

April 5, 2004

Sizing up vending machines



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Top Story

The number of overweight children and adolescents has tripled since 1980. Now alarmed lawmakers across the country are taking aim at the fatty, sugary snacks found in most on-campus vending machines.

Sncj Spotlight

Legislators look to reduce childhood obesity by monitoring vending machines

What is the most common medical malady for children in the United States? According to the American Academy of Pediatrics (AAP), it isn't measles, chicken pox or mumps, but obesity. Unlike those temporary afflictions, obesity is a gateway prob-

lem — one that can lead to much more serious physical ailments, including diabetes and coronary disease. In the United States today, nearly one of every three children is at risk of being overweight (defined as having a body mass index in the 85th to 95th percentile) and almost three times as many teens are overweight today as in 1980.

Many observers, including the National Center for Disease Control and the Surgeon General of the United States, say the problem has reached epidemic proportions. And a growing number, including the AAP, lay a significant portion of the blame directly at the feet of school districts that earn big money by entering into exclusive contracts with soft drink and snack vendors to sell their products on school grounds. This discontent has led several states to enact legislation in the past year limiting soda and snack food sales at school vending machines. And the movement is rapidly gaining momentum, as 23 states are now considering bills that address school vending machine sales.

The bills tend to fall into three categories — those aimed at requiring the inclusion of healthy choices, those designed to limit the hours of operation, and those that propose removing vending machines from schools altogether. The results have been mixed.

One of the success stories has been in CALIFORNIA, where in 2003 Senator Deborah Ortiz (D) authored SB 677, which bans the sale of soda in vending machines at elementary, middle and junior high schools during school hours. ARKANSAS followed suit with HB 1583, which bans elementary schools from giving students access to vending machines offering food or sodas. And in March of this year WASHINGTON adopted SB 5436, which requires that all foods sold on school grounds — including from vending machines — meet specific nutritional standards. The state is still considering other school vending machine legislation. (*See Bird's Eye View*)

Also this year, California Senator Martha Escutia (D) is attempting to expand SB 677 to include restrictions on fatty foods provided in public schools. Her bill, SB 1566, would require that all food sold at schools must derive no more than 35% of its calories from fat and contain no more than 35% sugar by weight. It would allow water, milk, fruit juices and fruit-based drinks, but would outlaw high-calorie, high sugar sodas.

This is Escutia's second such bill. The first one, which established nutritional requirements at elementary schools, passed in 2001, but was contingent on state funding that never materialized. The new bill, which is still in committee,

*State Recaps
available this
week on the
State Net Web site*

ID, IN, ME, NM, SD,
UT, VA, WA, WV, WY

Sine Die recap on pag. 9

2003-04 State Session
Recaps showcase legislative
statistics for each state.

includes high schools and does away with the funding component by pointing to evidence that substituting healthy alternatives can actually increase sales.

Other efforts to curb vending machines have not fared as well.

In MAINE, for example, Rep. Sean Faircloth (D) introduced LD 104 in 2003, legislation that would have required schools to provide healthy choices in vending machines. Although he did not have the support to get the bill passed, he managed to convince schools to voluntarily stock campus vending machines with healthy

