

May 4, 2009

Swine Flu



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● The next issue of
 ● Capitol Journal will be
 ● available on May 11th.
 ●

Top Story

With the swine flu rapidly spreading across the globe, states are ramping up their efforts to ward off what the World Health Organization says will likely turn into a pandemic.

SNCJ Spotlight

States battle deadly flu bug...and hysteria

With the swine flu rapidly spreading across state and international borders, numerous states have now significantly ramped up their efforts to ward off what the World Health Organization (WHO) says will likely turn into a full scale pandemic.

As of this writing, at least 130 cases of the virus had been confirmed across 17 states. The disease had even permeated the White House, where an aid to Energy Secretary Steven Chu acquired the illness after helping to arrange President Barack Obama's recent trip to Mexico. A dozen deaths from the flu

have been confirmed in Mexico in recent weeks, though the virus is suspected in more than a hundred additional fatalities.

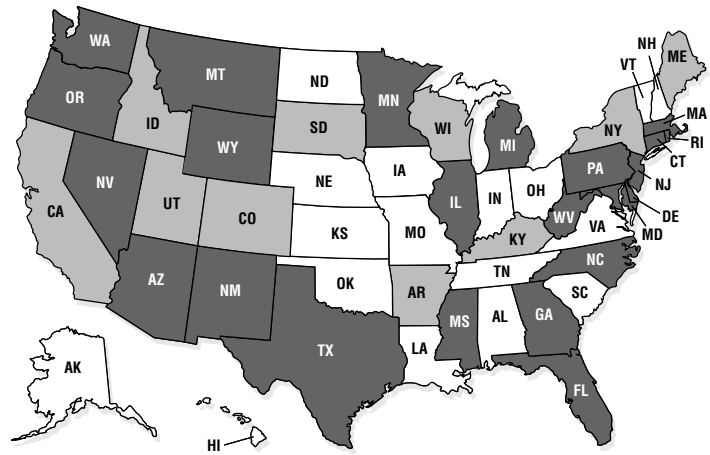
Although there has been only one fatality so far in the U.S. — a Mexican toddler visiting Houston with his family — many state leaders are not taking any chances. Virtually every state health department has moved to high alert, and Governors Arnold Schwarzenegger of CALIFORNIA and Rick Perry of TEXAS, both Republicans, have issued emergency declarations in an effort to speed up efforts to combat the virus. Both urged citizens not to be overly alarmed, and assured the public they are well equipped to handle the situation.

“Our citizens need to know two things. One, there is no need to panic. Number two, you can be confident that our state’s level of preparedness is at the appropriate height,” said Perry, whose state has at least 26 confirmed swine flu cases, second only to NEW YORK’s 50.

Both decrees followed the federal government’s own emergency declaration on April 26, which allowed the feds to release 12 million courses of antiviral medications like Tamiflu and Relenza. The federal plan ultimately calls for 81 million such courses, with 31 million going directly to states for their own distribution. To date, however, states have acquired only about 23 million of the available quantity. Although Congress has authorized \$170 million to cover up to 25 percent of the cost, some states cited ongoing budget shortfalls for not wanting to purchase their allotment too soon. Others, such as ALASKA and MICHIGAN, have bought their full allowance and are now requesting additional supplies.

Some states have also been proactive in closing schools where cases have cropped up. TEXAS, for instance, shut down 140 schools last week, affecting more than 130,000 students, and suspended all high school sports until at least May 11. ALABAMA also shut down its high school sports programs. In all, nearly 300 schools in 14 states have closed their doors during the outbreak, with more expected to follow suit.

Bird’s eye view



Source: Stateline, National Conference of State Legislatures

Light gray: Raised taxes or fees; Dark gray: Considering tax or fee hike

Taxes and fees on rise in states

Despite the flow of federal stimulus dollars into the states, plunging tax revenues have many turning to tax and fee hikes. Three states have already raised, and 10 others are looking at increasing, sales or income taxes. Twenty-two states have raised or are considering hiking taxes on alcohol or tobacco. And 16 states are weighing or have already enacted motor vehicle tax or fee hikes. In all, tax and fee hikes have been passed in 10 states and are pending in 23.





