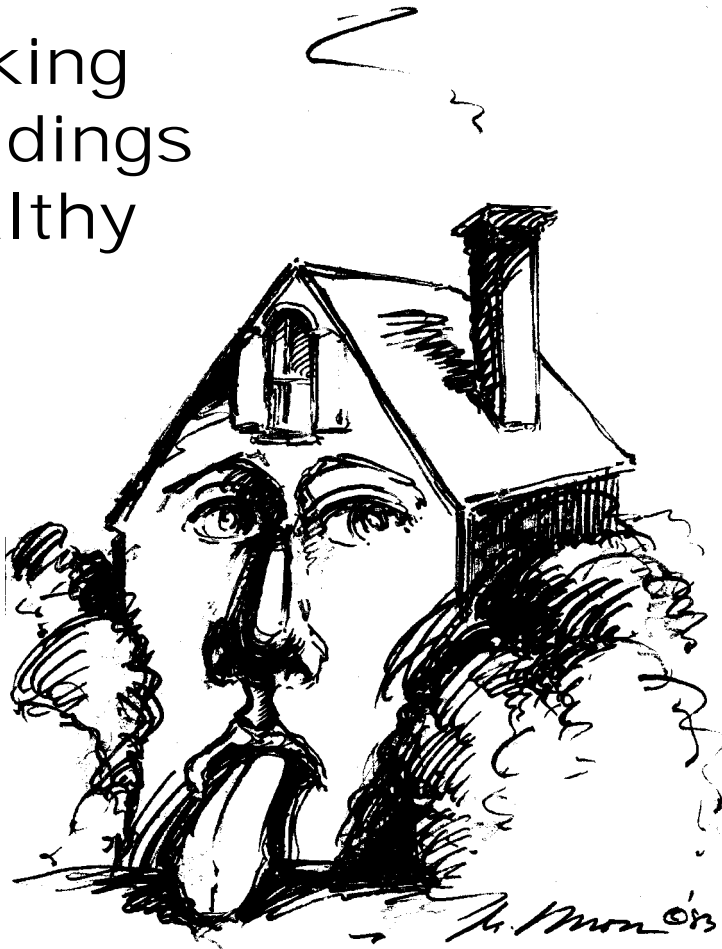


February 21, 2005

Making
 buildings
 healthy



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Top Story

"Green" buildings are more efficient, environmentally friendly and can even improve our health. They can also produce significant health care and energy cost savings — something cash-conscious states have taken notice of in droves.

SNCJ Spotlight

Green Legislation Getting the Greenlight

Careful, the building you work in could be hazardous to your health. So says the Environmental Protection Agency (EPA), which considers poor indoor air quality — both at home and in the workplace — one of the top five environmental health risks we face today, one that leads to billions of dollars in preventable health care costs every year. It is a connection not lost on lawmakers, who have in recent years gotten behind the move to "green" buildings designed to be more friendly to both workers and the environment.

The number of green buildings in the U.S. has more than doubled since 2003. That rise is a direct result of federal, state and local leaders insisting that new buildings — both public and private — become green. “Green” or “sustainable” buildings use key resources like energy, water, materials, and land more efficiently. The LEED (Leadership in Energy and Environmental Design) Green Building Rating System awards credits for satisfying specified criteria within six environmental categories: Sustainable Sites, Water Efficiency, Energy and Atmosphere, Materials and Resources, Indoor Environmental Quality, and Innovation and Design. Certified, Silver, Gold, and Platinum levels of green building certification are awarded based on the total credits earned.

“LEED is the most powerful voluntary industry transformation that I've ever seen,” says Christine Ervin, President of the US Green Building Council. “Now there is national definition, education, branding and a third-party certifier to get the product delivered as promised. It is the *Good Housekeeping* seal of approval for green buildings.”

All that green doesn't come cheaply. Designing a green building can add a 2-5 percent premium on construction costs (depending on the design and the level of greenness desired). Fortunately, such investments can pay for themselves 10 times over in life-cycle savings, according to a cost-benefit study for California's Sustainable Building Task Force. For example, the report says an initial investment of up to \$100,000 to incorporate green building features into a \$5 million project would result in a savings of at least \$1 million over the life of the building, assumed conservatively to be 20 years.