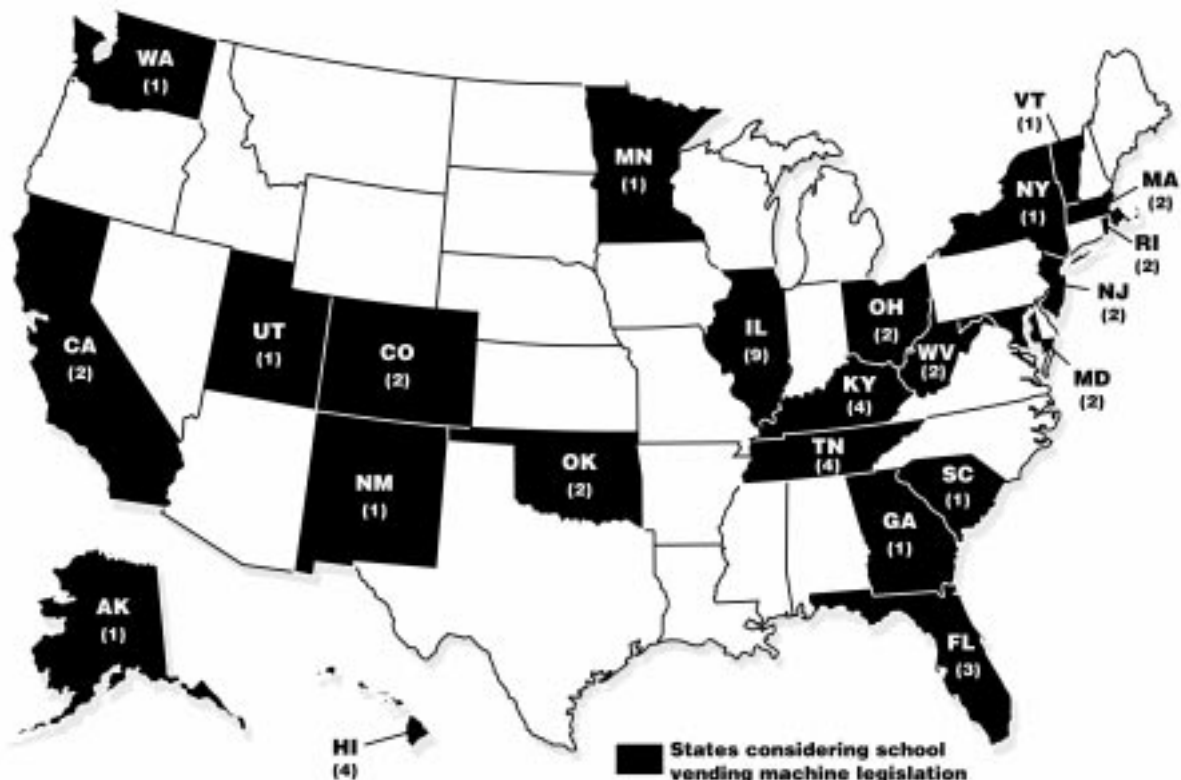
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Bird's-eye view

States ponder weighty issue



The Centers for Disease Control and Prevention estimates that as much as 15% of today's children are obese, which can lead to adult obesity and a long list of related health problems. Many observers blame some of this problem on the ready availability of snack foods in school vending machines (See *Spotlight* in this issue). Lawmakers across the country have taken up the issue, introducing numerous bills that would restrict the contents of school vending machines. So far, only CALIFORNIA, WASHINGTON and ARKANSAS have passed such legislation, but the map below shows the 23 states that are considering similar legislation during the 2004 session.



Source: StateNet database, National Conference of State Legislatures.
Notes: All data current as of March 10, 2004.

choices. He calls the minimum health standards enacted by the Maine Department of Education “a victory for freedom of choice.”

In January, COLORADO Senator Paula Sandoval (D) introduced SB 103, legislation that called for 50% of the items offered in school vending machines to be healthy. Compliance would have been monitored through an honor system with school accountability committees made up of parents and district representatives self reporting violations and any profits from noncompliant schools going into a breakfast fund for underprivileged students. But by the time the bill made it out of three senate committees, the wording had changed from “shall” to “strongly encourage,” effectively neutering its power. The bill is currently back in the Senate to resolve a slight word variance in the definition of milk products in the House version and will then go to the governor for approval. Sandoval is frustrated but unbowed by the changes.

“We ended up with a watered down version that will at least get the state started in the right direction,” she said of the bill, which had support from the Colorado Dental Association and numerous parent, teacher and nutrition groups. “Resistance came in the form of people who said they wanted local control, but it may have also had something to do with the money from vending machine contracts,” Sandoval reasoned.