That would also be bad news for the U.S., which ships more than \$150 billion in goods to Mexico annually, making it America’s second largest trading partner after Canada. Some states, notably CALIFORNIA, TEXAS, NEW MEXICO and ARIZONA, could be particularly impacted.

Some observers defend the travel restrictions and other measures taken to combat the bug’s spread. “There really is a careful balance between scaring people and downplaying it too much. And the reason why that’s so important is that the various interventions that are available to public health authorities all have a cost associated with them,” said Ross Hammond, who is part of a group at the Brookings Institution that builds computer models to study how pandemics and public fears interact.

“There really is a careful balance between scaring people and downplaying it too much.”

Others, however, point an angry finger at media outlets they say are unnecessarily fanning hysteria for the sake of their own profits. Mark

Feldstein, a former correspondent for NBC, ABC and CNN who teaches journalism at George Washington University, falls into that camp. “Of course we’re doing too much to scare people,” he said. “Cable news has 24 hours to fill, and there isn’t 24 hours of exciting news going on. If you scare people, they’ll tune in more.”

Acting CDC chief Dr. Richard Besser also urged people to not overdose on swine flu hysteria, cautioning that even if the current bug becomes a pandemic, that doesn’t mean it will be anything akin to the Spanish flu outbreak of 1918, which claimed over 20 million people worldwide, or even to the 2003 SARS pandemic. “There are some pandemics that look very much like a bad flu season,” he said.

(ASSOCIATED PRESS, WASHINGTON POST, HOUSTON CHRONICLE, CNN.COM, BOSTON HERALD, USA TODAY, STATELINE.ORG, DES MOINES REGISTER, REUTERS, SACRAMENTO BEE, LOS ANGELES TIMES, VIRGINIAN-PILOT [HAMPTON ROADS]).

— *Compiled by RICH EHISEN*

Budget & taxes

S TIMULUS-BUSTING SHORTFALLS SPUR NEW TAXES AND FEES:

A few months ago, the National Conference of State Legislatures reported that states would face a cumulative budget shortfall for the 2010 fiscal year of \$85 billion. But NCSL’s latest survey of state fiscal health released on April 23rd now places that number at \$121 billion. The National Governors Association, meanwhile, believes states’ FY 2010 budget gaps could top \$230 billion. With revenues

continuing to decline, not even the billions of dollars bound for the states as a result of the American Recovery and Reinvestment Act will keep all of them out of the red. So states across the country — and not just those governed by Democrats — are turning to an assortment of tax and fee increases.

CALIFORNIA recently enacted \$12.5 billion in tax increases, including a .25-percent increase in the personal income tax and a 1-percent hike in the sales tax, to 6 percent. The new levies will remain in effect for two years — and possibly four if voters agree to extend them in a May 19 special election, which appears unlikely at this point.

NEW YORK raised its income tax rate on residents earning more than \$500,000 from 6.85 percent to 8.97 percent (AB 157). And CONNECTICUT, DELAWARE, ILLINOIS, MASSACHUSETTS, MICHIGAN, MINNESOTA, NEW JERSEY and WASHINGTON are all looking at so-called “Millionaire’s taxes” as well.

Sales tax increases are pending in ARIZONA and MASSACHUSETTS, while KENTUCKY imposed sales taxes on digital products such as software and cell phone ring tones, and FLORIDA is considering doing away with sales tax exemptions on everything from bottled water to Super Bowl tickets.

COLORADO raised its car rental tax \$2 a day. IDAHO Gov. C.L. “Butch” Otter, a Republican, has vowed to veto bills until the Legislature raises the gas tax 10 cents to provide more money for roads and bridges. FLORIDA, ILLINOIS, MASSACHUSETTS, MICHIGAN, OREGON and TEXAS have also proposed motor fuel tax increases.

