

January 10, 2011

# New Laws



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The next issue of Capitol Journal will be available on January 17th.

## Top Story

*The New Year rang in with more than a wealth of fireworks, party streamers and champagne toasts: it also brought forth a plethora of new laws.*

## SNCJ Spotlight

### States ring in New Year with thousands of new laws

To listen to those who complain about government, one might think state lawmakers spent 2010 locked in hyperpartisan gridlock. But according to the National Conference of State Legislatures, the 45 states that held regular sessions last year passed tens of thousands of new laws, many of which went into effect when the calendar turned over on January 1. A sampling of those statutes runs from the serious to the silly.

There was good news for low wage workers in seven states — Vermont, Oregon, Ohio, Montana, Arizona, Colorado and Washington — where the



New Year brought an increase to the minimum wage. New York also hiked its minimum wage specifically for workers that rely heavily on tips, raising the standard from \$4.65 an hour to \$5, and requiring those tips to be shared among certain other employees. The measure allows restaurants and hotels to determine on their own how the tips are divvied up and distributed among their employees.

Workers also got a break in Illinois, where HB 4658 now bars employers from using credit history to screen out most job applicants or current workers looking for a promotion. Construction workers in Nevada also could find safer environs after the Silver State passed AB 148, a bill requiring those workers to receive 10 hours of OSHA-

certified safety training, with supervisors required to take 30 hours. Ongoing training is also required every five years. Workers and supervisors must provide proof of training within 15 days of being hired or face suspension or dismissal. The measure was a response to a rash of construction accidents in Las Vegas that saw 12 workers killed over an 18-month period.

The Silver State will also now begin enforcing AB 202, a law that requires health and beauty workers — cosmetologists, hair designers, aestheticians,

electrologists, manicurists, nail technicians and cosmetic demonstrators — to complete four hours of training on infection control before their license is renewed. AB 513 sets similar pre-licensing and continuing education standards for mortgage brokers and escrow agents.

Kentucky, Delaware and Kansas all enhanced safety behind the wheel on January 1, enacting laws that ban sending or receiving cell phone text messages while driving. They join over two dozen other states with similar prohibitions already on the books. Kentucky’s law also bans drivers under 18 from using a cell phone for any non-emergency reason. Illinois drivers will also face criminal charges if they use their cars to intimidate or threaten bicyclists, pedestrians or someone on horseback. Motorcyclists also got new laws in Oregon and Connecticut, where riders will have to pass a motorcycle safety course before obtaining a license.

Education has its own share of new measures, including Arizona’s HB 2281, which bars schools from offering ethnic studies courses. In California, meanwhile, parents of chronically truant students will find themselves facing serious legal difficulties, including potential jail time. Under SB 1317, parents of children in grades K-8 who rack up unexcused absences for more than 10 percent of the school year may be charged with a misdemeanor punishable by up to a year in jail and a \$2,000 fine. The law also allows local school districts to require parents to obtain whatever family services are needed to get the children back to school. Also in California, SB 1290 requires that middle and high schools add self-defense training to physical education curriculum, while SB 1413 requires schools to provide free, fresh drinking water during meal times.

**“The time is going to have to come when the public realizes there’s no free lunch and if you want services you’ve got to pay for [them].”**

Health insurance providers also have several new rules to follow, including Connecticut SB 50, which requires health insurance policies to treat and intravenously and orally administered anti-cancer medications the same. It also requires those treatments to be covered by insurance companies, not under prescription drug plans. Meanwhile, Missouri's HB 1311 and Nevada's AB 162 force insurers to cover autism in their group and individual health policies.

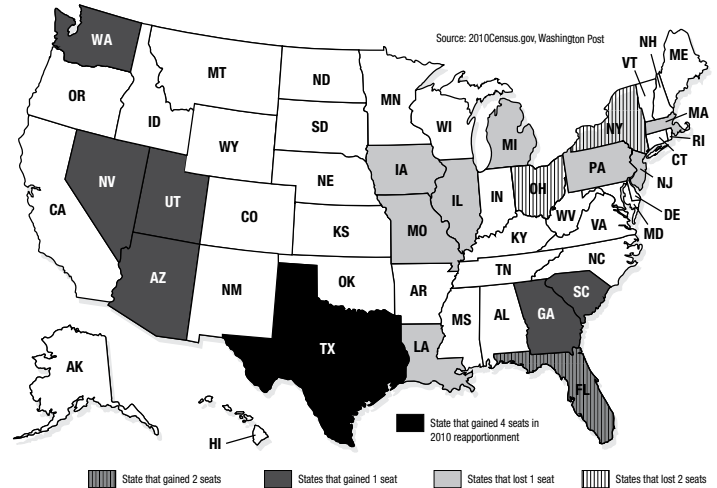
Regulating who gets covered and at what price has also changed in states like New York, where SB 6263 bars health insurers from dropping entire groups of policy holders as a means of getting rid of high-cost members of those groups unless the company