“We have to find a balance between what is good for both kids and a budget crunch,” explains Jill Kidd, president of the Colorado Association of School Business Officials (CASBO) and Nutrition Services Director at Pueblo School District No. 60. Although she testified in favor of Sandoval’s bill and another failed bill that would have limited the hours of vending machine operation, she also recognizes that her district makes \$300,000 annually from an exclusive Coca Cola contract.

“It is a significant amount of money that goes for athletics,” she notes.

Kidd is hopeful, however, that Colorado districts will be able to follow the lead of schools in California that have made the transition to healthier options without sacrificing dollars. “The real opposition,” according to Kidd, “came from an

The Week in Session

States in Regular Session:

AK, AL, AZ, CA, CO, CT, DE, FL, GA, HI, IA, IL, KS, LA, MA, MD, MN, MO, MS, NE, NH, OK, RI, SC, TN, US, VT

States in Special Session:

ME “b”, VA “a”

States in Recess:

AR “b”, CA “d”, CA “e”, KY, NY, PA, WI

States with Projected Recess:

CA, IL, KS, MI

States in Budget Hearing: NJ

States in Skeleton Session: OH

Currently Prefiling:

MT(Drafts for 2005)

States Adjourned:

CA “a”, CA “b”, CA “c”, CT “a”, CT “b”, DE “a”, ID, IN, LA “a”, MD “2003 session”, ME, NM, SD, UT “c”, UT, VA, WA, WA “a”, WA “b”, WA “c”, WI “d”, WI “e”, WV, WV “a”, WY

Letters indicate special/extraordinary sessions

Source: State Net, 4/2/04

inherently Colorado trait. We are fiercely territorial about local decision making.”

Most states can relate to that perspective. Kathleen Dezio, a spokesperson for the Washington, D.C.-based National Soft Drink Association (NSDA) is big on local choice. Although the NSDA has opposed most of the legislative proposals to limit vending machine sales, Dezio agrees that childhood obesity is a problem and believes parents and local school administrators are the most appropriate people to determine when vending machines are used and what is in them, not national legislators.

“People want a quick fix, but banning a certain food or beverage generally doesn’t work,” she said.

Dezio is also not convinced that consumption is the cause of the problem. She points to a University of NORTH CAROLINA study that looked at 20 years of federal dietary data and found that children are not eating more, but they are 13% less active than 20 years ago. Her organization endorses increased funding for physical education and positions itself as a partner that helps schools fund these important programs.

“If we really want to address this problem,” she says, “We have to look at the sedentary lifestyle [of children].”

How important these partnerships are to schools varies widely, according to Anne Miller, Ph.D., executive director for the Association of School Business Officials International. Miller cites a study — funded by the NSDA in the name of the National Association of Secondary School Principals — that shows some urban school districts use the funds for essentials in the classroom, while suburban schools tend to use the funds for extras like scoreboards.

“Either way it is a very hot topic — particularly at high schools — because this is often the only discretionary funding a school might have,” Miller explains.

Colorado’s Sandoval and Maine’s Faircloth both say they will try again. Sandoval hopes to have better luck once administrators see that offering healthy choices doesn’t cut into their bottom line, and after the next election changes some of the political players. Faircloth would like to see calories listed on major chain restaurant menus and a percent of gas taxes dedicated to improving trails and sidewalks so children have an option to walk to the nearest vending machine.

CASBO’s Kidd says that while the results have been mixed, the wave of bills is at least bringing the topic to the table so people can start talking about how to raise healthier children.

“It is going to take a combination of efforts to make a real impact, not just one bill.”

— *Compiled by J.T. LONG*

J.T. Long is an education editor and writer based in California.

