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— News From The States —

EVENING WRAP

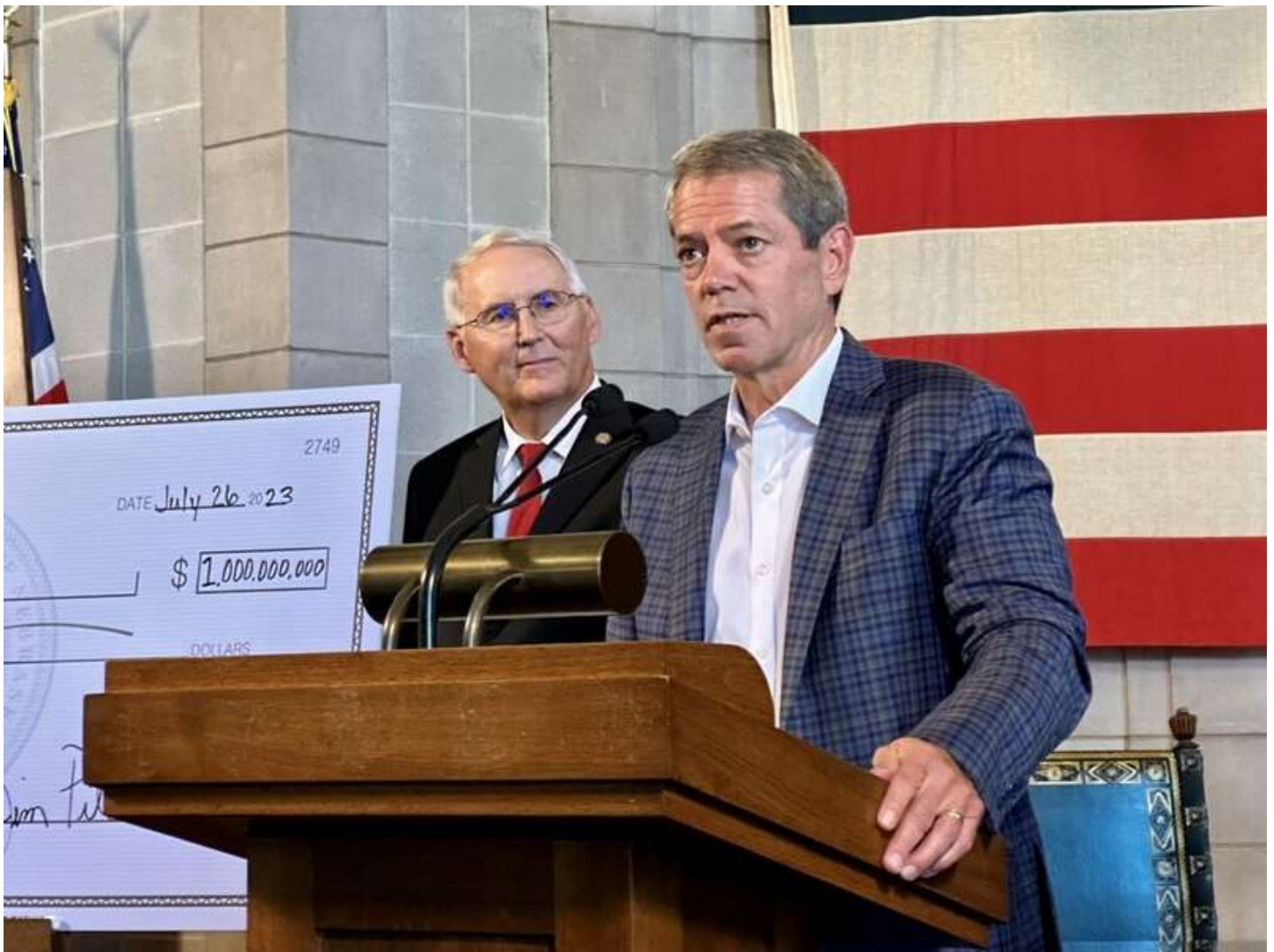


By [Kate Queram](#)

I don't really know what day it is, which is fine — time marches on, but the political idiocy stays the same. (Or maybe it gets worse. I honestly can't tell anymore.) (I'm pretty sure it's Monday.)

The Big Takeaway

Nebraska Gov. Jim Pillen last week pressured school board members to rein in spending, reminding local officials that a recent increase in education funding was meant to reduce property tax bills, not fund education. The request was detailed in a Sept. 13 letter mailed to every single school board member in Nebraska, roughly two weeks after Pillen [made a similar plea](#) to superintendents on a Zoom call, [the Nebraska Examiner reported](#).



Nebraska Gov. Jim Pillen, before he realized that meetings could, actually, be emails. (Or letters.)