Such numbers make it easy to get on the green bandwagon. Last December, CALIFORNIA Governor Arnold Schwarzenegger (R) signed Executive Order 20, which “commits the state to aggressive action to reduce state building electricity usage by retrofitting, building and operating the most energy and resource efficient buildings by taking all cost-effective measures described in the Green Building Action Plan for facilities owned, funded or leased by the state and to encourage cities, counties and schools to do the same.” Governors in ARIZONA, MAINE, MARYLAND, MICHIGAN, NEW YORK and NEW JERSEY (among others) have all signed similar legislation.

The Week in Session

States in Regular Session:

AK, AL, AR, AZ, CA, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, SC, SD, TN, TX, US, UT, VA, VT, WA, WI, WV, WY

States in Special Session: CA “a”

States in Recess:

DE, PA (In Budget Hearings), RI

Currently Prefiling:

FL (Drafts for 2005)

States Projected to Adjourn: VA

States Adjourned in 2005:

DC “z”, IL “z”, MA “z”, NY “z”

States in Special Session

Adjourned in 2005:

DE “c”, FL “a”, MD “a”, WI “a”,

Letters indicate special/extraordinary sessions

Source: State Net, 2/18/05

In addition to the new construction market, for existing buildings there are LEED certifications that basically say it is never too late to go green. “Addressing the existing commercial building market is huge. It is 80 times bigger than the new building market,” says Ervin.

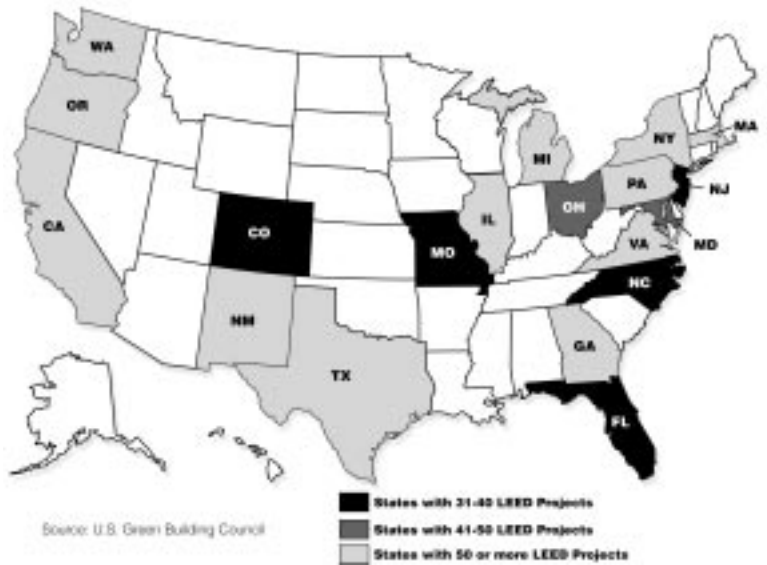
Legislatively, the USGBC prefers to talk softly and carry a big tax break. “Mandates are not as attractive to the general public as incentives,” says Taryn Holowka, Communications Manager for USGBC. “We prefer to advocate for the incentive approach. We haven’t run into too much opposition, especially as more states and cities get wind of it.”

State incentives include programs like New York’s State Energy Research and Development Authority, which offers a 10 percent increase in incentives for energy efficiency measures that reduce the use of electricity. NYSERDA provides low interest loans (4 percent below market

rate) for energy efficiency measures and building materials that meet LEED or other generally accepted green building standards. The New York State Green Building Tax Credit Program provides a tax incentive to commercial developments incorporating specific green strategies informed by LEED.

OREGON’s 35 percent Business Energy Tax Credit for sustainable buildings is tied to the LEED certification level achieved. A LEED Silver rating is the minimum standard to obtain the tax credit. For example, a 100,000 square foot LEED Silver building is eligible for a \$140,000 tax credit. If the same building went for the Gold rating, it would snag a \$177,485 tax credit.