receives specific permission from state insurance regulators. California's AB 2470 also bars insurers from rescinding health policies unless the company can prove fraud or other intentional misrepresentation of information on the policy application. Also in California, SB 1163 requires health plans and insurers to provide detailed actuarial information to the state before raising premiums, while AB 2244 bars insurers from refusing to sell or renew coverage for kids with pre-existing conditions. Still in the Golden State, SB 1088 requires insurers to cover adult dependants up to age 26.

Lawmakers also addressed criminal activity in 2010. A new law in Utah requires anyone arrested for a violent felony to surrender a DNA sample to authorities, while a new statute in Wisconsin requires police to keep statistics on who they pull over to determine if law enforcement officers are stopping and searching drivers based on their race. New laws in Tennessee require first-time DUI offenders to install an ignition interlock device on their cars, while all Volunteer State jails are now required to report illegal immigrants to federal Immigration and Customs Enforcement and Department of Homeland Security officials.

Back in California, AB 1844 creates the penalty of life in prison without parole for child molesters, while Illinois' HB 6464 makes it a crime for a parent or guardian to leave a child with a known sex offender. In contrast, a new Prairie State law allows

## Bird's eye view



### 2010 Census winners and losers

Texas was the biggest winner in the 2010 congressional reapportionment. As a result of last year's decennial head count, the state gained four additional seats in the U.S. House, bringing its total number of representatives to 36. Florida, with 25 representatives before last month's reshuffle, also fared well, picking up two more seats. New York and Ohio, meanwhile, took the biggest hits, losing two seats apiece, reducing their number in the House to 27 and 16, respectively.





teenagers under 18 who send explicit photos over their cell phones — aka “sexting” — to avoid being charged as sex offenders. And back in California, SB 1399 allows the Golden State to issue medical parole to terminally ill prisoners who are incapacitated and require 24-hour care.

While California ratcheted up its punishment for child predators, it eased penalties for possessing relatively minor amounts of pot. Under SB 1449, anyone arrested for possessing no more than 28.5 grams of marijuana will face only an infraction rather than a misdemeanor, with a fine of no more than \$100. Back in Illinois, however, HB 6459 bans the possession and sale of synthetic pot sold under brand names like K2 and Black Mamba. Several states have adopted regulations copying the ban, and the federal government has also imposed its own year-long ban to determine if it will make the prohibition permanent.

On the environmental front, New York now requires companies making or selling electronic waste equipment to begin free recycling programs for consumers (AB 11308), while in Indiana a new law bars the dumping of computers and electronics into the trash. California will also now allow decommissioned oil rigs to be used as aquatic reefs.

It would also not be a normal year if there weren't new laws that, at least on the surface, sound a little abnormal. Such statutes include a new Illinois law that prohibits residents from owning a monkey and a California measure barring paparazzi from reckless driving in their pursuit of getting candid celebrity photos. Connecticut HB 5419 has also now made it safe to sell canned jellies, salsas, pickles and other “acidified” foods at Constitution State farmers markets.

But similar intentions clearly backfired in South Carolina, where a new law intended to make it easier for nonprofits to get temporary alcohol permits has also made it illegal for events run by individuals, caterers and even political campaigns to sell booze by nixing a previous law that granted temporary permits for groups that don't qualify for nonprofit status under the federal tax code. That has drawn the ire of several groups who have had to cancel festivals and other events that prominently feature microbrews and other alcoholic beverages. Thirsty Palmetto State residents should not despair. Lawmakers are expected to take up a bill to fix the problem later this month.