(Photo by Aaron Sanderford/Nebraska Examiner)

The funding boost, approved in April as part of [a tax-relief measure](#), provided K-12 schools with an additional \$300 million in state aid but also capped per-district spending at 3% of annual revenues. The policy allows districts to exceed that limit, but only with the approval of 70% of school board members or 60% of voters in a special election. Districts are not required to use the additional spending authority, according to the bill, and are permitted to carry over unspent funds to the 2024-25 budget.

Budget hawks were comfortable with that fine print, right up until school districts paid attention to it. Earlier this month, officials said they were concerned that too many districts were planning to exceed the cap and bank extra spending authority next year — which, while technically *allowed*, is not really what they'd *prefer*. In his letter, Pillen made an attempt to approach the issue diplomatically, telling school board members that while the implementation of the new policy “may seem complex,” the goal, really, is simple.

“I am contacting you today to reinforce the importance of providing property tax relief to Nebraskans,” he wrote. “This is imperative.”



Feel free to use this as a math lesson, though!
(Photo by Getty Images)

During the budget process, Pillen continued, school districts should consider two key questions: Are they collecting more in property taxes this year? And are they getting more revenue authority than they need?

If the answer to both questions is yes, “you are operating contrary to the intent of the law,” he said.

School district officials bristled at the implication. Some said they’re only spending more because things *cost* more, like energy bills, fuel for buses, health care and wages. Others said their funding had decreased under the new system, including Norfolk Public Schools, where officials expect the budget to dip by \$433,000 each year. Lawmakers shrugged at the pushback. The complaining, they said, just proves “why it’s so hard to fix property taxes.”



Indiana Attorney General Todd Rokita, possibly violating rules of professional conduct.

(Photo via the Indiana Capital Chronicle)

The Indiana Supreme Court’s disciplinary commission on Monday filed charges against state Attorney General Todd Rokita for comments he made last July about a doctor who treated a 10-year-old girl from Ohio who traveled to Indiana to obtain an abortion. During a Fox News interview, Rokita disclosed that his office was investigating Indianapolis OB-GYN Caitlin Bernard — “this abortion activist acting as a doctor” — for her involvement in the case, potentially violating [conduct rules](#) that prohibit lawyers from making public statements about pending proceedings and using “means that have no substantial purpose other than to embarrass, delay or burden a third person,” [per the Indiana Capital Chronicle](#).

The complaint, filed by two officials with the disciplinary commission, requests that Rokita be disciplined for professional misconduct and pay required expenses.

Rokita responded to the charges Monday, saying he was not obligated to adhere to confidentiality protocols because Bernard had already “violated her duties of confidentiality” by disclosing patient information to the media. Indiana’s professional conduct rules, he added, only limit discussion of “complaints and information pertaining to the complaints,” which he “did not discuss.”



Unintentional hilarity: The description for this stock photo went to great lengths to point out that all the text is anonymized.

(Photo by Prapass Pulsub/Getty Images)

Then, because why not, Rokita released [a separate statement](#) applauding his own dedication to “beating back the culture of death, grievance and transanity being pushed by radicals,” which includes “vindicating vulnerable children (our most precious gift) for having their privacy rights unlawfully violated” — but not, I guess, for having to give birth to their rapists’ babies, because that has nothing to do with *privacy*, unless you are the doctor in this scenario, in which case *we do not care*. (Or something.)

“I won’t stop in this and my other work,” he concluded.

Everything is similarly stupid in Minnesota, where a proposal to create a state database of hate speech incidents was watered down after Republicans objected to giving unelected bureaucrats the authority to decide what constitutes “bias.” The resulting database, they argued, could be used as a weapon against political opponents, [the Minnesota Reformer reported](#).

[The bill](#), written in response to a pandemic-era rise in [anti-Asian bigotry](#), would have established grant funding for community groups to collect and submit data on “incidents motivated by hate” to the state Department of Human Rights, which would compile the information into periodic reports. Broadly, the measure aimed to establish a basic reporting infrastructure that could allow officials to

more effectively respond to community-level upticks in bias crimes, according to state Rep. Samantha Vang, the bill's lead sponsor.



Not coming to a Minnesota laptop anytime soon.

(Photo by momius/Adobe Stock)

But Republicans balked at the proposal. One called it an Orwellian idea that would trample on First Amendment protections; another compared it to the Nazis gathering information to track down Jews in World War II. During floor debate, one Republican asked Vang if reportable incidents might include referring to COVID-19 as a Chinese bioweapon. Another said the bill would authorize the government to collect data about non-criminal speech to identify “hotspots of bias.”

The performative outrage was enough to dismantle the legislation, but not enough to obliterate it entirely. Pieces of the proposal eventually made their way into a public safety bill, requiring the human rights department to compile a biennial report analyzing broad trends in civil rights and recommending policy changes to reduce hate incidents, using input from community organizations that work with historically marginalized communities. The initiative, which includes funding for two full-time staffers and updated data-tracking systems, will build off the department's existing Discrimination Helpline.