Bird’s eye view



States gone green

According to the U.S. Green Building Council, buildings account for one-third of all U.S. water, energy and materials consumption, and generate an equivalent proportion of pollution. The EPA notes that air pollution concentrations can be 2 to 5 times greater indoors than in outside air, bearing a collection of potentially harmful agents like carbon dioxide and toxic molds. That has caught the attention of numerous federal, state and local government agencies and private industry, which have combined to build more than 600 “green” buildings since 2000 (See *SNCJ Spotlight* in this issue). The accompanying map shows the states that currently have at least 31 green building projects in place that meet the Leadership in Energy and Design (LEED) standard recognized by the federal government.



In PENNSYLVANIA, four state funds, including the \$20 million Sustainable Energy Fund, provide grants, loans and "near-equity" investments in energy efficiency and renewable energy projects in Pennsylvania.

Federally, the departments of State, Energy, Interior, the Environmental Protection Agency, the General Services Administration as well as the Air Force, Army and Navy have all committed to construct new buildings based on LEED standards.

One of the reasons government buildings account for more than three times the number of private buildings is that, unlike other developers, when government builds a building, they are going to be the tenant. That means they will reap the savings of a more energy efficient design.

"We're going to be operating our buildings for 50 years, so we'll see the long-term benefits associated with it" says Mary Tucker, Green Building Program Manager for the City of San Jose, CA. The city council voted unanimously in 2002 to mandate that all new city facilities adhere to the LEED certified rating. "When we went out into the community, they said the city should take a leadership role and be the first to [mandate it]."

Over 40 cities and counties from Acton, MA to West Hollywood, CA are currently requiring LEED certification of their projects. Some are just encouraging its use, others are requiring it only for publicly funded buildings. Still others are mandating that all new buildings over a certain size achieve a LEED Silver rating.

In the U.S. there are currently more than 20 bills that encourage buildings to adhere to the green building standards. Each has its own quirks, but says virtually the same thing — "Go green, and we'll show you the money."

In GEORGIA, for example, HB 152 would fund redevelopment projects if they have "enhanced energy and environmental design." In HAWAII, SB 1904 asserts that the state will not release grant money for construction of affordable housing in Hana, Maui unless the development is certified as LEED Silver. Other states with LEED-related bills introduced in 2005 include Maryland, ILLINOIS, WASHINGTON, NEW HAMPSHIRE and CONNECTICUT. Two 2004 NEW JERSEY bills, AB 1356 and SB 274, which would provide tax incentives for developers and owners who design and build green residential and mixed use developments are still alive but stalled in committees.

Virginia's HJR 110 encourages use of Green Building Rating design in new school construction, and HJR 109 targets the state's public institutions of higher education. HJR 108 (along with several other resolutions) encourages the Department of General Services to incorporate the Green Building rating system into construction contracts.



With so many government entities “suggesting” or downright mandating green standards, some contractors are crying foul. “As far as mandates go, our members do not propose more regulatory burdens on our already burdened industry,” says Melinda Flores, Environmental Program Coordinator for the Associated General Contractors of America. Private sector developers also complain that even with tax breaks, it can take up to 10 years to realize the savings of a green building, which is often prohibitive for builders who prefer to turn their investments over sooner than that.

But many contractors also recognize a trend when they see one. “It is increasingly becoming necessary for our members to learn green building techniques,” says Flores. “In fact some have made the business decision to specialize in green construction.”

With customers willing to pay an extra premium to meet LEED standards, even old-fashioned contractors can see a lot of green in green.

— By *DON LIPPER*

Don Lipper is a freelance writer based in Davis, California. He is a frequent contributor to the *State Net Capitol Journal*.

