

SNCJ Q&A



January 11, 2010

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The next issue of Capitol Journal will be available on January 18th.

Top Story

In our latest one-on-one interview, we sat down with CALIFORNIA Senate Pro Tem Darrell Steinberg (D) to discuss life under the Golden State Capitol dome, including the historic water overhaul he brokered last year and the state's latest staggering budget deficit.

SNCJ Spotlight

A few words with: CALIFORNIA Senate Pro Tem Darrell Steinberg

In 2009, CALIFORNIA Senate Pro Tem Darrell Steinberg stepped into his position during one of the most tumultuous times in Golden State history. During his rookie year, Steinberg helped broker historic deals to close a massive budget deficit and break a three-decade stalemate in reforming the state's archaic water delivery system. We sat down with him recently to talk about those efforts and the challenges ahead in 2010.



SNCJ: Last year, your first as Senate Pro Tem, was pretty rough. Do you ever sit back and go, why did I ever want this job?

Steinberg: Do I ask ‘What did I get myself into?’ Quite often! (Laughs) It was an unbelievable year. On the one hand, I’m very proud that we were able to avoid an outright financial catastrophe in the way we dealt with the budget. Made nobody happy in the process, but how do you make anybody happy when you address a \$62 billion deficit? And yet I feel we were able to triage our way through the most difficult fiscal chapter in California history. I’m also proud of the fact that in this very difficult environment we were able to accomplish what three decades worth of governors and legislators were unable to accomplish by putting together a comprehensive water solution for California’s future. At the same time, I’d say it’s the first time in 15 years of public service that I can’t look back and say I had a good time.

SNCJ: You mentioned the budget. You’re already looking at a shortfall for this year that is in the billions. How do you plan to manage this situation?

Steinberg: I think the first bite is looking at the \$6 billion that the Legislative Analyst tells us we are down in the current year, not as a result of the revenue continuing to go down but on some cost savings that they say will not materialize unless we take additional steps. We also have to be very aggressive in going back to Washington, DC and trying to get some additional help. Now, they’ve got their own challenges and problems, but certainly we have to emphasize that California’s economic recovery is good for the country. We’re going to need to continue to draw down federal funds for health care, we’re going to need more infrastructure money to match what we have put forward. That has got to be a piece of the solution. And then what remains, we’re going to have to get in there and mix cuts and revenues. What other way is there around it? I think anybody who takes a sober look at the numbers knows that.

SNCJ: You mentioned California’s recovery being good for the country. Certainly all eyes are now on the implementation of AB 32, the Global Warming Solutions Act of 2006. Do you anticipate budget issues having an impact on that process? Is there any chance the state will stall implementation for a year?

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: 1,277

Number of Intros last week: 3,870

Number of Enacted/Adopted last week: 109

Number of 2009 Prefiles to date: 33,718

Number of 2010 Session Prefiles to date: 7,097

Number of 2009 Intros to date: 157,577

Number of 2010 Intros to date: 3,870

Number of 2009 Session Enacted/Adopted overall to date: 40,854

Number of 2010 Session Enacted/Adopted overall to date: 109

— Compiled By JAMES ROSS
(measures current as of 1/7/2009)
Source: State Net database

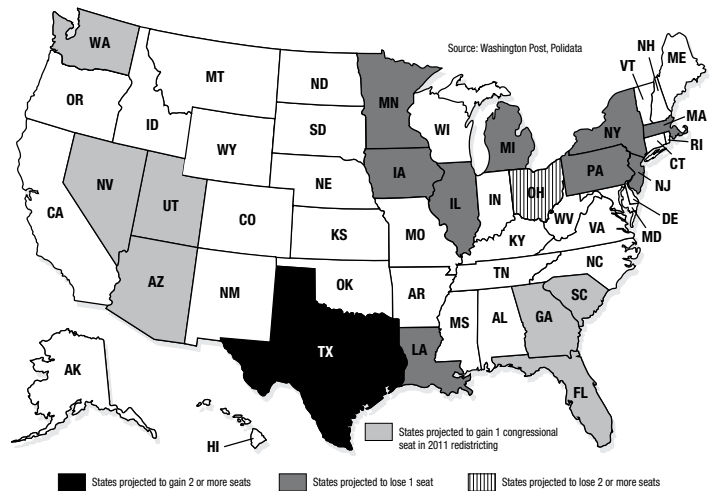
Steinberg: No. It's about time we begin putting some force behind the happy talk about green jobs. We all talk about it. What are we doing to incentivize green jobs? I'm going to do some significant work this year in providing tax incentives to emerging industries, including emerging green businesses that are willing to talk with public educators and provide career pathways for young people who are otherwise going to be a statistic. We have to begin investing in a green economy in a significant way. Some say AB 32 is the problem. I don't. I think it's an opportunity and it depends on whether or not we are willing to grasp it, because it has to be about the economy.