A spokesman for the agency confirmed that the revised legislation requires a report rather than exhaustive tracking, but it was still too close to the original for some Republicans, who questioned the need to allocate state funding for something they said should take, at most, a few hours to produce. In fact, the broader language could make it even *easier* to police hate speech, according to state Rep. Harry Niska, a Ramsey Republican.

“I think that debate was very embarrassing to them and they wanted to do a cosmetic fix,” Niska said. “Nobody talked to me about how to fix it until they said, ‘Oh, we’ve already fixed it.’”

Yeah, weird they didn’t consult you: [Alabama Secretary of State unveils new voter roll management system after ERIC withdrawal ...](#) [Meet the candidates running in Alabama’s House District 16 special election ...](#) [This Hawaii super PAC says it’s raising money for wildfire victims — and political candidates, too ...](#) [Iowa Democrats set 2024 caucuses for Jan. 15, matching GOP date ...](#) [GOP presidential candidates focus on abortion, Israel, parental rights at evangelical event ...](#) [Trone aims to flip the script in Maryland Democratic Senate primary ...](#) [Activist files lawsuit to force Trump off the ballot in Michigan ...](#) [Election deniers focus recruitment in ‘out of the way places’ ...](#) [Tennessee House minority leader blasts Republican rep’s letter supporting Tuberville delays ...](#) [A bloody clipboard and biodiesel car: The story behind Freddie O’Connell’s rise to Nashville mayor](#)

Also Trending

Environmental groups in Oregon on Friday asked the state Department of Fish and Wildlife to investigate the impact of repairs to a privately owned dam that critics say damaged habitat and harmed aquatic species, particularly the Pacific lamprey. The request, made in person at a public commission meeting, also asked officials to consider decommissioning the Winchester Dam entirely, [the Oregon Capital Chronicle reported](#).



Dam it.

(Photo by Kirk Blaine/Native Fish Society via the Oregon Capital Chronicle)

“The folks that own the dam are extremely anti-regulatory, very wealthy and influential, and they’ve been able to mysteriously repair a 450-foot wide, 17-foot tall dam on a major river in the state of Oregon for years and years and years using amateur repair methods and without permits,” said Jim McCarthy, southern Oregon coordinator for the nonprofit WaterWatch of Oregon, one of 20 groups requesting action.

Ryan Beckley, president of the Winchester Water Control District and owner of the company contracted to undertake the latest repairs, said he could not comment while traveling in Europe.

The dam, along with the 1.7-mile-long reservoir behind it, is owned by roughly 100 people who use the water as a private recreational lake. But it’s also a state and federally designated fish habitat and home to a number of migratory native species, including coho salmon and lamprey, a culturally significant food source for Cow Creek members.

The latest repairs began in August, according to a permit issued to Beckley’s company, TerraFirma Foundation Systems, a self-described “industry leader in foundation repair, basement and crawl space waterproofing, wall stabilization and concrete repair” that’s owned by Beckley and

does not list dam construction experience on its website. Work was scheduled to end by Aug. 28, but Beckley twice requested extensions as repairs bled into September and began to impair the migration of native fish, state officials said.



A lamprey stranded in the mud.

(Photo by Bob Hoehne/via the Oregon Capital Chronicle)

Eventually, state regulators dispatched Cow Creek natural resources staff to help with “emergency salvage” of lamprey. It was clear, they said, that the water district had not properly planned for the number of lamprey that would be affected by draining the reservoir.

“We are invested in this situation and what happens on the north Umpqua and Winchester Dam because of the lamprey and all of those species that are just so critical to Cow Creek lifeways,” said Lindsay Campman, a spokesperson for the tribe.

It was the third time in a decade that the district bungled repairs to the dam, harming habitat and species, according to state officials and conservation groups.

Spokespeople for the state Departments of Fish and Wildlife, Environmental Quality and Water Resources confirmed they were investigating whether the recent repairs had violated environmental laws but said there is no plan to decommission the dam.

In the mud: [Colorado mountain renamed Mount Blue Sky ... Feds OK the killing of some reintroduced Colorado wolves, putting Dec. 31 deadline in reach ... Indiana clean energy employment continues to grow, according to new report ... In Kentucky's rivers, researchers try to understand where the mussels have gone ... Renewable power expected to grow as Louisiana marks clean energy transition ... Minnesota program helps manufacturers train their teams for an all-electric future ... How long-term procurement could help New Hampshire ratepayers and get clean energy projects built ... Pueblo leaders travel to Washington, DC, to reaffirm support for Chaco drilling ban ... Objections to Rio Grande SCOTUS settlement could drop in October ... Searching for fixes to the farm fuel carveout in Washington's climate law](#)



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One Last Thing

A 51-year-old Norwegian man found a heap of gold and pearls using a metal detector he purchased after a doctor told him to get a hobby that would rouse him off the couch, [per the Associated Press](#). I relate to this because I sometimes find pennies in parking lots, which is basically the exact same thing.

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