“Sin” taxes are proving especially popular. ARKANSAS, KENTUCKY and RHODE ISLAND have already raised their tobacco taxes, and at least 16 other states are considering doing the same. NEW YORK increased its tax on beer and wine (AB 159). And alcohol tax hikes are pending in CALIFORNIA, HAWAII, MASSACHUSETTS, MICHIGAN, NEVADA, NEW JERSEY, NORTH CAROLINA and OREGON.

But fee increases are even more trendy. New or higher fees, on everything from drivers’ licenses and handgun permits to death certificates and pig and cow slaughtering, are pending in nearly half the states. Hundreds of fee changes have been pitched by some governors, including NEW YORK Gov. David Paterson (D), who wanted, among many other things, to impose an 18 percent “fat tax” on soft drinks and a 4 percent sales tax on downloaded music. But tough budget negotiations and sagging approval ratings forced him to drop both of those proposals. (STATELINE, NATIONAL CONFERENCE OF STATE LEGISLATURES)

CA VOTERS OPPOSE STATE BUDGET FIX: CALIFORNIA’s Republican Gov. Arnold Schwarzenegger and the state’s Democrat-led Legislature managed to end a lengthy budget standoff in February only by agreeing to a series of ballot measures that will go before the states’ voters this month. But the voters don’t appear

inclined to go along with the lawmakers' pass-the-buck plan. According to the results of a Field Poll released last week, five of the six measures — Propositions 1A through 1F — are well short of the majority support they need to become law.

Prop. 1A, which would impose a rolling spending limit and extend the income, sales and vehicle tax increases approved by the Legislature in February for another two years, is trailing among likely voters 49 percent to 40 percent, with 11 percent still undecided. Prop. 1B, dealing with education funding, and Props. 1D and 1E, temporarily shifting voter-approved funds for early childhood development and mental health programs, respectively, are opposed by similar margins. Voters are particularly unenthusiastic about Prop. 1C, which would allow the state to borrow \$5

billion from the state lottery; 59 percent oppose that measure.

Those five propositions don't have a lot going for them. For one thing, they're complex, containing numerous provisions

“The majority of voters just doesn't believe what is being sold to them. The skepticism extends up and down the ballot.”

linking them to one another, including both triggers and poison pills. And when voters are uncertain about what a ballot measure does, they tend to vote no.

Another negative is that the lawmakers who authored and are pushing the proposals aren't exactly popular with voters; a recent poll placed the governor's approval rating at 33 percent and lawmakers' rating at 21 percent.

“The majority of voters just doesn't believe what is being sold to them,” said Field Poll Director Mark DiCamillo. “The skepticism extends up and down the ballot.”

And voters won't get much encouragement from other authorities they might turn to. Neither the state's Republican Party nor Democratic Party supports the linchpin of the ballot-measure package, Prop. 1A. Anti-tax groups also oppose it, claiming the spending limit is just a smoke screen to hide higher taxes. So do liberal pro-spending groups, who say it will impede much-needed public services. And business groups and the state's powerful labor unions are divided.

Finally, the May 19 special election is expected to draw only a fraction of the state's registered voters — perhaps as few as 20 percent — and low-turnout elections tend to skew toward conservative voters, who are more likely to oppose the ballot measures than liberals, according to the Field Poll.

But the poll found that Golden State voters do favor one of the measures on the May ballot and by a sizeable margin, 71 percent to 24 percent: Prop. 1F, which would bar elected officials from receiving a pay raise when there's a budget deficit.

If the voters' disregard for lawmakers reflected in the poll carries through to Election Day, however, lawmakers could end up returning the favor soon after. Assembly GOP leader Mike Villines warned last month that if the ballot measures failed, the Democrats would simply load the budget with fees — which unlike taxes don't require a two-thirds super majority — and pass it on a simple majority vote,



something the Dems were only prevented from doing in December by the threat of a veto from Schwarzenegger, who may be less inclined to take that action now.

