

April 12, 2010

Puppy Mills



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● The next issue of
 ● Capitol Journal will be
 ● available on April 19th.
 ●

Top Story

Animal rights activists have long railed against so-called "puppy mills," which typically breed hundreds of dogs at a time, often in deplorable conditions. Now states are slowly moving to rein in what has become a multi-billion dollar industry.

SNCJ Spotlight

States slowly putting a leash on puppy mills

For many Americans, bringing a puppy home is akin to adding a new member of the family. But for people whose new four-legged companions have come from a large-scale commercial dog breeder — part of the nation's \$47 billion pet industry — the experience can too often lead to heartbreak and serious expense.

Animal activists have long railed against so-called "puppy mills" — operations that typically breed large numbers of dogs, sometimes hundreds at a time, often in deplorable conditions. These animals are often sold to unwitting

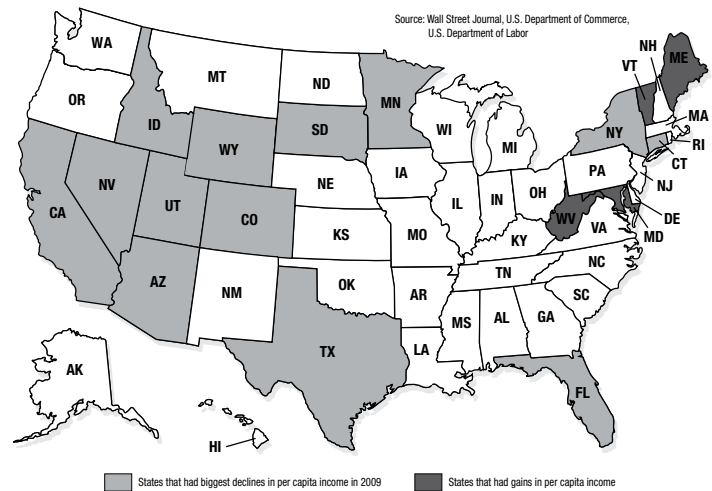
consumers through pet stores, roadside stands or even over the Internet. In many cases, pet-purchasers find their new puppy has expensive health problems. Just as often, consumers discover the breeder or pet store is not inclined to offer a refund or to pay for the animal's vet bills.

Commercial breeders are generally regulated under the federal Animal Welfare Act of 1966, which requires them to be licensed through the US Department of Agriculture. But while that measure sets minimum standards of care for breeding animals, it applies only to operations that raise animals for commercial resale, such as through a pet store. Animal rights activists also contend that the USDA too often refuses to take action against licensed breeders that violate the law.

All states have animal cruelty laws as well, but many lack the fiscal resources to broadly enforce those statutes. MISSOURI, for example, has only about a dozen inspectors to keep an eye on an estimated 3,000 breeding operations. That often leaves direct sellers with virtually nobody watching over them.

Even so, several states have in recent years taken greater steps to clamp down on egregious puppy mill operations. At least four — LOUISIANA, VIRGINIA, OREGON and WASHINGTON — have imposed a cap on the number of breeding dogs a facility can have at any given time: 75 in the Pelican State; 50 in the other three. In 2008, PENNSYLVANIA adopted legislation that, among other things, bars kennels from selling more than 26 dogs in a calendar year without first obtaining a state license. Similar legislation is under consideration in several states. Several other states, including CALIFORNIA, DELAWARE, MASSACHUSETTS, NEW YORK, NEW JERSEY, MISSOURI, SOUTH DAKOTA and WEST VIRGINIA, have introduced bills that would impose caps. A coalition of animal rights advocates in MISSOURI is gathering signatures in order to place a ballot measure that would impose a 50-animal limit on breeding operations before voters in November.

Bird's eye view



Per capita income down in all but four states

Personal income levels dropped across the nation in 2009, but some states' residents took bigger hits than others. WYOMING had the largest decline in per capita income: 5.9 percent, more than twice the national average drop of 2.6 percent. CONNECTICUT still has the highest per capita income in the country, at \$54,000, but the state's 3.3 percent drop was also among the nation's highest. Only four states saw gains in per capita personal income, with WEST VIRGINIA's the greatest, at 1.8 percent.