Budget & taxes

S TATES BUY NOW, PAY LATER: With elections looming, vital services stretched by three years of budget cuts and little support for new taxes, states this year are turning to borrowing to balance their budgets. CALIFORNIA has led the way, with voters last month approving Gov. Arnold Schwarzenegger's (R) \$15 billion bond measure to help the state close its huge budget deficit. But several other states are also looking at big-dollar loans. PENNSYLVANIA's Democratic Gov. Ed Rendell, for example, has proposed borrowing up to \$2.8 billion for education, environmental clean-up and local government assistance, and ILLINOIS Gov. Rod Blagojevich (D) wants to borrow \$1 billion for road construction. Meanwhile in SOUTH CAROLINA, Republican lawmakers approved \$500 million in bonds — over their GOP governor's veto — to fund business development and university research. Critics of the plans argue that bonds only delay and increase the cost of government services, damaging states' financial health in the process. One state they point to for evidence of this is MISSOURI, where excessive debt resulting from aggressive borrowing for road construction in the 1990s has forced the state to cut transportation spending drastically this year. But state leaders, seeking to jumpstart their economies, have few options. Major tax increases are off the table for most states — VIRGINIA is about the only one still seriously debating the idea — thanks to the overwhelming rejection of broad-based tax hikes by voters in ALABAMA and OREGON in the last few months. Bond advocates, meanwhile, say with interest rates low, borrowing makes sense. Part of the reason states seem to be favoring that position, according to Amy Resnick, editor-in-chief of The Bond Buyer, a daily newsletter covering the bond market, is that state leaders aren't much different than consumers when it comes to their willingness to pay more tomorrow for the things they want today. "Governments live in the here and now," Resnick said. (ASSOCIATED PRESS, SOUTHERN ILLINOISAN [CARBONDALE])

TENSIONS FLARE IN KY: The political bickering that has plagued the KENTUCKY Legislature since it convened in January erupted into more heated conflict over the state budget last week. The session had virtually ground to a halt the week before as a result of political tensions between House Democrats and Senate Republicans both seeking to hold on to their majorities. But that changed last Monday when Republicans pushed a budget bill through the Senate that included the tax reform plan Gov. Ernie Fletcher (R) had



unveiled less than two weeks before the end of the session. To ensure passage of the budget-and-tax plan, Senate leaders promised to fund projects for Republican lawmakers who supported the bill and threatened to cut funding for Democrats who opposed it. House Democrats, outraged not only by that tactic — which one representative called “bribery” — but also by the fact that Senate Republicans had given them a “take it or leave it” ultimatum by waiting until basically the last day of the session to send them their proposal, rejected the bill. The two chambers appointed a conference committee that will try to resolve the issue before the Legislature reconvenes April 12 for its two-day veto session. (ASSOCIATED PRESS, LEXINGTON HERALD-LEADER, COURIER-JOURNAL [LOUISVILLE], KENTUCKY POST [COVINGTON], BOWLING GREEN DAILY NEWS)

CA BALLOT FILLING UP: Activists in CALIFORNIA are pushing to get three initiatives on the November ballot that would raise taxes by over \$7 billion to fund badly needed services they say the state has not adequately provided for. The measures include a corporate tax hike to pay for new teachers, teacher raises and universal preschool; a millionaires tax to fund mental health services; and a surcharge on phone bills to support emergency health services. Supporters of the initiatives include not just groups like the California Teachers Association and the California Medical Association, but also some key Democratic legislators, such as Assembly Budget Chairman Darrell Steinberg, who is a leader of the mental health proposal. And while Gov. Arnold Schwarzenegger (R) — who has demonstrated his own willingness to let voters decide tough issues — has not taken a position on any of the measures yet and maintains that he is personally opposed to raising taxes, he indicated in an interview last week that he believes California voters might approve a tax increase for a specific purpose such as transportation. (LOS ANGELES TIMES, LOS ANGELES DAILY NEWS, ORANGE COUNTY REGISTER)