SNCJ: It's an election year, though, and several gubernatorial candidates have been highly critical of AB 32. One study released last year claims the increased regulation will cost the state billions in economic harm.

Steinberg: We certainly need to be concerned about the regulatory environment in California, but we should remember that one person's regulation is another person's lifesaver. When you look at state regulations, they include well recognized worker safety laws, well recognized laws that prevent people from being exposed to toxic chemicals and pesticides, regulations that ensure workers get paid the minimum wage and overtime. So don't talk about regulation in general, talk about regulation that is not necessary. Then we can have a conversation. AB 32, as one example, is necessary. Boy, it's sure nice for skeptics to say global warming is not real, but it's not something we can afford to be wrong on.

SNCJ: You mentioned the water reform package lawmakers pushed through last year, which was a truly historic feat. There has been much speculation that the

Bird's eye view



State population shifts could alter control of Congress

Population estimates released by the Census Bureau last month suggest there may be some leadership changes in Congress when states redraw their districts in 2011. According to analysis by Polidata, eight states are poised to gain one or more congressional seats, and 10 states are set to lose a seat or more. In five of the states projected to pick up seats — FLORIDA, GEORGIA, SOUTH CAROLINA, TEXAS and UTAH — Republicans control the governorship and both chambers of the state legislature, while in NEVADA, control is split between the two major parties, and in ARIZONA and WASHINGTON, independent commissions draw the district lines, taking the legislatures and governors out of the equation. In five of the projected seat losers — LOUISIANA, MICHIGAN, MINNESOTA, OHIO and PENNSYLVANIA — control of the governorships and legislatures is split, while in ILLINOIS, MASSACHUSETTS and NEW YORK, Democrats control the state government, and IOWA and NEW JERSEY use independent redistricting commissions.





bond measure needed to fund most of the package is already dead on arrival. What does it do to this deal if the bond is not successful?

Steinberg: First of all, I disagree that the bond is dead on arrival. We haven't even begun campaigning, and there's a lot of educating to do about the importance of water and it's relation to our economy. If it doesn't pass, the policy remains and the policy is very solid. But we need money to implement the policy, no question about it. We'd have to go back and figure it out.

SNCJ: What is the possibility that somewhere down the road the feds lose patience and step in and take over all management in the Sacramento San Joaquin Delta?

Steinberg: I think it's much less likely given that we've stepped up and put together a coherent, forward thinking solution to the Delta. I think if we had done nothing and this had lingered then the federal government might have stepped up, but I think we've done our job.

SNCJ: And if the bond doesn't happen, is that a sign that we're not going to be able to manage this?

Steinberg: No, but we're going to have to find another source for money. And we'll be back in Washington this year talking about water and money, because even with the bond, the magnitude of the investment, not just for the Delta but for all of California's water infrastructure, is above the \$11 billion that's contained in the bond. We're going to need partners. We'd welcome a partnership with the federal government, no doubt about it.

SNCJ: Is there any push coming from them, anyone saying 'get it together or we will?'

Steinberg: Well, the federal government and the Congress is not that unlike the California Legislature in that whatever is difficult for us is no easier for them and whatever is difficult for them is no easier for us. They've got a lot on their plates.

SNCJ: California is often called ungovernable, for a variety of reasons. I don't imagine you agree with that, but what's your thought on that?