“I think if some of the writers had seen the actual bill,” Mahan says, “they might be embarrassed by their complete misinterpretation of what the law really would do.”

Much of that resistance surely revolves around money. According to the American Pet Products Association, live pet sales in 2009 totaled \$2.16 billion. That figure is expected to reach almost \$2.25 billion this year. With over 45 percent of U.S. homes containing at least one dog — totaling over 77 million in all — a large portion of that revenue comes from canine sales.

Some agricultural interests have their own reasons for wanting to put the bite on puppy mill legislation. Opponents often adopt the slippery slope theory, arguing that proposals like Mahan’s and the MISSOURI ballot measure are merely the first step in doing away with agricultural livestock production. In a statement, the Missouri Farm Family Agricultural Alliance called the Show Me State ballot proposal “a veiled attempt to regulate animal agriculture in MISSOURI” and “less about protecting puppies and more about setting a dangerous precedent for animal agriculture.”

Jennifer Fearing, chief economist and CALIFORNIA State Director for the Humane Society of the United States (HSUS), decries what she calls opponents’ “knee jerk reaction” to greater breeder regulation.

“Some breeders think we’re really after a vegan America and no dog breeding at all,” she says. “That’s not what this is about. Nobody wants to harm responsible breeders. These bills all deal with the extremes.

“I can’t understand why any reputable breeder wouldn’t want to get rid of the bad ones,” she adds.

Former CALIFORNIA Assemblyman Lloyd Levine (D) says sorting out the impassioned rhetoric in such emotionally charged issues is hard on both voters and lawmakers. Levine speaks from experience. His efforts in 2007 on legislation (CA

AB 1634) that would have required pet owners to spay or neuter their dogs and cats drew furious opposition from dog breeders and organizations, including the American Kennel Club, which spent \$50,000 lobbying against the bill. The bill eventually died. Similar efforts from other Golden State lawmakers have since met the same fate.

“Some breeders think we’re really after a vegan America and no dog breeding at all.”

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: 43

Number of Intros last week: 876

Number of Enacted/Adopted last week: 958

Number of 2010 Session Prefiles to date: 17,718

Number of 2010 Intros to date: 71,902

Number of 2010 Session Enacted/Adopted overall to date: 12,675

Number of 2009-10 bills currently in State Net Database: 179,649

— Compiled By JAMES ROSS
(measures current as of 4/8/2010)
Source: State Net database



“The biggest challenge is getting people to understand the issue,” he says, noting that many animal organizations have similar names and affiliations, but vastly different views on what constitutes proper animal care.

“The animal movement is not remotely one single group or issue,” Levine says, noting that the mass of incoming data can leave lawmakers confused, particularly when it is not really their primary passion to begin with. Opponents, he says, “exploit that confusion to their advantage.”

Although advocates like AKC’s Peterson and HSUS’s Fearing don’t agree on much, they both urge pet buyers to follow a few basic rules when it comes to obtaining a new adult dog or puppy: look for a reputable breeder that allows the buyer to come to the kennel and see the dog and its parents, and learn as much about that breeder and the dog as possible before plunking down any money. Both are also adamant about avoiding buying a dog over the Internet.

“If people were required to meet the breeder on their property before any purchase, the puppy mill problem would go away tomorrow,” Fearing says.

Although no longer in state government, Levine says he still supports efforts to rein in the “five percent of the breeding industry that causes the bulk of the problems.” He compares the issue to causes like same-sex marriage, with one major exception. “Gay marriage advocates can stand up year after year and speak for themselves. Dogs and cats can’t do that,” he says.

— By *RICH EHISEN*

Budget & taxes

HEALTH INSURANCE SHOWDOWN COMING TO MA: A half-dozen MASSACHUSETTS health insurers filed a lawsuit against the state last week seeking authority to go ahead with premium increases they had planned for this month. The rate hikes of between 8 and 32 percent, scheduled to take effect April 1, were blocked two weeks ago by state Insurance Commissioner Joseph G. Murphy.

Gov. Deval Patrick (D) has made reining in the cost of health care a centerpiece of his administration as well as his reelection campaign, and he recently issued emergency regulations requiring rate changes to be submitted for review by state regulators. Murphy’s action marked the first time the state has actually denied a rate increase.