BUDGETS IN BRIEF: GOP leaders in the VIRGINIA House offered a stop-gap solution for the state’s continuing budget problem, proposing a one-year “continuity budget” that would keep the government running in the event the stalemate continues beyond the end of the current fiscal year in June. The proposal was not well received by Gov. Mark R. Warner (D), who accused the Republican delegates of throwing in the towel, and vowed, “The Senate is not going to pass this. I’m not going to sign this” (WASHINGTON POST). • Adding



a wrinkle to the ongoing budget battle in MARYLAND, Gov. Robert L. Ehrlich Jr. (R) pledged last week to fund a popular \$1.3 billion education initiative known as the Thornton plan, even if lawmakers fail to pass his proposal to expand slot machine gambling. Ehrlich warned that he would make deep cuts to health care and other programs instead (WASHINGTON POST). • NEW JERSEY's improving economy could bring in \$300 million in unexpected tax revenue, according to a report by the state's Office of Legislative Services. Most of the additional revenue will come from higher-than-expected income and corporate tax payments (NEWARK STAR-LEDGER). • FLORIDA House budget writers have offered to make Gov. Jeb Bush's (R) proposed intangibles tax break for wealthy investors effective for only a year, hoping to woo the Senate, which has resisted the proposal on the grounds that the state has too few long-term revenue sources (ORLANDO SENTINEL).

— *Compiled by KOREY CLARK*

Politics & Leadership

BATTLES LOOM FOR STATEHOUSES: While the national media has focused its attention squarely on November's presidential race, an equally significant political battle has been brewing at the state level, with Democrats and Republicans vying for control over the state's legislatures and, consequently, for the authority to decide controversial state issues like gay marriage and taxes. With party control tight in numerous state legislative chambers, this year's elections could see a major shift in power. A switch of just one seat in COLORADO, for example, could end the Republicans' longstanding dominance over the state Legislature, while a one-seat shift in MAINE could do the same to Democrats. In 2002, Republicans gained control of a majority of legislatures for the first time in a half-century; both houses in 21 states are now under GOP control, compared to 18 for Democrats. Although it's still too early to tell whether that trend will continue or power will move back toward the Democrats, a shift in either direction could have a major impact on key social issues within individual states. A change of four seats in NORTH CAROLINA's Senate, for instance, would give the GOP control over both chambers, and likely mean the state would resolve its current fiscal crisis through cutbacks in public education funding rather than a tax increase. And two additional House seats in INDIANA would allow Republicans to pass a constitutional amendment ban-

ning gay marriage, which has been blocked by the chamber's current Democratic speaker. Such high-profile state issues could even have an impact on the presidential race, as was the case in FLORIDA in 2000, where local concerns influenced voter turnout in a way that was favorable to eventual winner George W. Bush. Experts say that with the stakes so high and the margins in the state legislatures so low, the races are likely to be intense and costly. (CHRISTIAN SCIENCE MONITOR)

CA'S LIBERAL OLD GUARD RETIRING: Among the two dozen CALIFORNIA lawmakers forced into retirement by term limits at the end of this session are three of the state's last veteran leaders: Sens. John Burton (D), John Vasconcellos (D) and Byron Sher (D). The trio of senior senators — who possess nearly 100 years of institutional memory between them — are part of small band of influential liberal lawmakers who have shaped state policy over the last four decades on issues ranging from crime to welfare. Described by California historian Kevin Starr as “the last samurai,” they are the last of the 1960s era public servants whose broad, pre-term-limited vision helped produce such lasting achievements as the state's university and highway systems. Conservatives, however, criticize some of the senators' more recent votes, voicing the same argument that helped ensure passage of California's term limits law in 1990: at some point, lifetime politicians lose touch with their constituents. The extent of the loss of experience, however, is highlighted by the fact that the average tenure of the remaining lawmakers is five years, and that a legislator who has been on the job less than two years is now Assembly speaker. (CONTRA COSTA TIMES)