## In the hopper

At any given time, State Net tracks tens of thousands of bills in all 50 states, the US Congress and the District of Columbia. Here's a snapshot of what's in the legislative works:

**Number of Prefiles last week:** 1,399

**Number of Intros last week:** 5,477

**Number of Enacted/Adopted last week:** 266

**Number of 2010 Prefiles to date:** 20,240

**Number of 2011 Prefiles to date:** 12,277

**Number of 2010 Intros to date:** 94,226

**Number of 2011 Intros to date:** 5,706

**Number of 2010 Session Enacted/Adopted overall to date:** 31,609

**Number of 2011 Session Enacted/Adopted overall to date:** 2118

**Number of bills currently in State Net Database:** 100,528

— Compiled By JAMES ROSS  
(measures current as of 1/6/2011)  
Source: State Net database



(STATE NET, WALL STREET JOURNAL, NATIONAL CONFERENCE OF STATE LEGISLATURES, LOS ANGELES TIMES, SACRAMENTO BEE, CHICAGO TRIBUNE, BOSTON GLOBE, DAILY HERALD [SPRINGFIELD], LAS VEGAS SUN, THE STATE [COLUMBIA], ASSOCIATED PRESS, WPSD.COM, MIDDLETOWN PRESS, STATE JOURNAL-REGISTER [SPRINGFIELD], ARIZONA REPUBLIC [PHOENIX], COURIER-JOURNAL [LEXINGTON], BURLINGTON FREE PRESS)

— Compiled by RICH EHISEN

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# Budget & taxes

**T**OP FISCAL ISSUES FOR STATES IN 2011: States have already begun to benefit from the upturn in the U.S. economy (see *SNCJ* Spotlight, “State revenues edging up,” in the Dec. 6, 2010 issue). But disappearing federal stimulus dollars, sluggish revenue growth and spending pressures will ensure that budget balancing tops the legislative agenda in most states this year, according to a survey of state legislative fiscal directors released last week by the National Conference of State Legislatures.

NCSL asked the fiscal directors to identify the top three issues their states planned to address in their 2011 legislative sessions. Thirty one said resolving budget shortfalls and structural deficits would be their state’s top priority. New gaps totaling \$26.7 billion have opened up in state budgets this fiscal year and states face another \$82.1 billion in deficits in FY 2012, according to NCSL’s fiscal brief. In many cases, the expiration of American Recovery and Reinvestment Act funds was cited as the reason for the shortfalls.

Balancing the budget was the sole fiscal priority specified by Arizona, California, Illinois, Minnesota and Ohio. Fiscal officials in Minnesota commented that their state’s budget problem was “so large that it is hard to imagine other distinctive fiscal issues.” Illinois simply listed “Budget” as its 1st, 2nd and 3rd priority without further comment.

But the other 43 states that responded to NCSL’s query (Alabama, Florida and Kentucky did not) identified other legislative priorities. Eighteen states singled out Medicaid and other health care costs as a primary concern. Among the specific issues they mentioned were implementing federal health care reform, addressing the reduction in the Federal Medical Assistance Percentage and dealing with the growth of Medicaid enrollment and utilization. In Missouri, for instance, Medicaid spending is expected to swell by \$200 million, which the state said would require a 3 percent increase in revenues to cover.







Corporations has just eight full time staff dedicated to that task. The agency has asked for additional resources, but it may have a hard time getting them with the state projecting a \$28 billion budget gap over the next year and a half.

Regulators in Florida are facing a similar predicament. The number of advisers overseen by the 75 full time staff of the state’s Office of Financial Regulation is expected to increase from 1,100 to 1,800.

“We have asked for additional positions,” said Amy Alexander, deputy director of communications for the agency. “We do not know whether new positions will be approved.”

New York’s attorney general’s office, meanwhile, hasn’t said how it plans to oversee the new firms coming under its supervision. But Robert Elder, head of communications for Texas’ State Securities Board, which will oversee twice as many investment advisers this summer as the 1,200 it regulates now, said, “We’ll handle the shift regardless of whether we get the extra funding we’ve requested,” a comment that doesn’t seem to provide much incentive for lawmakers to get out their checkbooks. (WALL STREET JOURNAL)

**PA COLLEGES RETHINKING TUITION STRUCTURE:** Enrollment at California University of Pennsylvania, a 158-year-old state school located outside Pittsburgh, has risen nearly fivefold over the past decade for students whose families earn over \$100,000 a year. Enrollment among students of families earning less than \$40,000, on the other hand, has been falling fast as the school’s annual tuition — now standing at \$5,804 — has become increasingly unaffordable.