Budget & taxes

TAX BREAKS NO DETERRENT TO MIGRATION: Last month, IOWA lawmakers proposed eliminating income taxes for residents under the age of 30, in the hope of convincing more young workers to stay in the state. But a study released last week suggests that plan probably wouldn't work. The study, conducted by the nonpartisan Legislative Fiscal Bureau, examined tax policy and migration rates in seven states in the Upper Midwest between 1996 and 2002. The bureau's conclusion? No substantive link. Researchers found that Iowa lost taxpayers — mostly to the Sun Belt states of TEXAS and ARIZONA — at about the same rate as ILLINOIS and MINNESOTA, despite sharp differences in tax policy between the three states. Even more instructive was the finding that SOUTH DAKOTA's migration rate to Arizona was the highest of all of the states in the study, even though it has no state income tax and Arizona does. Although the study did not look at the ages of those migrating, Iowa Sen. Jeff Lamberti (R), one of the authors of the under-30



tax break proposal, conceded that there were other factors behind the southward migration of Midwesterners. “We in the Midwest have certain geographic disadvantages we have to deal with,” he said. “We are going to lose a certain number of people because of climate.” Iowa Democrats say the study validates their argument that the state should focus on quality of life issues rather than tax breaks. Lamberti disagrees somewhat on that point. “There’s a big group of young people who leave Iowa regardless,” he says. “When you ask them, they all say it’s jobs. They talk about quality of life and things to do, but by a large majority it’s jobs.” While it’s unclear how cutting income taxes might improve the employment rate, it seems fairly apparent to the study’s researchers that the outflow of Midwesterners over the past decade probably couldn’t have been stanching by tax breaks of any kind. “Given this result, it is difficult to imagine a tax policy that would have substantially improved the situation,” the study concluded. And that certainly won’t help Sen. Lamberti’s cause. (OMAHA WORLD-HERALD)

PUBLIC COLLEGES LOOKING MORE PRIVATE: Financial constraints are making America’s public colleges and universities less accessible to the public, according to a report released Feb. 16 by the Futures Project at Brown University. The report, entitled, “Correcting the Course: How We Can Restore the Ideals of Public Higher Education in a Market-Driven Era,” states that many schools have responded to the stagnation of state higher-education funding by spending more money on cutting-edge technology and star faculty to attract top students and research dollars, while hiking tuition and cutting scholarships for lower-income students to cover the higher costs. “As a result, access to and success in higher education may become limited to those who can pay the cost of tuition and come with the advantages of preparedness and savvy, college-educated parents who can help navigate the process,” the report says. The report is particularly critical of the recent trend in states like COLORADO, OKLAHOMA and TEXAS, where public schools are becoming more like private institutions, operating with less state oversight. VIRGINIA became the latest state to jump on that bandwagon with the introduction of legislation that would grant the state’s 16 public colleges greater authority over tuition rates, purchasing, construction and employment in exchange for less state money. Different versions of the bill have passed each house and await a compromise in conference committee. (STATELINE.ORG)

IL WANTS INTERNET LOTTERY: Currently, lottery tickets can’t be purchased online anywhere in the U.S. But a group in ILLINOIS wants to change that. A leading Senate Democrat, Sen. John Cullerton, has introduced a bill call-



ing for a study of an Internet-based lottery. The idea was pitched to Cullerton by an influential group that includes Mark Doyle, a member of Illinois Gov. Rod Blagojevich's (D) transition team and former aide to President Bill Clinton, the personal physician of Chicago Mayor Richard M. Daley, and a Chicago restaurateur who was a major contributor to both the Blagojevich and Cullerton campaigns. The backers say the venture would bring in a whole new segment of the population — wealthier residents who typically aren't big lottery players — and could generate as much as \$100 million annually for the state's cash-strapped schools. But Blagojevich has been cool to the idea so far, sticking to a campaign promise not to expand gambling. And he has plenty of backers of his own: anti-gambling activists, who are pretty clear about their position on the subject. "It's the third rail for lotteries when they move into electronic gambling. Once a state allows that to happen, they're putting gambling in every neighborhood," said Rev. Tom Grey, an Illinois resident who is head of the National Coalition Against Legalized Gambling. (CHICAGO SUN-TIMES)