SINE DIE: WASHINGTON lawmakers managed a few notable accomplishments during their 60-day legislative session which ended March 12. They approved a replacement for the state's unconstitutional “blanket primary” system, gave the go-ahead to charter schools, passed \$80 million in business tax breaks to spur the economy and gave raises to 26,000 home health care providers. But the measures that created the biggest stir back in January, like departing Gov. Gary Locke's (D) billion-dollar sales-tax increase for schools and bills concerning everything from medical malpractice insurance and the importation of drugs from Canada to equal rights for gays and lesbians and the reporting of sexual abuse by members of the clergy, went nowhere. Lawmakers attributed the lackluster performance to the lame-duck governor and the lack of money available to fund projects (SPOKESMAN-REVIEW [SPOKANE]). • For the WYOMING Legislature, 2004 was the Year of the Surplus, with a record \$1.22 billion in spare reve-

nue resulting in record spending. More than \$500 million went toward new and existing programs — endowments for higher education, full-time kindergarten, assistance to military families, expanded property tax relief — about \$462 million was earmarked for school and prison construction, and \$250 million was saved. Money didn't solve all of the Legislature's problems, however. Lawmakers failed to get a plan approved by the U.S. Fish and Wildlife Service allowing the state to take over wolf management or to impose caps on malpractice damage awards, managing only to propose a constitutional amendment limiting frivolous malpractice lawsuits which will go before voters in November (BILLINGS GAZETTE [MONTANA]). • With control of both the House and governor's office up for grabs in November, INDIANA's 2004 session was politically divisive. One of its major casualties was Gov. Joe Kernan's (D) full-day kindergarten proposal, defeated by Republicans in the Senate. The Senate also blocked proposals by House Democrats to extend property tax breaks to homeowners hit hard by reassessment. Meanwhile, the Democrats' refusal to allow debate on the issue of same-sex marriage nearly brought the House to a standstill in the session's final two weeks. But lawmakers managed to keep their ideological differences in check long enough to pass some legislation, including a bill giving gun owners greater immunity from civil lawsuits and a measure prohibiting Hoosiers from adopting adults to get around paying inheritance taxes (ASSOCIATED PRESS, JOURNAL AND COURIER [LAFAYETTE], INDIANAPOLIS STAR).

— *Compiled by KOREY CLARK*

Governors

SCHWARZENEGGER'S POPULARITY HELPS & HINDERS: CALIFORNIA Gov. Arnold Schwarzenegger's (R) popularity as a film star and champion bodybuilder helped put him in the governor's office, but it has also become a significant burden that is costing both him and the state a lot of money. The governor's star power makes it next to impossible for him to fly commercial airlines, so he flies in private jets from a company owned primarily by investment billionaire Warren Buffet. Although Schwarzenegger also owns a small portion of the company, those trips have still cost him into the thousands for each flight. Schwarzenegger is allowed to bill the state for some of the costs, but to date he has not done so. Nor has he been able to find local digs in Sacramento, which currently does not have a governor's mansion available, so Schwarzenegger and his family have been renting a \$125-per-night suite at the Hyatt Regency

Hotel across the street from the Capitol whenever they are in town. A host of the governor's corporate sponsors are picking up that tab, but the state is holding the bag for extra costs related to the amped up security surrounding Schwarzenegger and his family. Those costs have been driven even higher because Schwarzenegger is the first governor in many years to have young children while in office. Aides say Schwarzenegger has already spent thousands of dollars out of his own pocket to cover some of the increased costs, and he expects to pay a lot more before he is through. He also has declined to accept his \$175,000 annual salary. But while he has so far been inclined to give the state a financial break, he has not been so willing when it comes to letting crafty entrepreneurs use his image to make a buck of their own. Schwarzenegger's attorneys recently came down hard on an OREGON brewery that was producing a beer called "Governator Ale," telling the company to stop or face a law suit. The governor's handlers say he wants to use his image now only to promote California to businesses. The brewery quickly complied. (SACRAMENTO BEE, LOS ANGELES TIMES)

ROMNEY REBUFFED: MASSACHUSETTS Gov. Mitt Romney (R) scored a major win last week by convincing House Republicans to support a constitutional amendment that would ban gay marriage but establish VERMONT-style civil unions. Romney's personal appeals managed to sway 15 of the 22 Republicans who had previously opposed every bill that would grant such unions, but that momentum suddenly fell flat when he asked state Attorney General Tom Reilly to appoint a special prosecutor to appeal to the state's Supreme Judicial