In light of those statistics — and dwindling state funding — officials at the university have come up with a novel idea: replacing their current “low tuition for all” policy with a market-rate one. They say students from wealthier families can afford to pay more, and the additional revenue could be used to provide more scholarships for needier students.

“We are already failing the neediest students who attend our universities,” California University President Angelo Armenti told trustees of the state’s 14 public universities, which are seeing similar enrollment patterns, at a conference in the fall. “Market rates are the norm in every successful enterprise and should be adopted by higher education if it is to serve all the citizens of the commonwealth.” (WALL STREET JOURNAL)

**BUDGETS IN BRIEF:** At least some of the money earmarked by members of Congress for more than 7,374 pet highway projects over the past 20 years remains unspent, and in at least 3,649 of those cases, not a single dollar has been spent,

## Upcoming stories

Here are some of the topics you may see covered in upcoming issues of the *State Net Capitol Journal*:

- **Workforce bullying**
- **Film incentives**
- **Immigration**



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# Politics & leadership

**CALIFORNIA SHORTCHANGED BY 2010 CENSUS?** Last month the U.S. Census Bureau released the results of its 2010 headcount, which showed California has a population of 37.3 million. That number is 10 percent higher than in 2000, which means the state grew at about the same rate as the nation as a whole. It also means that for the first time since becoming a state in 1850, California didn't grow enough to increase the size of its congressional delegation.

But according to the state's Department of Finance, the Census Bureau's count is about 1.5 million short of what it should be. Back in July, the department calculated the state's population at 38.8 million. And it said that figure, drawn from school enrollments, address changes, tax returns and other data points is a "more refined" reflection of the state's population.

The reasons for the discrepancy between the state and federal totals won't be known until the Census Bureau releases more detailed data later this year. But California is home to large populations of individuals reluctant to participate in the census, including minorities, the young and illegal immigrants. In fact, 10 of the nation's top 50 "hard-to-count" counties are located in California. And a 2008 study found that the state's population of hard-to-count residents exceeded 5 million. That challenge may have been exacerbated this year by the considerable decrease in state spending on census outreach compared to 2000, although private-sector groups tried to make up the difference.

Hans Johnson, director of research at the Public Policy Institute of California, seemed relatively accepting of the prospect of a Census undercount.

"In every census, there are people who are missed and also some people who are counted twice," he said. "After each census generally there's a debate and there's some technical work that goes on that tries to determine what the likely size of the undercount was."

California Assembly Speaker John Perez (D), however, was rankled by the fact that the Census Bureau's 1.5 million lower tally may have cost the state an additional seat in the U.S. House.

"It made it so for the first time California didn't actually grow its congressional delegation, therefore we're not going to have as strong a voice as we could have. It puts us at a disadvantage," he said. "I'm looking seriously to see what happens in the post-count scenario, into every option for going to get the kind of adjustment that reflects our growth."

The state actually won't be able to do much about the congressional representation issue, because of a 1999 Supreme Court ruling stipulating that reapportionment must be based on the census. But the state can seek an adjustment



of the Census Bureau’s count to obtain a larger share of the \$400 billion in federal funds distributed on the basis of the decennial census. And if it turns out there was, in fact, an undercount that was not uniform across the country, other states may be doing the same.

“This is a real can of worms,” said Margo Anderson, Professor of History and Urban Studies at the University of Wisconsin at Milwaukee.

If the error rate “is stark enough to show substantial inter-state differences, you can bet there will be governors and state legislatures squawking all over the country,” she said. (WASHINGTON POST)

**STATES TAKING ON LABOR:** In his state of the state speech last week, New York Gov. Andrew M. Cuomo (D) called for a one-year salary freeze for government employees to save the state \$200 million to \$400 million. Although the proposal was a bold challenge to labor’s traditional clout in Albany, it was relatively tame compared to what elected officials — particularly Republicans — are considering in other state capitals.

GOP lawmakers in Indiana, Maine, Missouri and seven other states plan to introduce legislation barring private sector unions from forcing their members to pay dues or fees. Ohio’s new Republican governor, John Kasich, wants to ban public school teachers from striking.

“If they want to strike, they should be fired,” the governor said in a speech. “They’ve got good jobs, they’ve got high pay, they get good benefits, a great retirement. What are they striking for?”