BUDGETS IN BRIEF: U.S. tribal casinos took in an estimated \$18.5 billion in 2004 — 10 percent more than the year before — according to a report released last week by the National Indian Gaming Association. The report also said tribal gaming generated \$5.5 billion in federal taxes, reduced federal unemployment and welfare benefits by \$1.4 billion and generated \$1.8 billion in state revenue from taxes and government service agreements (ARIZONA REPUBLIC). • **ILLINOIS** Gov. Rod Blagojevich (D) unveiled his spending plan for 2006 last Wednesday. The plan aims to address the state's continuing structural deficit by cutting pension benefits for new state workers, scaling back the rate of growth of state school spending and increasing the cigarette tax by 75 cents per pack (CHICAGO SUN-TIMES, CHICAGO TRIBUNE). • The Southern Poverty Law Center (SPLC), known for tracking hate crimes across the nation, has given a grant to free up a prominent **TENNESSEE** public defender to fight Gov. Phil Bredesen's (D) proposed cuts to TennCare. "We feel like this is an extremely significant cause, not just in Tennessee, but throughout the nation," said the SPLC's legal director (TENNESSEAN [NASHVILLE]). • **NEW YORK** Assembly Speaker Sheldon Silver (D) has rejected Gov. George Pataki's (R) proposed contingency budget, which would go into effect if lawmakers fail to make the state's April 1 budget deadline. While supporters view the plan as a "bridge" to keep the state functioning when the budget is late — as it has been for the last twenty years in a row — Silver contends it would give the governor too much power and take away his incentive to negotiate with lawmakers



(TIMES-UNION [ALBANY]). • The PENNSYLVANIA Supreme Court has agreed to consider a challenge to the state’s new slot machine gambling law. Oral arguments are scheduled for March 9 (PITTSBURGH POST-GAZETTE).

— Compiled by KOREY CLARK

Politics & leadership

VIRGINIA SENATE REINS IN HOUSE: The now infamous “droopy drawers” bill passed by VIRGINIA’s House of Delegates two weeks ago had a very short life in the Senate. Just two days after the delegates gave their approval to HB 1981, which would have imposed a \$50 fine on anyone who wore their pants so low that their underwear showed in a “lewd or indecent manner,” the Senate Courts of Justice Committee unanimously voted to kill the bill and put an end to what the committee’s chairman, Sen. Kenneth W. Stolle (R), called “an embarrassment to Virginia, nationally and internationally.” Having been ridiculed in newscasts around the globe, even some delegates expressed gratitude for the Senate’s action. Del. Brian J. Moran (D), for example, said, “I don’t like to say, ‘Thank God for the Senate,’ but that’s the position we’re in.”

The droopy drawers bill, however, is apparently just one of a slew of House-approved measures destined for the Senate scrap heap; other ill-fated House proposals include a measure to ban illegal aliens from attending the state’s colleges, a bill banning gay couples from adopting children and legislation providing constitutional protection for prayer in schools. Some lawmakers say the divergent views of the two chambers are simply a product of the checks and balances built into the legislative process: House members, who serve two year terms, tend to favor bold ideas, whereas senators, who face voters every four years, usually take a more conservative approach. And those viewpoints tend to grow even further apart in election years like this one, in which all 100 House seats will be up for grabs. “The Senate has come to expect, in an election year for the House, a lot more hyperbole than substance,” said Sen. John H. Chichester (R). “I think the droopy drawers bill is a case in point. I have my own personal thinking about people who

walk around with their skivvies hiked up above their navel and their pants down to their knees, but legislating that freedom away is a very serious undertaking.” (VIRGINIAN PILOT [NORFOLK])

Upcoming Elections (2/16/05 - 03/02/05)

02/26/2005 Louisiana (Spec General)
House Dist 096 (Orleans)

ent, that is a very troubling thing.” That sentiment was shared by Gene Roberts, a journalism professor at the University of Maryland and former editor of the Philadelphia Enquirer. “The judge missed the point that government should not be in the business of [choosing] who covers them because the whole message that it sends is if we view you as less than favorable, you can no longer cover us. Which in the end would lead to only favorable news coverage.”