The state’s largest health insurer, Blue Cross and Blue Shield of Massachusetts, and the five commercial members of the Massachusetts Association of Health Plans — Harvard Pilgrim Health Care, Tufts Health Plan, Fallon Community Health Plan, Health New England, and Neighborhood Health Plan — are seeking an injunction in



Superior Court in Boston reversing the state’s move, which they allege will severely hurt their industry.

“As a result of the commissioner’s action,” said Dean Richlin, a partner at Boston law firm Foley Hoag, which is representing the insurers, “the insurance companies will experience substantial and, in some cases, staggering losses. We estimate the collective loss among all of the insurers will run into the hundreds of millions of dollars just for 2010. There are some number that will face near-term solvency problems.”

The insurers also contend the rate rejections fail to address the real problem: rising medical costs, particularly among health care providers and hospital groups that use their market clout to negotiate favorable contracts with insurance carriers.

“We’re particularly distressed that this does nothing to contain the underlying hospital costs and doctor costs and drug costs,” said James Roosevelt Jr., chief executive of Tufts Health Plan.

But Barbara Anthony, Undersecretary of the Office of Consumer Affairs and Business Regulation, which oversees the state’s insurance regulators, said the insurers’ lawsuit lacked merit because state law grants Murphy the right to reject rates deemed excessive.

“He’s on firm legal ground in disapproving the rates,” she said.

Anthony also said the suit demonstrates the insurers are out of touch with the challenges ordinary citizens and businesses are facing as the state climbs out of recession.

“This is an outrageous response from an industry that claimed to be concerned about alleviating these escalating health care costs,” she said. “I think it’s clear that the insurance companies are in love with the status quo where they get to continue to charge double-digit premium increases on small businesses and families.” (BOSTON GLOBE)

BUDGETS IN BRIEF: CALIFORNIA’S three largest state-run, public employee pension funds — the California Public Employees’ Retirement System, California State Teachers’ Retirement System and University of California Retirement System — currently face a combined shortfall of over \$500 billion, according to a study released last week by Stanford University. That figure dwarfs the funds’ own aggregate shortfall estimate of \$55 billion as of July 2008, which the Stanford researchers said doesn’t take into account the more than \$100 billion in losses sustained by the funds as a result of the recession (WALL STREET JOURNAL). •

Upcoming elections

4/8/2010 - 4/29/2010

04/13/2010

California Special Primary

Assembly District 43

Senate District 37

Florida Special Election

House District 4

US House (FL Congressional District 19)

Massachusetts Special Primary

Senate Middlesex, Suffolk and Essex

(A. Galluccio)

and Norfolk, Bristol, Middlesex

(S. Brown)

Texas Primary Runoff

House (Districts 14, 47, 52, 66, 76, 83, 84, 127 and 149)

US House (Districts 14, 15, 17, 20, 23, 27 and 30)



The **FLORIDA** Legislature’s top gambling negotiator said last week that the state has agreed to a pact with the Seminole Tribe that will bring the state \$1.5 billion over five years in exchange for granting tribal casinos the exclusive right to operate table games in South Florida and slot machines elsewhere in the state (MIAMI HERALD).

- **OHIO** Attorney General Richard Cordray announced a \$9 million settlement last week with insurer American International Group Inc. over a 2007 antitrust lawsuit. The suit accused AIG, insurance broker Marsh & McLennan Cos. and two other insurers of price fixing and other illegal practices in connection with the sale of casualty-insurance policies from 2001 to 2004 (WALL STREET JOURNAL).
- Federal highway officials have again rejected **PENNSYLVANIA’s** application to place tolls on Interstate 80, in an effort to raise about \$470 million a year for transportation projects around the state. The feds denied the plan for the same reason they have in the past: Federal rules require tolls on any interstate to be dedicated to improvements on that highway (PHILADELPHIA INQUIRER).
- America has lost 2.4 million jobs to China since that country entered the World Trade Organization in 2001, increasing trade between the two nations, according to a new study by the Economic Policy Institute. The five states hit hardest by China’s economic rise, according to the study, are **NEW HAMPSHIRE, NORTH CAROLINA, MASSACHUSETTS, CALIFORNIA** and **OREGON** (STATELINE.ORG).