Wisconsin Gov. Scott Walker (R) is even threatening to take away government workers’ right to form unions.

“We can no longer live in a society where the public employees are the haves and taxpayers who foot the bills are the have-nots,” Walker said in a speech. “The bottom line is that we are going to look at every legal means we have to try to put that balance more on the side of taxpayers.”

Some labor leaders view the Republican efforts as political retaliation for unions spending \$200 million to defeat Republican candidates last year.

“I see this as payback for the role we played in the 2010 elections,” said Gerald W. McEntee, president of the American Federation of State, County and Municipal Employees. “Now there’s a bull’s-eye on our back, and they’re out to inflict pain.”

## The week in session

**States in Regular Session:** AR, AZ, CA, CO, CT, DC, DE, GA, IA, ID, IL, IN, KS, KY, MA, MD, ME, MN, MO, MS, MT, ND, NE, NH, NJ, NY, OH, OR, PA, RI, SC, SD, TN, TX, VA, VT, WA, WI, WV, WY

**States in Recess:** US

**States in Special Session:** WI “a”, CA “i”

**Upcoming Special Sessions:** LA “a” regarding Census / Redistricting convenes 03/20/2011.

**States Currently Prefiling or Drafting for 2011:** AR, AZ, DE, FL, GA, IA, KS, MD, NM, NV, OK, OR, SC, SD, TN, TX, UT, VA, WA, WY

**States Projected to Adjourn:** IL (2009-10 Session)

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS  
(session information current as of 1/6/2011)  
Source: State Net database



Many of the anti-labor proposals may not become law. But labor leaders believe some have a much better chance of passing than in previous years because of GOP election gains and recession-battered voters' diminished sympathy for government workers.

"They're throwing the kitchen sink at us," said American Federation of Teachers President Randi Weingarten. "We're seeing people use the budget crisis to make every attempt to roll back workers' voices and any ability of workers to join collectively in any way whatsoever."

The proposals that do end up passing could significantly reduce labor's political influence.

"In the long run, if these measures deprive unions of resources, it will cut them off at their knees. They'll melt away," said Charles E. Wilson, a law professor at Ohio State University. (NEW YORK TIMES)

**POLITICS IN BRIEF: WASHINGTON** Gov. Chris Gregoire (D) has proposed creating a single education department to cover preschool through college. **FLORIDA** is the only state with such an arrangement, but other states looking for ways to streamline government operations are considering the idea (SEATTLE TIMES). \* The closely watched legal case over the constitutionality of **CALIFORNIA's** Proposition 8, banning gay marriage, took a detour from a federal appeals court in San Francisco last week. The three-judge panel of the Ninth U.S. Circuit Court of Appeals referred the case to the California Supreme Court to consider whether proponents of Prop. 8 have the necessary legal standing to defend the measure in court (CHRISTIAN SCIENCE MONITOR). \* On the heels of the Republican takeover of the **NORTH CAROLINA** House and Senate in the November election, Sen. Marc Basnight (D) — the state's longest serving Senate pro tempore — announced last week that he will resign from the chamber before the start of the session on Jan. 26 due to a chronic health condition. Political analysts say Basnight wielded more power than any other legislator in the history of the General Assembly; nothing moved that he didn't approve (STATE NET).

— *Compiled by KOREY CLARK*




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# Governors

**W**ALKER INTRODUCES JOBS PACKAGE IN WI: Newly sworn-in Wisconsin Gov. Scott Walker (R) wasted no time in getting started on his agenda. One day after taking the oath of office, Walker began his tenure with a flourish, calling a special session of the Badger State Legislature to introduce a





office. Abercrombie did not say what specific actions he will take, though he emphasized that he is confident that the president was born in Hawaii because he was a personal friend of both of Obama’s parents.

“What bothers me is that some people who should know better are trying to use this for political reasons,” Abercrombie said in an interview at the Honolulu

Capitol. “Maybe I’m the only one in the country that could look you right in the eye right now and tell you, ‘I was here when that baby was born.’”

Some observers, however, contend that Abercrombie is really just voicing the frustration of many Hawaiians who believe the persistent questions about Obama’s citizenship are indicative of them not being viewed as “real Americans” in the other 49 states. Others also note the wealth of evidence the Obama camp has produced, including a certificate from the Hawaii Health Department in 2007 that certified the facts of his birth, discrediting such claims. They question whether any action taken by Gov. Abercrombie will only reopen an issue that most people consider resolved.