Court for a delay in the May 17 deadline for implementation of gay marriages. Reilly rejected Romney's request, saying the court had already decided the matter and that, "whether the governor likes it or not," he would abide by that decision. An angry Romney accused Reilly, who is a potential Democratic candidate for Romney's job in 2006, of "abandoning" his duties as the state's top conduit to the courts. Romney is now considering several options, including appealing to the court himself as a private citizen or hiring

Quote ...

"Everyone has a right to legal representation. It's not right that the governor and the people of MASSACHUSETTS are left without recourse to the courts."

—**MASSACHUSETTS Gov. Mitt Romney (R) on the refusal of the state's attorney general to ask the Supreme Judicial Court to block gay marriages until the issue goes before voters.**

... unquote

"The governor's had his day in court. I've had my day in court. But we lost, and frankly he has got to accept that."

—**MASSACHUSETTS Attorney General Tom Reilly explaining his rationale for refusing to honor Romney's request. (BOSTON HERALD)**

an outside counsel to do so. Most experts agree that neither is a good option, but gay marriage opponents are urging Romney to claim new powers under a little known provision in the state constitution that allows the governor to decide matters “relating to all causes of marriage.” Romney called the provision “interesting” and said his lawyers are examining it closely. (BOSTON HERALD, BOSTON GLOBE)

GOVERNORS IN BRIEF: In a letter on behalf of the National Governors Association, MICHIGAN Gov. Jennifer Granholm (D) and NORTH DAKOTA Gov. John Hoeven (R) appealed to Congress to extend the 1996 welfare law that gave states vast discretion in running their welfare programs with lump sums of federal money. The governors say the extension will give states “predictability” necessary to continue welfare reform initiatives across the country. The extension has been held up over Democratic demands that the measure include an increase in the minimum wage (NEW YORK TIMES). • NEW HAMPSHIRE Gov. Craig Benson (R) endorsed a single Canadian online pharmaceuticals distributor, but stopped short of saying his state would become officially involved with the company. Benson also delayed announcing any plans regarding his previously stated intentions to purchase Canadian drugs for prison inmates and Medicaid recipients (CONCORD MONITOR). • ILLINOIS Gov. Rod Blagojevich (D) backtracked on an earlier vow to sign legislation that would have allowed Prairie State 18-year-olds to obtain a state firearm owner ID card without parental consent. Blagojevich now says he will veto the bill unless the Legislature also bans semiautomatic weapons (CHICAGO TRIBUNE, CHICAGO SUN-TIMES). • WYOMING Gov. Dave Freudenthal (D) unveiled a plan to put one penny for every million cubic feet of natural gas produced in the state into a fund to help mitigate habitat and wildlife impacts from oil and gas developments. The governor estimated such a fund would generate up to \$10 million annually (CASPER STAR-TRIBUNE). • KENTUCKY Gov. Ernie Fletcher (R) announced his support for the Senate’s plan to contribute an additional \$5 million in funding for a new basketball and special events arena for Northern Kentucky University. The Senate’s plan calls for selling a total of \$47 million in bonds to support the construction (KENTUCKY POST [COVINGTON]).



— Compiled by RICH EHISEN

Hot Issues

B **USINESS: NEW JERSEY** Gov. James E. McGreevey (D) signs legislation dubbed the Transfer of Development Rights law. It will allow Garden State municipalities to target growth to specific areas that have already established infrastructure to support it (TRENTON TIMES). • The **NEW JERSEY** Senate also approves AB 50, a bill that would establish a temporary state fund to help doctors pay the cost of escalating malpractice insurance premiums. It returns to the Assembly (NEWARK STAR-LEDGER). • The **MONTANA** Supreme Court rules that oil or gas wells do not constitute “mines,” meaning that petroleum companies cannot use the power of eminent domain to utilize or take over private property that contains such wells (BILLINGS GAZETTE).