— *Compiled by KOREY CLARK*

Politics & leadership

REPUBLICANS CONCERNED ABOUT CENSUS AND FUNDRAISING: Along with attempting to determine the number of people in every U.S. household, this year’s census also seeks information about, among other things, Americans’ race, gender and age. The Census Bureau has made similar queries for decades. And in previous years, Democrats have complained that the level of probing discouraged the participation of minorities and the poor who often distrust government and also tend to vote Democratic. But this year, it’s Republicans who are making a fuss.

U.S. Rep. Michele Bachmann (R-MINNESOTA), popular among Tea Party activists and ultra-conservatives, has said she doesn’t intend to answer any question on her census form other than the one asking how many people are in her household. And former presidential candidate U.S. Rep. Ron Paul (R-TEXAS), who cast the only vote against a recent congressional resolution urging participation in the census, has questioned the constitutionality of the other questions.

“The census should be nothing more than a headcount,” he wrote in his weekly column. “It was never intended to serve as a vehicle for gathering personal information on citizens.”

Worried that an anti-government surge among conservatives could reduce the number of census forms returned and, consequently, the number of Republicans in Congress and state legislatures, U.S. Rep. Patrick McHenry (R-NORTH CAROLINA), the ranking Republican on the House subcommittee that oversees the census, posted a message last week on the popular conservative Web site Redstate.com urging conservatives to mail in their forms.

“It’s your constitutional duty to respond to this,” McHenry said in an interview.

“It’s often difficult for conservatives to separate overall government intervention from a question as simple as the census.”

The Census Bureau, noting that the Constitution authorizes lawmakers to conduct the census “in such manner as they shall by law direct” and that this year’s form is one of the shortest in some time, said the anti-government oratory directed their way is nothing new.

“This stream of feeling and commentary and rhetoric has been with us forever,” said Robert Groves, the bureau’s director. He also said he doubted it would affect overall participation.

But Census Bureau figures show that some of the most conservative states currently have among the lowest response rates. For example, only about 48 percent of forms mailed to TEXAS and 53 percent of those sent to ALABAMA have been returned so far, while the return rate in the more liberal state of MASSACHUSETTS is around 57 percent, which roughly parallels the national average of 56 percent.

Potential undercounting in the census isn’t the only thing Republicans are concerned about at the moment, however. Some Republicans are also saying the Republican National Committee doesn’t have enough money to support the party’s candidates in the upcoming elections.

“There have been some concerns from some of the [RNC] committee members about the money on hand and how much money comes in,” said Gary Emineth, chairman of NORTH DAKOTA’s Republican Party. “There just isn’t a lot of cash available.”

The state of the RNC’s finances is currently drawing attention largely because of the recent revelations that its chairman Michael Steele has spent thousands of dollars on private jets, and a mid-level RNC official approved a \$1,946 expenditure at a bondage-themed nightclub in Los Angeles.

Last week, Alex Castellanos, a prominent GOP political consultant, called for Steele’s resignation. And Sean Mahoney, an RNC committeeman from NEW HAMPSHIRE, resigned in protest.

“It’s often difficult for conservatives to separate overall government intervention from a question as simple as the census.”



Neither Sanford nor the other senator voted in favor of the bingo bill that passed two weeks ago, and both have been in contact with the FBI and Alabama Bureau of Investigation agents.

Meanwhile, Massey’s lawyers issued a statement saying the allegations against their client are “completely without basis in fact and solely an attempt to scare our legislators from voting on the bingo bill.”

“Our client denies ever having a conversation with any legislator in which he offered campaign contributions in exchange for a vote on the bingo bill,” the statement said. (BIRMINGHAM NEWS)

POLITICS IN BRIEF: The energy industry and an anti-tax group are collecting signatures for a November ballot measure in **CALIFORNIA** that would block the state from implementing a law passed in 2006 authorizing a greenhouse gas cap-and-trade program until the state’s unemployment rate stabilizes at or below 5.5 percent for one year. The Golden State’s jobless rate currently stands at 12.5 percent and hasn’t been at 5.5 percent since October 2007 (WALL STREET JOURNAL). • **FLORIDA** Gov. Charlie Crist (R) angered Republican legislative leaders last week when he vetoed HB 1207, a bill that would have lifted a 21-year-old ban on “leadership funds,” fundraising accounts managed by legislative leaders separately from those of the state parties. Crist said the funds are a vestige of the state’s political past that should be left behind, particularly in light of recent political scandals (MIAMI HERALD).