Steinberg: I agree that there's need for huge structural reform and we can have a whole separate discussion lining out all those different areas, but I wouldn't continue

Upcoming elections

1/7/2009 - 1/28/2009

01/12/2010

California Special Election

Assembly District 72

New Hampshire Special Election

House Rockingham County District 8
and Sullivan County District 2

New Hampshire Special Primary

Senate District 16

Tennessee Special Election

House District 83

01/19/2010

Massachusetts Special Election

US Senate (Edward Kennedy)

01/26/2010

Florida Special Primary

House District 58

Minnesota Special Election

Senate District 26



doing this if I didn't think it was governable. The water thing is an example of how to do it right. Imperfect, bloody, difficult, exhausting, all of the above, but done. And done by focusing on the middle ground. I think that it's possible in a whole host of other areas.

SNCJ: There are very few states right now where lawmakers are held in any kind of esteem by the public. Do you ever get discouraged and want to say, to heck with all of you, I'm going to Hawaii?

Steinberg: Well, this is my witness. People are still nice to me in the grocery store. As long as that continues...[laughs]. No, sure you have those moments, but the thing that you have to recognize — and it's not always easy to remember — is it isn't about us. People are frustrated in part because sometimes politicians give them a reason to be frustrated. But what it really is is people are having a hard time in their lives. Why should I complain about my lot in life or the fact that people criticize me? So what? A lot of people are out of work. A lot of young people don't know what they're going to do in their future and are having a hard time getting into schools. Lots of families are struggling. That's what matters. I don't matter. I'll be here a temporary period of time and I have the privilege of being able to do this job and do the very best I can. I don't feel sorry for myself much. I do get worn out, that's true. But not about how hard it is for me. It's about how hard it is for the people and I remind myself of that all the time.

— *By RICH EHISEN*

Budget & taxes

NEW YEAR, SAME OLD BUDGET PROBLEMS: The national recession has forced states to slash their general fund budgets for the past three fiscal years. But despite the start of a new calendar year and a growing consensus that the recession is over, the situation hasn't improved for states.

State tax revenues continue to lag, while demand for services, like Medicaid and unemployment benefits, keep soaring. Making matters worse, federal stimulus dollars are about to run out, and it's an election year, rendering tax hikes a less viable option.

State budget troubles range “from bad to ridiculously bad,” said David Wyss, chief economist at Standard & Poors.

“It's going to be the toughest year yet,” said Raymond Scheppach, director of the National Governors Association. “The states haven't hit bottom.”

In fact, the Center on Budget and Policy Priorities made the bleak forecast last month that state budget shortfalls would likely reach \$180 billion in FY 2011, double the size of TEXAS' entire annual budget.



There are a few rays of light peaking through all the dark clouds over the states, however. Over the past three months, coincident indexes, which boil down economic conditions to a single statistic, have increased in 20 states (although simultaneously decreasing in 25 others), according to the Federal Reserve Bank of Philadelphia, and unemployment has slowed in many states.

States have also had little difficulty tapping the bond market. Analysts expect 2010 to be a record year for municipal bonds — with states issuing \$450 billion worth, compared with \$409 billion in 2009 — indicating growing investor confidence.

And there are ample opportunities for states to save by rethinking the way they operate, such as employing new approaches to the management of energy, prisons or gambling.

“The good news is that there’s a target-rich environment for any states interested in new ideas,” said Robert B. Ward, the director of Fiscal Studies at the Rockefeller Institute. (NEW YORK TIMES, USA TODAY, ASSOCIATED PRESS, WALL STREET JOURNAL)

BUDGETS IN BRIEF: The Center on Budget and Policy Issues called last month for additional fiscal relief for states. Without it, the liberal-leaning think tank said steps states will have to take to balance their budgets could cost the economy 900,000 jobs next year (CENTER ON BUDGET AND POLICY ISSUES). • **CALIFORNIA** Superior Court judge ordered Gov. Arnold Schwarzenegger (R) last week to halt the thrice-monthly furloughs he mandated for tens of thousands of state workers, saying the governor had overstepped his authority in approving the unpaid days off. A spokesman for the governor said the state will appeal the ruling (LOS ANGELES TIMES). • Facing a tough March primary battle, **TEXAS** Gov. Rick Perry (R) called last week for a constitutional amendment requiring any state tax increase to be approved by two-thirds of the Legislature, instead of a simple majority, and a tighter constitutional restriction on state spending (AUSTIN AMERICAN-STATESMAN). • **PENNSYLVANIA** will add table games such as blackjack, craps and poker to its licensed slots casinos under a bill passed by the General Assembly and signed into law last week by Gov. Ed Rendell (D). The legislation is aimed at closing a \$250 million hole in the state budget adopted in October, 101 days into the current fiscal year. It will also avert Rendell’s threatened layoff of nearly 1,000 employees, many of them from the state prison system and welfare department (STATE NET). • Twenty-five states have borrowed a total of more than \$26 billion from the federal government to help cover jobless benefits, according to the U.S. Department of Labor, and the agency expects total borrowing to