But because original birth certificates in Hawaii are not public record, birthers have continued to insist the president is in office illegally. In December, a former U.S. Army officer, Lt. Colonel Terrance Lakin, made national news when he was dismissed from the service and sentenced to six months in military prison for refusing to deploy to Afghanistan after he claimed Obama may be ineligible to serve as president. Last week, a supporter of Lakin’s interrupted a reading of the U.S. Constitution on the floor of the House of Representatives as Rep. Frank Pallone (D-NEW JERSEY) was reading Section 1, Article 2, which pertains to a person’s eligibility to be President. The woman screamed “Except Obama! Except Obama! Help us Jesus!” before being removed from the gallery.

Abercrombie called such behavior “self-evisceration of politics” and dangerous to democracy. It has also clearly motivated him to come to Obama’s defense, most likely with legislation that would allow the government to release the president’s original “long form” birth certificate.

“He can take sticks and stones,” Abercrombie told the New York Times. “But there’s no reason on Earth to have the memory of his parents insulted by people whose motivation is solely political.” (LOS ANGELES TIMES, CHICAGO TRIBUNE, NEW YORK TIMES, CHRISTIAN SCIENCE MONITOR, NEW YORK DAILY NEWS)

**SCHWARZENEGGER CUTS PRISON TIME FOR ALLY’S SON:** California Gov. Arnold Schwarzenegger (R) outraged victims’ right groups last week by commuting the manslaughter sentence of the son of former Assembly Speaker Fabian Nunez, a staunch ally of the governor’s environmental agenda. Schwarzenegger made the commutation just hours before leaving office.

## In case you missed it

With state budgets still reeling from the impact of the Great Recession, lawmakers in 2011 will likely be forced to work together in ways that in recent years appeared to be extinct.

In case you missed it, the article can be found on our Web site at

[http://www.statenet.com/capitol\\_journal/12-20-2010/html](http://www.statenet.com/capitol_journal/12-20-2010/html)

The Speaker's son, Esteban Nunez, was convicted in 2008 of voluntary manslaughter and assault in the stabbing death of college student Louis Santos after the younger Nunez and three friends were involved in a fight outside a fraternity party near San Diego State University. Nunez was sentenced to 16 years in prison, the same as the person who inflicted the fatal wound on the victim. Although Nunez didn't stab Santos, he admitted stabbing another man and inflicting "great bodily harm" on a third.

The commutation also drew sharp criticism from the victim's family, who said the governor didn't even inform them of what he planned to do.

"This is dirty politics: cutting backroom deals," said the victim's father, Fred Santos. "I guess if you're the son of somebody important, you can kill someone and get all sorts of breaks."

Schwarzenegger said in his commutation statement that he did not "discount the gravity of the offense," but considered the sentence to be "excessive." (LOS ANGELES TIMES)

**GOVERNORS IN BRIEF: NEW MEXICO** Gov. Susana Martinez (R) reversed a decision by former Gov. Bill Richardson (D) to move a state DNA testing center to Santa Fe from Albuquerque. Richardson said the move would save the state money, but Martinez said it could lead to contamination of critical police evidence. Martinez also called for expanding state law to require DNA samples from anyone arrested for any felony. Current law requires samples only from those arrested for violent crimes (SANTA FE NEW MEXICAN). • **MASSACHUSETTS** Gov. Deval Patrick (D) informed lawmakers he will be cutting their salaries by about \$300 this year. Patrick said that figure matches the drop in pay experienced by typical Bay State households over the past two years. The state constitution requires the governor to adjust legislators' salaries every two years, based on changes in the state's median household income. It is the first time since a 1998 law linking lawmakers' pay and the median income went into effect that salaries have gone down rather than up (BOSTON GLOBE). • **NEVADA** Gov. Brian Sandoval (R) issued two executive orders last week: one that prohibits any state official from accepting gifts or compensation from any companies doing business with the state and another placing a freeze on new executive branch business regulations until 2012 (LAS VEGAS REVIEW-JOURNAL). • **RHODE ISLAND** Gov. Lincoln D. Chafee (I) issues Executive Order 11-01, which lays out a code of conduct for all Ocean State public workers, requires them to adhere to all state laws and directs agency heads to appoint a public ethics officer (PROVIDENCE JOURNAL).