— *Compiled by KOREY CLARK*

In case you missed it

Federal health care reform is shaping up to be both a burden and a blessing to states. Where each state falls will be greatly determined by their current number of uninsured residents.

In case you missed it, the article can be found on our Web site at http://www.statenet.com/capitol_journal/04-05-2010/html

Governors

GOVNS RE-THINKING ‘RACE TO THE TOP’: A few weeks ago, before U.S. Secretary of Education Arne Duncan announced the winners in the first round of the federal government’s \$4 billion Race to the Top grant contest, governors were lining up to sing the program’s praises. But that was then and this is now. Bitter that only two of the 16 finalists — TENNESSEE and DELAWARE — garnered an award, several governors and their top education officials are openly questioning whether they will revamp their efforts to try again in the program’s second round.

Officials like COLORADO Gov. Bill Ritter (D) pointed to what they saw as significant oddities in how their proposals were judged.



“It was like the Olympic Games, and we were an American skater with a Soviet judge from the 1980s,” he said.

Ritter was not alone in his feelings. Officials from CALIFORNIA, MICHIGAN, ARIZONA, SOUTH CAROLINA, SOUTH DAKOTA and NEBRASKA voiced similar concerns, and all have declined to commit to making another run at the funding. Many have complained about the difficulty of meeting the program’s

“It was like the Olympic Games, and we were an American skater with a Soviet judge from the 1980s.”

requirements, particularly for large states with diverse populations. The scoring clearly favored states able to gain support from 100 percent of school districts and local teachers’ unions for Obama administration priorities like expanding charter schools, basing

teacher evaluations on student performance and turning around low-performing schools. Those goals are a challenge in any state, but are far more difficult in a state like CALIFORNIA, which has more than 1,500 school districts, than in DELAWARE, which has less than 40.

Ritter acknowledged similar hardships in his state, where only about 40 of its 178 districts came on board. As he sees it, the federal government simply doesn’t understand how hard it is to get Westerners to buy off on federal intervention in their school systems.

“People judging our application may not have appreciated that in the West there is a great deal of local control,” he said. “Many tiny school districts don’t like federal mandates. So even as I believe that school reform is important for our country, it’s also important that people in Washington understand that one size doesn’t fit all.”

States that do stay in the game will also be pursuing a smaller pie than they were before, as future awards have now been capped, often at figures far below what state officials first anticipated. CALIFORNIA, for example, originally requested \$1 billion but now can only win a maximum of \$700 million. SOUTH CAROLINA, which finished sixth, was originally seeking \$300 million, but is now capped at \$175 million, as are LOUISIANA and COLORADO.

“That’s a lot of money, and we need it,” said SOUTH CAROLINA Superintendent of Education Jim Rex. “But spread it over four years, with all the federal expectations that come with it, and you have to ask whether you have the time and capacity to gear up again for the arduous work of filing a new proposal. We’re still weighing that.” (NEW YORK TIMES)

MCDONNELL’S REBEL YELL FALLS FLAT: Met with a harsh barrage of negative feedback — some of it from his strongest supporter — VIRGINIA Gov. Robert McDonnell (R) issued a hasty mea culpa over his proclamation last week naming April to be Confederate History Month in the Old Dominion. The

firestorm started last Tuesday when the freshman governor unexpectedly made his proclamation, which drew an immediate negative public, private and online response, particularly from African-American leaders who noted that it completely omitted any mention of the state's history of slavery. McDonnell and his staff at first defended the declaration's content, saying "there were any number of aspects to that conflict between the states. Obviously, it involved slavery. It involved other issues. But I focused on the ones I thought were most significant for VIRGINIA."