The week in session

States in Regular Session: AL, AZ, CA, CO, DC, DE, GA, IA, ID, IN, KS, KY, MA, MD, ME, MO, MS, NE, NH, NJ, NY, OH, PA, RI, SC, TN, VA, VT, WA, WV

States in Recess: PA

States in Special Session: WI “b”

Special Sessions in Recess: CA “e”, CA “f”

States Currently Prefiling or Drafting for 2010: AL, AZ, DE, FL, GA, IA, KS, MD, MT, ND, NM, OK, SC, SD, TN, UT, VA, WA, WY

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS
(session information current as of 1/8/2009)
Source: State Net database



triple, to \$90 billion, by late 2012. A recent survey by the National Association of State Workforce Agencies also found that 25 states have increased their state unemployment insurance tax rates, and 35 states will increase their state unemployment insurance tax this year (PROVIDENCE JOURNAL).

— *Compiled by KOREY CLARK*

Politics & leadership

ROUGH SEAS AHEAD FOR CONGRESSIONAL DEMOCRATS: The Democrat-helmed ship that looked so buoyant only a year ago, when the Dems increased their majorities in both houses of Congress, appears to be sinking. Two veteran Democratic Senators, Chris Dodd of CONNECTICUT and Byron Dorgan of NORTH DAKOTA, announced last week they would not be seeking reelection in November. And that news came just weeks after four Democratic House members — Reps. Dennis Moore of KANSAS, Bart Gordon and John Tanner of TENNESSEE, and Brian Baird of WASHINGTON — announced their retirements.

“It’s not good news for Democrats,” said Democratic strategist Roy Temple. “The reality is this is going to be a challenging year, and this is an additional challenge you would prefer not to have. Because of the success of the last two cycles, there are a lot of seats to defend. This is just an additional complication.”

The outlook for the Democrats in the upcoming midterm elections certainly isn’t good. At this point they face the distinct possibility of losing their 60-40 supermajority in the Senate and as many as 30 seats in the House. They apparently won’t get much help from demographics either (see Bird’s eye view).

Despite the fact that Dodd is the longest-serving U.S. senator in CONNECTICUT’s history, Dorgan’s decision was actually more surprising in one sense.

“My decision has no relationship to the prospect of a difficult election contest this year,” he stated in a memo to staff and later to the press. “Frankly, I think if I had decided to run for another term in the Senate, I would be re-elected.”

Dorgan said he decided over the holidays that he wanted to pursue other interests, including writing more books and teaching.

Dorgan’s statements had some dismissing the retirements as isolated cases of lawmakers simply choosing not to run again.

“These guys quit sometimes,” said Democratic strategist Jim Jordan.

But Dodd’s decision doesn’t appear to have been as much a matter of personal choice as Dorgan’s. Dodd had been trailing GOP front-runner Rob Simmons in the polls for nearly a year, and he acknowledged that he’d been in “the toughest political shape of my career.”



He's not alone. Other Democratic incumbents battling weak poll numbers include Senate Majority Leader Harry Reid of NEVADA, Sen. Blanche Lincoln of ARKANSAS, former Republican Sen. Arlen Specter of PENNSYLVANIA and recent gubernatorial appointee Sen. Michael Bennet of COLORADO. In fact, poll ratings have slipped for all Democrats — from President Barack Obama on down — giving Republicans their best shot in three election cycles of making big gains.