— Compiled by RICH EHISEN





their dens. The rules will be in addition to the Centennial State’s other “fair chase” regulations, which bar spring bear hunts and the use of dogs or bait during allowed hunting seasons (DENVER POST).

**HEALTH & SCIENCE:** The **COLORADO** Department of Public Health and Environment approves a radioactive materials license for what would be the country’s first new conventional uranium mill in more than 25 years. The proposed mill, which would produce a nuclear reactor fuel called yellowcake, is expected to be operational by 2012 (DENVER POST).

**POTPOURRI:** The **OHIO** Supreme Court upholds a 2006 Buckeye State law that imposed statewide regulations on the sale and possession of firearms. Critics challenged the law because it bars municipalities from enacting their own gun control regulations, which are often more stringent than the statewide measure (CLEVELAND PLAIN DEALER).

— *Compiled by RICH EHISEN*

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# Once around the statehouse lightly

**THE EAGLE HAS LANDED:** By now most folks know that Pennsylvania Gov. Ed Rendell blew a gasket over the cancellation of a Dec. 28<sup>th</sup> NFL game between the Minnesota Vikings and Rendell’s beloved Philadelphia Eagles. But while most media types focused on Rendell calling Americans “wussies” for allowing the game to be postponed until after the predicted blizzard passed, few noted a far more startling Rendell comment: after two decades of being chauffeured around as a political bigwig, he is now out of office and heading back behind the wheel. In an appearance on Comedy Central’s “Colbert Report,” Rendell noted the concerns over his long gap in driving duties, telling host Stephen Colbert, “You got to help me out, which one’s the gas pedal, which one’s the break?” If you happen to live and drive in Philly, be afraid. Be very afraid.

**BEGGING YOUR PARDON:** New Mexico Gov. Bill Richardson’s brief, controversial flirtation with issuing a pardon to the infamous outlaw William Bonney, aka “Billy the Kid,” has died an ignominious death. As the *Los Angeles Times* reports, Richardson shot down the idea of fulfilling a long-promised pardon to the Kid made by then-Gov. Lew Wallace as a means of getting the outlaw to testify before a grand



jury. The Kid did testify, but Wallace reneged and Bonney was later gunned down by Sheriff Pat Garrett. As his term was winding down, Richardson began to ponder fulfilling Wallace's promise, something he did right up to his last few hours in office, admitting he was intrigued by "the romanticism" of it all. He ultimately rejected the idea when he determined the facts of the case "did not support" the pardon. He did, however, note that the furor the situation caused was "good for tourism."

**THAT'S NO FIRST LADY:** As with most new governors this year, New York Gov. Andrew Cuomo has no shortage of sticky issues to resolve. But as one of the rare gov's who enters office without a spouse, Cuomo has found himself answering more than a few uncomfortable questions about his love life. Of particular interest is the living arrangements for Cuomo and his long-time girlfriend, celebrity chef Sandra Lee. The couple currently shares a home in Mount Kisco, and as the *Albany Times-Union* reports, Lee will definitely not be taking up residence in the Governor's Mansion. Nor will she be given other duties or privileges normally associated with the First Lady. A Cuomo spokesperson said Lee still plans to act the part when she needs to by being "supportive and generous to the people of the state and she will accommodate them in every and any way she can." A nice soufflé, perhaps?

**CARVING OUT A NAME FOR HIMSELF:** Traditions are big in the Ohio governor's office. Each of the last 61 Buckeye State chief executives, starting with Gov. Rutherford B. Hayes in 1847, has sat for a portrait that now hangs in the Statehouse in Columbus. Recent outgoing governors have also taken to carving their names in an antique desk that has resided in the governor's office for over 150 years. As the *Columbus Dispatch* reports, outgoing Gov. Ted Strickland, whose term ended on Sunday, was fine with the former but unsure about the latter. Strickland ultimately relented to both, sitting for the portrait while also carving his name alongside those of former gov's George Voinovich, Nancy Putnam Hollister and Bob Taft. But Strickland, a Democrat, added his own twist. Noting that the preceding signers, all Republicans, had signed on the bottom of the top right hand drawer, Strickland scratched his name on the left-hand drawer. Touche.

— By RICH EHISEN

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**Graphic Design:** Vanessa Perez  
©2008 State Net ISSN: 1521-8449



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**State Net Capitol Journal** is published 40 times annually and delivered over the Web or e-mail.

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