But Alex Jones, director of Harvard’s Shorenstein Center on the Press, Politics and Public Policy, took a slightly different view, arguing that although Ehrlich’s action was “silly,” the *Sun* should not have brought suit because of the risk of setting a bad precedent. “I think that this was probably ill-advised on both parts, and if I were the *Sun*, I’d forget about it and go back to reporting,” Jones said. “I don’t think this is going to be a long-term problem. I think the *Baltimore Sun* can outlast the governor.” But the *Sun*’s Franklin said the paper could not let the ruling become a precedent and that they would appeal the case to the 4th Circuit Court in Richmond. They may not have much better luck there, however; legal experts say the 4th Circuit is one of the most conservative courts in the country. (BALTIMORE SUN)

POLITICS IN BRIEF: The full 2nd U.S. Circuit Court of Appeals upheld the ruling of a three-judge panel in August declaring **VERMONT**’s landmark finance campaign reform law constitutional. The law allows the Green Mountain State to limit campaign spending in all statewide races (RUTLAND HERALD). • **ALABAMA** Republicans announced that they intend to file a federal lawsuit challenging the state’s current legislative district map, which was drawn by the Democrat-controlled Legislature. The suit will be patterned on the successful redistricting challenge in **GEORGIA**, which helped the GOP win control of the Peach State Legislature last year (MOBILE REGISTER). • **CALIFORNIA** Gov. Arnold Schwarzenegger (R) named Republican Bruce McPherson, a former state senator, as his replacement for resigning Secretary of State Kevin Shelley (D). McPherson was praised by lawmakers on both sides of the isle for his integrity, but observers say the Democrat-controlled Legislature may still drag its feet on confirmation (SAN JOSE MERCURY NEWS). • Also in **CALIFORNIA**, Gov. Schwarzenegger joined in a legal challenge to new campaign finance rules that would prohibit him from accepting individual donations over \$23,300. The lawsuit was brought after a reform group accused campaign committee Citizens to Save California of accepting six- and seven-figure donations on the governor’s behalf, in violation of the new rules (SAN JOSE MERCURY NEWS). • The GOP-controlled **GEOR-**



GIA House and Senate unveiled their plans for new congressional districts last Tuesday. The Republicans hope that by replacing the map drawn in 2001, when the Democrats controlled the Legislature, they can expand their 7-6 margin on the delegation (ATLANTA JOURNAL-CONSTITUTION, MACON TELEGRAPH).

— *Compiled by KOREY CLARK*

Governors

E **HRlich DENIES CONSPIRACY TO FIRE MD DEMS:** MARYLAND Gov. Robert L. Ehrlich Jr. (R) denied allegations last week that his administration is carrying out a clandestine plan to purge the state bureaucracy of Democrats. Ehrlich does not deny some high ranking state agency employees have been replaced, but claims he is only seeking to fill those positions with people who are “with our program” and is not specifically targeting Democrats. The new allegations came in the aftermath of the forced resignation of one of the governor’s longtime political associates, Joseph F. Steffen Jr., who quit after admitting he had spread Internet rumors about trouble in the marriage of Baltimore Mayor Martin O’Malley. Steffen has long been a controversial figure in the Ehrlich administration, with critics accusing him of gaining access to state employee personnel data and creating lists of workers to be fired. Although Ehrlich expressed regret for the O’Malley incident, he dismissed Democrats’ claims that he is out to get them, insisting he is only doing what they have done to Republicans for years. “When the party that has the monopoly loses, they’re unhappy,” said Ehrlich, the first GOP governor in the Old Line State in 36 years. The governor also won a round in his ongoing battle with the press as a federal judge ruled that Ehrlich did not violate the constitution by barring administration and state agency officials from talking to two *Baltimore Sun* journalists whose coverage he did not like. (See *Politics & leadership*) The newspaper plans to appeal the ruling. (WASHINGTON POST, BALTIMORE SUN)

ROMNEY SEEKS STEM CELL RESTRICTIONS: MASSACHUSETTS Gov. Mitt Romney (R) said last week he will seek legislation banning stem cell research that involves creating human embryos specifically for experimentation purposes. The proposal immediately drew fire from Democrats, including U.S. Sen. Ted Kennedy (D), who said Romney’s plan would rob Massachusetts of the medical and financial benefits of one of the most promising areas of scientific research. Romney says he supports most stem cell research, including the use of



18 Republicans abstained from voting. Codey was only able to gather 16 of the necessary 21 votes from his Democratic colleagues, prompting him to call lawmakers back together for another try this week (NEW YORK TIMES).