“Sen. Dorgan’s retirement coupled with the recent spate of retirements by House Democrats show the national mood is swinging against them,” said Republican strategist Carl Forti. “With [Sen. Blanche] Lincoln and others in a precarious position, Democrats will have to thread the needle to get back to 60 seats.”

Dodd’s departure could actually improve Democrats’ chances of holding on to his seat, especially since CONNECTICUT’s popular Democratic Attorney General Richard Blumenthal announced last week he will run in Dodd’s place. Democrats are also hopeful that approval of the health care bill and job growth heading into November will brighten their prospects, particularly in states where Senate Republicans have their own retirement-related issues, including FLORIDA, KENTUCKY, MISSOURI, NEW HAMPSHIRE and OHIO.

But Alex Castellanos, an advisor to the Republican National Committee, envisioned things only getting worse for the Democrats.

“Remember the old Tareyton cigarette slogan? ‘I’d rather fight than switch?’” he said. “Now that the Democrats are expected to drop under 60, we will probably see other retirements as Democrats decide they would rather retire than fight.” (POLITICO, WASHINGTON POST, HARTFORD COURANT, NEW YORK TIMES)

POLITICS IN BRIEF: FLORIDA GOP chairman Jim Greer, handpicked for the post by Gov. Charlie Crist (R), resigned last week. Greer said he stepped down because of opposition from members of the Party to his “big tent” philosophy (ST. PETERSBURG TIMES). • **MARYLAND** legislative leaders publicly declined an independent commission’s recommendation of a \$2,000 pay raise in 2013 or 2014. House Speaker Michael E. Busch (D) and Senate President Thomas V. Mike Miller (D) said it was wrong to talk about raises while the state was grappling with a \$1 billion budget deficit next year and \$1 billion in cuts made over the past one (BALTIMORE SUN).

Upcoming stories

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

- **State Food Stamp Struggles**
- **Budget updates**
- **Health care reform**

— *Compiled by KOREY CLARK*

Governors

DEFIANT PATERSON SCOLDS NY LAWMAKERS: Fresh off a tumultuous year of missteps and political gaffs that have fueled calls for him to forego a re-election bid, NEW YORK Gov. David Paterson (D) made it clear in his State of the State address to lawmakers last week that he is far from ready to go gentle into that good night. Paterson instead came out like a lion, telling lawmakers that they — not him — had spent the Empire State into near-ruin and watched idly as political corruption destroyed voters’ trust in their government.

The reluctance to make hard decisions and rein in spending, Paterson said, has plunged the state into a crisis that could last for years. He also vowed to face down new attempts to increase spending proposals this year, calling for the abolition of programs he called wasteful and a cap on state spending as he and lawmakers attempt to close a projected \$7 billion budget shortfall.

“You have left me and other governors no choice,” the unsmiling Paterson said. “Whether it be by vetoes or delayed spending, I will not write bad checks, and we will not mortgage our children’s future.”

Paterson also called for far tougher ethics oversight with strong words seemingly aimed directly at the many lobbyists and other special interest groups on hand for his speech. “The moneyed interests — many are here today as guests — have got to understand that their days of influence in this town are numbered,” he said.

To that end, Paterson offered a highly ambitious proposal that would establish term limits for all lawmakers and statewide officials and also ban corporate campaign

contributions, reduce individual contribution limits from a maximum of \$55,900 to \$1,000, and require all lawmakers to disclose all their outside sources of income.

The governor’s address, which also pitched new policies designed to create high-tech green jobs and spur economic development, took

note of his own tenuous position as well. With his approval rating at a record low, many observers have speculated that Paterson will be hard pressed to win his own re-election primary in November. But with his presumptive lead challenger — state attorney general Andrew Cuomo (D) — standing just steps away, Paterson appeared ready to fight to keep his job. “Some say that we will not succeed — that the story has already been written and the ending is ordained,” he said. “But story lines change, and people change.”

