana just so the governor can't benefit from dolling it out from down here?
- **The Economy:** Certain sectors and segments of the Louisiana economy are recovering slower than other states. Abraham's campaign has started to dig into this issue, as Edwards promotes gains his administration has identified in jobs and employment.
- **Going Negative:** Being attacked by an opponent is one thing. But when that attack becomes a news story, or earned media, that's another. How will reporters cover the attacks? During the 2015 cycle, negative TV ads, in particular, became headline news.
- **Money:** More money was raised for the 2015 governor's race than for any other waged on Louisiana soil. This year's battle is expected to shatter that four-year-old record, but there may be more of a focus on how the cash is being spent as opposed to how it was raised. Vendors from outside of the state and those protesting political stances of candidates could become a trending topic.
- **Down Ballot:** If Edwards slides or one of the Republican contenders soar in a very public way, that could potentially influence races further down the ballot. A surge in public opinion one way or another could even help Democrats protect a few seats in the Legislature or, in the opposite direction, send more Republicans to Baton Rouge who are harder to the right.
- **Criminal Justice Reform:** The governor was a lead supporter for recent overhauls to prison sentences and other laws related to incarceration. Given the number of inmates released thus far, conservative operatives are no doubt looking for an example of a repeat offender who ended up back behind bars. The direct mail pieces have probably already been designed.
- **Abortion:** With Edwards endorsing a bill to further strengthen Louisiana's abortion laws, some leftwing corners of his support base are raising hell. That could make it more difficult for Democrats connected to the state party to raise money for coordinated efforts. The last cycle, much of that money came from liberal sources outside of the Bayou State.