— *Compiled by RICH EHISEN*

Hot issues

B **USINESS:** The **IOWA** House endorses HF 277, legislation that allows the Hawkeye State's largest phone service providers to set new commercial and residential rates without prior state approval. In exchange, the companies would have to provide high-speed Internet access to more customers. The bill moves to the Senate (DES MOINES REGISTER). • The **SOUTH CAROLINA** House approves a measure that places restrictions on lawsuits stemming from shady business dealings and shoddy construction practices. The new rules would, among other things, cut the time limit for filing suit from 13 down to eight years and make defendants responsible only for their part of the problem. It moves to the Senate (STATE [COLOMBIA]). • The **NORTH DAKOTA** House endorses HB 1383, which would allow local city and county governments to extend bar closing hours to 2 a.m. It moves to the Senate (BISMARCK TRIBUNE).

CRIME & PUNISHMENT: A **COLORADO** House committee narrowly approves legislation that would require a murdered woman's death certificate to show whether she was pregnant. It now goes to the full House (ROCKY MOUNTAIN NEWS). • The **ARKANSAS** Senate okay's SB 316, which would prohibit the death penalty for convicted offenders under the age of 18. It now goes back to the House for further consideration (LOG CABIN DEMOCRAT). • The **WEST VIRGINIA** Senate approves SB 146, a measure that would allow authorities to file separate criminal charges for both the mother and fetus in violent crimes against pregnant women. It moves to the House (CHARLESTON GAZETTE).

EDUCATION: An **ARKANSAS** Senate committee rejects legislation that would have required Razorback State public school textbooks to define marriage as only being between one man and one woman. The vote effectively kills the measure for this session (ARKANSAS NEWS BUREAU). • A **KENTUCKY** Senate committee endorses SB 172, which would ban deep fried foods from school cafeterias and limit vending machine sales only to certain hours of the day.

would allow Wolverine State pharmacies to sell and distribute prescription drugs by mail. The bill now heads to the House (DETROIT FREE PRESS).

HOMELAND SECURITY: An **ARKANSAS** House committee approves HB 1012, which would allow select Razorback State troopers to receive training as immigration officers through the federal Dept. of Homeland Security. The measure goes before the full House (ARKANSAS DEMOCRAT GAZETTE). • A **UTAH** Senate committee advances legislation that would eliminate drivers' licenses for undocumented immigrants. SB 227 would grant them driving privilege cards that could not be used for identification. It motors off to the full Senate (SALT LAKE TRIBUNE).

SOCIAL POLICY: A Federal court upholds a **UTAH** ban on polygamy. The court rejected an argument from a man who wants to take on a second wife that a prohibition on polygamy is unconstitutional. The plaintiffs say they will appeal (SALT LAKE TRIBUNE). • The **MONTANA** Senate approves SB 199, which would add sexual orientation as a protected class under the Montana Human Rights Act. The act currently prohibits discrimination based on race, national origin, religion, gender, familial status, disabilities, creed, marital status and age. It must pass a second vote before moving to the Senate (MISSOULIAN). • The **ARKANSAS** Senate advances a bill that would require pregnant girls under the age of 18 to get parental consent to obtain an abortion. It moves back to the House (ARKANSAS NEWS BUREAU).

Quote...

"People are alive today, wives and mothers are safe today, who otherwise would not have been."

— **ARIZONA Sen. John Huppenthal (R) explaining his support of a bill that would allow residents to carry loaded weapons in bars.**

... unquote

"How many bar fights, how many pool-cue fights that occur in and around liquor establishments would have been worse if there were guns present?"

— **Don Isaacson, a lobbyist for the Fraternal Order of Police, which opposes the bill. (ARIZONA REPUBLIC)**

POTPOURRI: An **INDIANA** House committee rejects HB 1508, which would have banned the use of hand-held cellular phones while driving (INDIANAPOLIS STAR). • An **ARIZONA** Senate committee endorses SB 1363, which would legalize the possession of loaded weapons in bars and restaurants that serve liquor as long as the person carrying the gun is not actually drinking. It moves to the full Senate (ARIZONA REPUBLIC). • A **WYOMING** House committee approves a bill that would ban open containers of alcohol in vehicles. It heads to the full House for review (BILLINGS GAZETTE).