CRIME & PUNISHMENT: The **MINNESOTA** House votes overwhelmingly to lower the Gopher State’s legal drunken-driving limit to .08% of blood alcohol content. Members rejected an amendment to have the new standard take effect this year, pushing it back until 2007 (ST. CLOUD TIMES). • **MISSOURI, OREGON, MICHIGAN, RHODE ISLAND, NORTH DAKOTA, GEORGIA, NEW YORK** and **INDIANA** agree to participate in a federal pilot program designed to lower recidivism and state prison overcrowding. The plan will aim to help released offenders obtain a job and a social support network (INDIANAPOLIS STAR). • Despite support from Gov. Jeb Bush (R), a **FLORIDA** Senate committee slams the door on a bill that would have granted the possibility of parole to juvenile offenders who have been sentenced to life imprisonment (MIAMI HERALD).

EDUCATION: The **COLORADO** Senate rejects legislation that would have banned the use of racial preferences in admitting students to Centennial State public universities (DENVER POST). • The **ILLINOIS** House unanimously approves HB 4361, a bill that requires all Prairie State institutions of higher learning to install sprinkler systems in their dormitories. Schools would be allowed to increase student fees to pay for the systems. It moves to the Senate (QUAD CITY TIMES).

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 prefiles/intros this week:** **3,337**
- **Number of prefiles/intros overall in 2004:** **91,505**
- **Number of bills enacted/adopted this week:** **756**
- **Number enacted/adopted overall in 2004:** **9,676**
- **Total number of measures in State Net database:** **167,644**

— Compiled By GINA HUMMELL
(2003-04 data current as of 3/26/04
Source: State Net)

STAR). • The **TENNESSEE** Senate approves a measure that would ban same-sex civil unions. It moves to the House for consideration (**THE TENNESSEAN [NASHVILLE]**) • The **TENNESSEE** Senate also votes to remove abortion guarantees in instances of rape, incest and where the woman’s life is endangered from the Volunteer State constitution. The proposed amendment also heads to the House (**THE TENNESSEAN [NASHVILLE]**).

POTPOURRI: The **ILLINOIS** House soundly rejects a proposal to allow illegal immigrants to get driver’s licenses. The bill failed by a wide enough margin that it is not eligible to be reconsidered in this session (**CHICAGO SUN-TIMES**). •

FLORIDA Gov. Jeb Bush (R) vetoes HB 187, a bill that would have allowed Sunshine State charities and veterans groups to sell instant bingo games. Bush says he killed the plan because it expands gambling (**ST. PETERSBURG TIMES**). •

WASHINGTON Gov. Gary Locke (D) signs SB 5428, a bill that allows Evergreen State drivers to renew their licenses by mail or online. It could take effect as early as October of this year (**WASHINGTON POST**). • A **TENNESSEE** Senate committee endorses legislation that would create exceptions to the state’s motorcycle helmet requirement law. Under the measure riders who are at least 25-years-old and have passed a safety course would be free to cruise sans helmet. The bill moves to the Senate (**THE TENNESSEAN [NASHVILLE]**). • The **OKLAHOMA** Supreme Court upholds the constitutionality of the Sooner State’s ban on cockfighting. Supporters vow to take their fight all the way to the U.S. Supreme Court (**THE OKLAHOMAN [OKLAHOMA CITY]**).

— *Compiled by RICH EHISEN*

Once around the statehouse lightly

NOT QUITE YET. When a Little League organization in Sacramento, CALIFORNIA, noted its 50th anniversary last week, it invited local dignitaries to join the celebration. One of those invited was Dave Jones, a Sacramento councilman who had just won the Democratic nomination for a seat in the Legislature. The Little League organization jumped the gun, however, when it identified Jones as “State Assembly elect” in its events program. As *California Journal* reports, that designation likely didn’t sit well with Gaspar Garcia — the