But McDonnell's rigid stance lasted barely 24 hours. On Wednesday, Sheila Johnson, the co-founder of Black Entertainment Television and McDonnell's biggest financial supporter during his gubernatorial campaign, issued a scathing statement condemning the proclamation, calling it "both academically flawed and personally offensive." A chastened McDonnell quickly issued a second declaration calling his failure to mention slavery in his first one "a mistake" and apologizing to those the omission offended. He further called slavery "an abomination" and "an evil, vicious and inhumane practice which degraded human beings to property [that] has left a stain on the soul of this state and nation."

The controversy caused some observers to speculate that McDonnell, considered a rising star by many, may have seriously hurt his chances to garner consideration as the vice presidential candidate on the 2012 GOP presidential ticket. According to the *Washington Post*, which quoted a series of unnamed GOP strategists, the jury is still out. Though one opined that the matter would be soon forgotten, another suggested it could be a serious problem, saying, "When it comes to [vice presidential] picks, most nominees want to pick someone that won't create controversy." (WASHINGTON POST, ASSOCIATED PRESS)

GOVERNORS IN BRIEF: Former **MARYLAND** Gov. Robert Ehrlich (R) formally announced his campaign to regain the governor's office in November. Ehrlich served a single term in office before losing a re-election bid to current Old Line State Gov. Martin O'Malley (D) in 2007 (BALTIMORE SUN). • **NORTH CAROLINA** Gov. Bev Perdue (D) proposed a list of ethics reforms for Tar Heel State government last week, including a call to prohibit contractors who do business with the state from giving contributions to officials who oversee the awarding of contracts. She also proposed removing all state government appointees who come under criminal indictment, extending a ban on gifts to all members of state government and requiring that any government employee convicted of corruption surrender their pension. Lawmakers must approve the proposals (NEWS & OBSERVER [CHARLOTTE]). • **SOUTH CAROLINA** Gov. Mark Sanford (R) last week paid the largest ethics fine in Palmetto State history, \$74,000. Sanford also wrote a check for almost \$37,000 to cover the state's costs for its investigation into his conduct, and another for almost \$30,000 to reimburse the state for his personal expenses and travel (THE STATE [COLUMBIA]). • In a letter to President Obama,



ARIZONA Gov. Jan Brewer (R) requested that the federal government send an additional 250 agents to patrol her state’s border with Mexico (ARIZONA DAILY SUN [FLAGSTAFF]). • **COLORADO** Gov. Bill Ritter (D) submitted a request last week to the Obama administration to allow the state to manage approximately 4.2 million acres of roadless national forest land in the Centennial State. Management of the nation’s 58 million acres of roadless forest is still being determined by the federal court system (DENVER POST).

— *Compiled by RICH EHISEN*

Hot issues

B **BUSINESS:** The **ALABAMA** Senate endorses HB 260, which would provide Heart of Dixie employers with a state income tax deduction of up to 50 percent of the gross wages paid to anyone currently drawing unemployment benefits or whose benefits have expired. The measure moves to Gov. Bob Riley (R), who is expected to sign it into law (MONTGOMERY ADVERTISER). • The **COLORADO** Senate approves SB 133, a measure that would give Centennial State employers a tax credit of up to 66 percent for re-hiring a previously laid-off worker. It moves to the House (DENVER POST). • Still in **COLORADO**, a House panel kills HB 1397, which would have required employers to provide workers one hour of accrued paid sick leave for every 30 hours worked. The bill’s author pulled it back, saying the measure needs work before it can gain lawmakers’ approval (DENVER BUSINESS JOURNAL). • The **MARYLAND** Senate unanimously approves HB 825, legislation that would raise the minimum amount of liability auto insurance Old Line State drivers must carry for the first time in 38 years. The bill, which would raise the current minimum auto coverage protecting victims of crashes from \$20,000 per person and \$40,000 per crash to \$30,000 and \$60,000, respectively, moves to Gov. Martin O’Malley (D), who is expected to sign it into law (BALTIMORE SUN). • **MAINE** Gov. John Baldacci (D) signs HB 1265, a bill that establishes “dark fiber provider” (DFP) as a new category of public utility and creates a broadband sustainability fund to support “last mile” high-speed Internet infrastructure to currently unserved areas of the Pine Tree State (BANGOR DAILY NEWS). • Still in **MAINE**, Baldacci signs HB 1266, which bars retailers from charging a surcharge to consumers who use a debit card. The state has banned such charges on credit card purchases since 1981 (MAINE GOVERNOR’S OFFICE).