Paterson’s appearance drew a mostly muted response from lawmakers, who gave the speech only rare applause and who stood only when he entered and exited the Assembly chamber. The harshest criticism came from the governor’s

“Whether it be by vetoes or delayed spending, I will not write bad checks, and we will not mortgage our children’s future.”



fellow Democrats. Senate leader John Sampson (D), for instance, complained that Paterson did not offer much of substance, saying “The people want statesmen to fix our problems, not politicians who ascribe blame without offering a solution,” while Assembly leader Sheldon Silver (D) suggested the governor’s priorities are misplaced. (NEW YORK TIMES)

SCHWARZENEGGER AGAIN URGES REFORM: In his final State of the State address, CALIFORNIA Gov. Arnold Schwarzenegger (R) struck a familiar theme, calling on Golden State lawmakers to overhaul the state tax code and public employee pension system and vowing to seek more federal money to help balance the state’s impending \$20 billion budget deficit. He also proposed greater job-growth efforts, including a plan to spend \$500 million to train 140,000 workers and create 100,000 jobs. CALIFORNIA unemployment is currently above 12 percent.

Schwarzenegger also took on a familiar foe by calling for a constitutional amendment to require the state to spend more money on higher education than it does on prisons, which he said could be accomplished in part by placing more of the state’s approximately 170,000 inmates in private lockups. The state currently houses about 8,000 prisoners in private facilities. That proposal is expected to be met with harsh opposition from the prison guard unions, which have clashed with Schwarzenegger for years.

Schwarzenegger was also highly critical of the health care reform proposals currently under consideration in Congress, which he claimed would heap additional fiscal burdens on the state. He called on the state’s congressional delegation to oppose the bill or to at least fight for a “sweetheart deal” for CALIFORNIA like the one NEBRASKA Sen. Ben Nelson (D) got in order to secure his support for the measure. But those comments drew a harsh response from U.S. Sen. Dianne Feinstein (D-CA), who called his argument “a red herring.” Feinstein, who has been rumored to be interested in running to replace the termed-out governor, said his comments were “not constructive” and accused him of “looking for someone else to blame for California’s budget.” (ASSOCIATED PRESS, LOS ANGELES TIMES, SACRAMENTO BEE)

RITTER WON’T SEEK RE-ELECTION: Saying the job had taken a harsh toll on his family, COLORADO Gov. Bill Ritter (D), once considered a rising star in the party, said he will not seek another term in the fall. “Quite frankly, they need me,” he said of his wife Jeanie and his four kids. “I haven’t made them the priority they deserve.” Many observers speculated that Ritter’s decision was also based in part on his declining popularity and the prospects of a very difficult re-election campaign. Elected by a wide margin in 2006, Ritter has drawn sharp criticism from fellow Democrats for his contentious relations with labor interests. Speculation immediately centered upon COLORADO native and current Interior Secretary Ken Salazar (D) as a possible candidate, but the former U.S. Senator said last Thursday he will not leave



his post. He threw his support instead behind Denver Mayor John Hickenlooper, who is expected to seek the Democratic nomination. Former U.S. Rep. Scott McInnis is the leading contender to garner the GOP nomination. (POLITICO, DENVER POST, WALL STREET JOURNAL)

GOVERNORS IN BRIEF: KENTUCKY Gov. Steve Beshear (D) proposed a moderate agenda during his State of the State address last week. Beshear, who is not facing re-election this fall, proposed raising the state’s dropout age to 18, strengthening domestic violence laws, providing additional funding for smoking cessation programs, making it easier for students to transfer course credits from community colleges to state universities and removing a requirement that the state’s poorest families pay a small premium for their children’s government-sponsored health insurance (LEXINGTON HERALD-LEADER). • **HAWAII** Gov. Linda Lingle (R) rejected another proposed agreement between state education officials and teachers unions that would have ended “furlough Fridays” for the remainder of the current school year. A Lingle representative said the governor hopes to have a revamped proposal and agreement in place by this week (HONOLULU ADVERTISER). • **ARIZONA** Gov. Jan Brewer (R) said last week that the Grand Canyon State’s economic future may hinge on making the state a hub for both renewable- and nuclear-energy development. Brewer called nuclear power “the cornerstone of our clean-energy future” (ARIZONA REPUBLIC [PHOENIX]). • **VIRGINIA** Gov.-elect Robert F. McDonnell (R) said he will allow all his Cabinet secretaries to serve on corporate boards, a practice banned by the federal government and some states. McDonnell’s decision came in relation to his newly appointed secretary of commerce and trade, Robert Sledd, who currently sits on three corporate boards. The incoming governor said he saw no potential conflicts of interest, but that if any arise Sledd would be expected to recuse himself from any decision making processes (WASHINGTON POST).