— *Compiled by RICH EHISEN*

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Once around the statehouse lightly

BUDGET DUST I. The easy targets once again took a pellet between the eyes. This time, the wounded are inmates housed in MICHIGAN's prison system. According to the *Detroit Free Press*, the cash-strapped Wolverine State will save \$250,000 a year by removing free coffee from prison menus. With Michigan trying to close a \$375-million shortfall, the inmates' coffee fund will contribute a whopping .67 percent to the effort. Prisoners will still get their java, however — they'll be able to buy it at prison stores. Maybe they will be more compliant, considering that most of them can't afford coffee and so won't be as jacked on caffeine. Besides prisoners and their meager cadre of advocates, is anyone complaining about the cut? Not bloody likely.

BUDGET DUST II. Prison officials in CALIFORNIA also were able to save some cash last week, reports the *Contra Costa Times*. They paroled a prisoner who had required a special guard for the past month, at a cost of \$1,056 a day. The special guard was needed because the inmate was not housed in a normal prison environment but shackled to a hospital bed. Even the guard wasn't really necessary because the inmate was declared brain dead after being struck with a rubber projectile during a mid-January dust up in an exercise yard. He was released to his family last week, ending the state's obligation to pay a guard to read magazines at the foot of the prisoner's hospital bed. That savings ought to provide some elbowroom in the Dept. of Corrections' \$6.75 billion budget.

BUDGET DUST III. Lawmakers in TENNESSEE currently are debating cuts to TennCare, which provides health benefits for both state workers and legislators. But as *The Tennessean* reports, lawmakers have a slightly different benefit package. (Yes, everyone is shocked.) While state workers lose their benefits when they leave state service, lawmakers retain theirs — for themselves and their families — for life. Currently, 134 ex-lawmakers and governors are on the TennCare rolls, costing the state \$800,000 a year.

A BRIBE BY ANY OTHER NAME. It is an unwritten rule in big-time politics that big-time donations bring big-time rewards. But in the case of a NEBRASKA businessman, the unwritten somehow was jotted down — much to

the embarrassment of the Bush Administration and others. As The Associated Press notes, a prominent Lincoln trucking executive was promised an ambassadorship by a Bush fundraiser back when the president first ran for the office in 2000. The post never materialized, however, and the executive began writing letters to big-shot Republicans from the Cornhusker State — namely, then-Gov. Mike Johanns and U.S. Sen. Charles Hagel. The exec wasn't mad, just curious. Some of that correspondence became public recently when Johanns was nominated to be Secretary of Agriculture. By the way, the exec never became an ambassador but in 2003 was appointed chair of the federal board that oversees student loans — two weeks after staging another fundraiser for Bush.

BAT IN THE BELFRY. State senators from VIRGINIA finally had it up to their nether regions last week with meaningless pieces of legislation passed by the House of Delegates. According to the *Richmond Times-Dispatch*, the straw that pushed senators over the cliff was a House bill designating the state's official bat. The Senate gutted the bill, removing the Virginia big-eared variety and substituting instead a different kind of bat — the Louisville Slugger. Never mind that the world-famed baseball bat is manufactured in KENTUCKY. Kentucky, after all, was once part of Virginia. The battle over bats follows close on the heels of another Senate rejection — that of a House bill to allow local governments to ban sagging pants. (That is not a typo. It was “pants,” as in britches, Levis, slacks. The bill to ban sagging “plants” is probably being drafted for next week.)

— By A.G. BLOCK

In the Hopper

State Net's database tracks tens of thousands of bills in all 50 states at any given time. Here's a snapshot of what's in the legislative works:

Number of 2005 prefiles last week: 673

Number of 2005 Intros last week: 11,204

Number of bills enacted/adopted last week: 6,894

Number of 2005 prefiles to date: 25,427

Number of 2005 Intros to date: 82,131

Number of enacted/adopted overall in 2005: 2,473

— Compiled By GINA HUMMELL
(Measures current as of 2/17/05)
Source: State Net



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