CRIME & PUNISHMENT: The **GEORGIA** House approves HB 1047, a bill that would impose a minimum fine of \$75 on drivers who are not traveling at the

maximum posted speed limit in the left lane. It has sped off to the Senate (LAND LINE [GRAIN VALLEY]). • **SOUTH CAROLINA** Gov. Mark Sanford (R) vetoes SB 191, legislation that would have allowed Palmetto State police to search ex-convicts on probation or parole without a warrant. Sanford said he saw no evidence the bill would reduce crime (CHARLOTTE OBSERVER). • **MAINE** Gov. John Baldacci (D) signs HB 1271, legislation that restricts the release of birth, marriage and death records only to the person on the document and that person's spouse or domestic partner, parents or guardians, descendants and designated agent or attorney. Supporters say the law will help prevent identity theft (BANGOR DAILY NEWS). • **OHIO** Gov. Ted Strickland (D) signs SB 77, which requires, among other things, anyone arrested on a felony charge to submit a DNA sample to authorities and requires law-enforcement agencies to retain biological evidence for up to 30 years in murder and sexual-assault cases (COLUMBUS DISPATCH). • **KANSAS** Gov. Mark Parkinson (D) signs HB 2468, legislation that requires people convicted of certain sex crimes, such as rape or child molestation, to register as sex offenders for life (WICHITA EAGLE).

EDUCATION: An **OKLAHOMA** House panel endorses SB 1862, which would allow Indian tribes and cities of more than 300,000 residents to sponsor charter schools. The measure moves to the House floor (TULSA WORLD). • Also in **OKLAHOMA**, Gov. Brad Henry (D) signs HB 2750, legislation that directs state education officials to incorporate information about the 1995 bombing of the Alfred P. Murrah Federal Building in Oklahoma City into the Sooner State's history and social studies core curriculum (TULSA WORLD). • The **MAINE** Legislature approves SB 704, which would allow student achievement data to be used in evaluating teachers and principals. The measure, which goes to Gov. John Baldacci (D) for review, is a key component in making the state eligible for federal Race to the Top grant funding (PORTLAND PRESS HERALD).

ENVIRONMENT: The **COLORADO** House endorses HB 1348, a bill that would require uranium-mill operators to clean up existing toxic waste before

The week in session

States in Regular Session: AK, AL, AZ, CA, CO, CT, DC, FL, GA, HI, IL, LA, MA, MD, ME, MI, MN, MO, NE, NH, NY, OH, OK, PA, PR, RI, SC, TN, US, VT, WI

States in Recess: DE, KS, MS

States in Special Session: CA "f", WA "a"

Upcoming Special Sessions: PA (Transportation Funding - TBA), FL (Public Corruption - TBA)

States in Reconvened Session: VA (Reconvenes 04/21/2010)

States in Budget Hearings: NJ

States in Veto Session: KY

States Currently Prefiling or Drafting for 2011: MT, ND

States Projected to Adjourn: AK, KY, MD, ME, NE

States in Special Session Projected to Adjourn: WA "a"

States Adjourned in 2010: AR, IA, ID, IN, NM, SD, UT, VA, WA, WV, WY

State Special Sessions Adjourned in 2010: AZ "a", AZ "b", AZ "c", CA "e", CA "g", CA "h", NM "a", NV "b", OR "a", TN "a", WI "b"

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS
(session information current as of 4/9/2010)
Source: State Net database



launching new projects. It moves to the Senate (DENVER POST). • **MAINE** Gov. John Baldacci (D) signs SB 627, which establishes incremental reductions in the sulfur content of all fuel oils sold in the Pine Tree State, beginning in 2016. The bill calls for those fuels to have a sulfur content of no more than .0015 percent by weight by 2018 (MAINE GOVERNORS’S OFFICE). • **OREGON** Gov. Ted Kulongoski (D) vetoes HB 3704, which would have allowed bottle distributors to form a cooperative and set up redemption centers around the state. Kulongoski said the bill would make recycling less convenient for Beaver State residents (OREGONIAN [PORTLAND]).