— *Compiled by RICH EHISEN*

Hot issues

B **USINESS: PENNSYLVANIA** Gov. Ed Rendell (D) signs SB 711, legislation that will add table games such as blackjack, craps and poker to its licensed slots casinos. Supporters say the bill will pump as much as \$250 million into state coffers (STATE NET).



CRIME & PUNISHMENT: A federal appeals court invalidates a **WASHINGTON** law banning incarcerated felons from voting, saying the law violates the 1965 Voting Rights Act by disenfranchising minority voters. State officials say they will appeal the decision (**SEATTLE TIMES**). • **CALIFORNIA** corrections officials announce changes to the Golden State’s lethal execution protocol, including adding clearly delineated areas for execution witnesses and access to the condemned prisoner’s holding cell for chaplains and spiritual advisors. The changes face a 15-day public comment period and judicial review before they can become permanent (**LOS ANGELES TIMES**). • **MASSACHUSETTS** police announce new rules for a federal program that supplies Bay State officers with surplus military firearms. Under the new plan, police departments will not be allowed to acquire weapons not typically used in local law enforcement, and they will be required to get permission from local civilian leaders before receiving weapons under the program. Gov. Deval Patrick (D) halted the program last year after a review showed that some police agencies were buying fully automatic M-16 rifles and grenade launchers (**BOSTON GLOBE**).

In case you missed it

In spite of historic economic challenges and public scorn for lawmakers, SNCJ columnist Lou Cannon reports that four former governors have tossed their hats into the ring for another chance to lead their states out of tough times.

In case you missed it, the article can be found on our Web site at http://www.statenet.com/capitol_journal/12-21-2009/html

EDUCATION: The **NEW JERSEY** Assembly Appropriations Committee endorses AB 3472, legislation that would expand and make permanent a program that permits children to attend schools outside their home districts. The measure now must go before the full Assembly (**PHILADELPHIA INQUIRER**). • The **NEW JERSEY** Assembly Appropriations Committee also approves AB 194, a proposal to allow illegal immigrants to pay in-state tuition rates when attending Garden State colleges and universities. It now goes to the full Assembly (**STAR-LEDGER [NEWARK]**). • **MICHIGAN** Gov. Jennifer Granholm (D) signs a package of bills that help the Wolverine State compete for federal “Race to the Top” funding. The five bills (HB 4787, HB 4788, HB 5596, SB 926 and SB 981) collectively allow the state to intervene in the lowest performing schools, provide an alternate process for teacher certification, allow for an increase in charter schools, require an annual evaluation of teachers and administrators using data on student growth, require school administrators to be certified and raise the dropout age from 16 to 18, effective for the high school class of 2016 (**BAY CITY TIMES, MICHIGAN OFFICE OF THE GOVERNOR**). • Also on the Race to the Top front, the **MASSACHUSETTS** House endorses SB 2216, a bill that, among other things, would lift a cap on the number of charter schools in the Bay State’s lowest performing districts. It would also restrict the recruitment and retention of students for those schools. The measure is now with a joint House-Senate committee to work out differences with a version of the bill the Senate approved last year



(BOSTON GLOBE). • Finally, **CALIFORNIA** Gov. Arnold Schwarzenegger (R) also seals his state’s Race to the Top bid by signing two bills, SBX 5 1 and SBX 5 4, that jointly require school districts to take aggressive steps to turn around failing campuses and allow students in the 1,000 lowest-performing schools in the state to transfer to better schools, even across district lines. The bills would also allow districts to link teacher evaluations to student performance, although only with local union approval (SACRAMENTO BEE).