HEALTH & SCIENCE: **VIRGINIA** Gov. Robert McDonnell (R) signs SB 675, which requires health insurers to cover the cost of telemedicine services and bars insurers from excluding a service for coverage solely because it is provided through telemedicine (STATE NET). • **OREGON** Gov. Ted Kulongoski (D) vetoes SB 1046, a measure that would have set up a process to allow licensed psychologists to write drug prescriptions for their clients. Supporters said the change would give the mentally ill greater access to needed medication (OREGONIAN [PORTLAND]).

SOCIAL POLICY: The **TENNESSEE** Legislature approves SB 3812, a bill that would require clinics that provide abortions to post signs notifying women that it is against Volunteer State law to coerce them into terminating a pregnancy. The measure moves to Gov. Phil Bredesen (D) for consideration (TENNESSEAN [NASHVILLE]).

POTPOURRI: **IDAHO** Gov. C.L. “Butch” Otter (R) signs SB 1330, which removes the words “retarded,” “lunatic” and “idiot” from the text of 73 different Gem State statutes (ASSOCIATED PRESS).

— *Compiled by RICH EHISEN*

Once around the statehouse lightly

NO **HORSING AROUND:** Country music legend Willie Nelson has never been a fan of the Nashville power base. For the most part, “Shotgun Willie’s” problem has been with the city’s musical establishment, which inspired him years ago to return home to TEXAS and create the “outlaw” country sound that made him a household name. But as the *Nashville Tennessean* reports, Nelson has a new beef these days with another TENNESSEE power broker, state Rep. Frank Niceley. Nelson has a burr under his blanket over Niceley’s bill to allow



the Volunteer State to set up horse slaughtering and processing plants. Nelson, an avid equine lover who supports federal legislation banning such facilities, says the bill is a big pile of horse apples. Niceley counters by claiming Nelson is “well intentioned” but “just wrong.” To date, Niceley is ahead by a nose: a House subcommittee approved the bill last week.

EYES UP HERE: As protest marches go, a few dozen women taking a leisurely stroll down a busy street in MAINE would normally be considered fairly benign. But, as the *Portland Press Herald* reports, that was definitely not the case for one group’s recent jaunt. That’s because the women on this march were all toodling topless. According to the event organizer, the nearly-naked trek was to gain support for women to go sans shirts in public, just the way the men can. Interestingly enough, the push is kind of moot given that Pine Tree State law already allows such displays of the human form from both men and women as long as everyone literally keeps their shorts on. More surprising was the event leader being miffed that — shockingly! — hordes of men followed the group the entire time, snapping pics all along the way. Gosh, who would have seen that coming?

WHO’S YOUR MOMMY? Speaking of protests, education advocates in CALIFORNIA have devised a uniquely-Golden State way of urging Gov. Arnold Schwarzenegger to avoid cutting school funding in the upcoming May budget revision. As the *Los Angeles Times* reports, a group of parents from the chi-chi SoCal burg of Laurel Canyon recently created a YouTube video starring former “Beverly Hills 90210” heartthrob Brian Austin Green, whose son attends a school there, calling on the Governor to spare the education funds. Far more important to most male YouTubers, the video also starred Green’s girlfriend, current Hollywood “it” girl Megan Fox, who asks viewers to “call, write and annoy the governor until he cries for his mommy.”

GENTLEMAN, START YOUR ENGINES...AND VOTE FOR ME: It’s an election year, which automatically means that everyone seeking office is hot for any way to connect with potential voters. As the *Houston Chronicle* reports, TEXAS Gov. Rick Perry is reinforcing his connection to the “NASCAR dad” crowd by sponsoring driver Bobby Labonte’s No. 71 Chevrolet for an upcoming race at the Texas Motor Speedway. Perry’s folks say the gov, who is seeking a third term, paid \$225,000 to plaster his name all over the TEXAS-native Labonte’s ride. A NASCAR spokesperson says Perry is far from the first politician to attach himself to the racing circuit, noting that former VIRGINIA Gov. Mark Warner sponsored a NASCAR truck during his gubernatorial campaign. Perry offered a sly assessment of his newfound connection, noting that the racetrack “is the one place going left is good.”

— By RICH EHISEN

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