SOCIAL POLICY: The **MONTANA** Supreme Court rules that physician-assisted suicide is legal in the Treasure State. The court said that while residents do not have a constitutional right to doctor-aided demise, nothing in state law actually bars the procedure. **WASHINGTON** and **OREGON** are the only other states that allow doctor-aided suicide (NEW YORK TIMES). • A federal judge rules that a lawsuit challenging Proposition 8, the initiative that banned same-sex marriage in **CALIFORNIA**, won’t be televised live, but will be videotaped for delayed Internet release on YouTube. It will be the first federal trial in Golden State history to be broadcast in this manner. It is also the first trial in any U.S. court on the subject of same-sex marriage. Prop 8 supporters had argued against televising the proceedings, saying it would violate their right to a fair trial by intimidating their witnesses (SAN FRANCISCO CHRONICLE). • The **NEW JERSEY** Senate rejects SB 1967, a measure that would have made the Garden State the seventh to legalize same-sex marriage (STAR-LEDGER [NEWARK]).

POTPOURRI: The **NEVADA** Supreme Court approves new codes of judicial conduct that require Silver State judges to report the misconduct of another judge or lawyer if he or she has information indicating there is a “substantial likelihood” of a violation (LAS VEGAS SUN).

— *Compiled by RICH EHISEN*

Once around the statehouse lightly

BLAGO REALITY REDUX: The first time former **ILLINOIS** Gov. Rod Blagojevich landed a plum role on a reality TV show, a federal judge gave him the heave ho before he even got started. But Blagojevich has shown he is anything but easily deterred. As the *Chicago Tribune* reports, the impeached former gov is among the cast members on Donald Trump’s latest season of “Celebrity Apprentice,” which pits a group of mostly B-list celebrities against one another in an attempt to curry “The Donald’s” favor. The winners get \$10,000 for a charity of their choice. Should he



ultimately avoid hearing Trump’s signature “you’re fired,” Blago will send his winnings to the Children’s Cancer Center in Tampa, FLORIDA. Although two other charities turned down the chance to garner Blago’s bounty, Center spokesperson Shannon Hannon Oliveiro has no issue with it. “He hasn’t been proven guilty yet,” she said.

GOOD “BAD BOY” FOR GOVERNOR? Former shooting guard and NBA Hall of Famer Joe Dumars was a pivotal part of the “Bad Boys” Detroit Pistons teams that won back-to-back championships in 1989 and 1990. Dumars, the acknowledged good guy on a team of bruisers, also proved his mettle as an executive, putting together the Detroit team that won it all again in 2004. So what does this have to do with politics? As the *Oakland Press* reports, MICHIGAN Dems are trying to coax Dumars, a political neophyte of the highest order, into taking a run at replacing soon-to-be-termed-out Gov. Jennifer Granholm. Although most observers don’t even know yet if Dumars is a Democrat or Republican, they say he has two traits that matter more than any time slogging Lansing’s halls of power: plenty of his own money to pour into the campaign and no connection to the “toxic” Granholm. He is considering the proposal.

SPEAKING OF TOXIC, folks are sick of “toxic assets.” For that matter, they also want to bury “shovel-ready” development projects. And “sexting,” the word for sexually explicit text messages, has peaked as well. As Reuters reports, these are some of the words and phrases on Lake Superior State University’s 35th annual list of most overused terms. Not surprisingly, many on the list are commonly heard around statehouses nationwide. These include not only those mentioned above, but such oft-heard nuggets as “in these economic times” and “teachable moment.” The report also is ready to overthrow the use of “czar,” be it a “housing czar,” “car czar” or “stimulus czar.” For that matter, “stimulus” also made the list, as did several terms describing President Barack Obama’s policy initiatives, such as “Obamacare” and “Obamanomics.” If that isn’t clear enough, the list also says we should do away with “transparency.” But just the word, we presume.

TO THE MAN CAVE: A NEW YORK judge sentenced a former state worker to a year in jail and a hefty fine last week after the man was convicted of defrauding the government agency he worked for. But the worst crime, according to the judge, is that the man, a janitor with the state Department of General Services, sullied the reputation of hard working state workers. As the *Albany Times Union* reports, the man admitted that he and his boss had created a “man cave” at a state garage in Albany, where the two men would sleep, watch television and take drugs while supposedly working. That clearly annoyed Judge Stephen Herrick, who chastised one of the convicted men, Gary Pivoda, saying he had “brought contempt and ridicule on what I think is clearly an exemplary work force.” Pivoda, who has a lengthy criminal history, was also ordered to pay over \$2,000 in restitution.

— By RICH EHISEN

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