“Mark my word,” said Villines. “I believe that if these initiatives don’t go through, you will see a majority-vote budget, you will see it signed and you will see the defense of taxpayers in this state disappear.” (SACRAMENTO BEE)

BUDGETS IN BRIEF: The **FLORIDA** Legislature rejected \$444 million in federal stimulus unemployment aid that the Republican majority said would hurt state business and create new entitlements. Democrats condemned the action, coming when the state’s unemployment rate is at a 30-year high (ST. PETERSBURG TIMES). • Florida Forever, the nation’s largest environmental land-buying program, was dealt a fatal blow last week, when **FLORIDA** legislative leaders refused to provide funding for it in the state budget (TALLAHASSEE DEMOCRAT). • The **WASHINGTON** Legislature has approved a measure granting the state’s struggling newspapers a temporary break on the state’s main business tax. The bill, HB 2122, now goes to Gov. Christine Gregoire (D) (SEATTLE TIMES). • **MASSACHUSETTS** House Speaker Robert A. DeLeo (D) won passage of an amendment to HB 4100 for a 25-percent increase in the state’s sales tax (raising it from 5 percent to 6.25 percent) in his chamber last week. The new speaker also narrowly managed to secure enough votes to override a threatened veto by Gov. Deval Patrick (D), who wants a 19-cent increase in the gas tax instead. DeLeo’s bill still must be approved by the Senate (BOSTON GLOBE). • **OREGON**’s Senate Education Committee approved legislation last week (SB 441) that would allow public schools to scale back or eliminate long-required programs and services, including guidance counseling, libraries, gifted and talented education and drug and alcohol prevention, and allow school districts to offer as few hours and days of school as they choose, to reduce spending (OREGONIAN [PORTLAND]). • **NEW YORK** Gov. David Paterson (D) issued an executive order last week requiring cost evaluations on all proposed regulations and laws to make sure they won’t raise property taxes (TIMES UNION [ALBANY]).

— *Compiled by KOREY CLARK*

Politics & leadership

SPECTER MOVES ACROSS THE AISLE: On the eve of his 100th day in office, President Obama received an unexpected gift: the news that five-term Republican U.S. Sen. Arlen Specter of PENNSYLVANIA was switching to the Democratic Party. Obama, who was informed of Specter’s decision during his morning economic briefing, promptly called the senator and said “we’re thrilled



to have you.” Obama also indicated through White House Press Secretary Robert Gibbs that he would raise money for Specter and even stump for the senator if asked.

There was good reason for the president’s enthusiasm. Specter’s switch could give Democrats a filibuster-proof, 60-vote majority in the Senate — if things continue to go Democrat Al Franken’s way in his ongoing battle in MINNESOTA with Norm Coleman for the Republican’s now-vacant U.S. Senate seat — as the administration prepares to take on major issues like education, energy and health care.

But just how big a difference Specter’s change of party affiliation will actually make is uncertain. He was a moderate Republican, one of only three GOP senators to vote for Obama’s economic stimulus package earlier this year. And has openly admitted he was probably going to lose his seat in PENNSYLVANIA’s Republican primary next year (in large part because of his vote on the stimulus bill).

He did say at a press conference last week that he has found himself “increasingly at odds with the Republican philosophy and more in line with the philosophy of

“My change in party affiliation does not mean that I will be a party-line voter any more for the Democrats than I have been for the Republicans.”

the Democratic Party” and that conservatives “don’t make any bones about their willingness to lose the general election if they can purify the party.” But he was also quoted not long ago stating: “If we lose my seat they have 60 Democrats, they will pass card check [legislation that would make it easier for workers to unionize], you will have the Obama tax increases, they will carry out his big spending plans. So the 41st Republican, whose name is Arlen Specter, is vital to stopping tax increases, passage of card check and the Obama big spending plans.” In addition, Specter’s seniority as a Republican had earned him powerful positions on the Senate Judiciary and Appropriations committees, and it is not clear how the Democrats will accommodate him.

Shortly after Specter informed Republican senators of his decision to switch parties, Senate Minority Leader Mitch McConnell said it posed a “threat to the country.” He added that the issue “really relates to...whether or not in the United States of America our people want the majority party to have whatever it wants, without restraint, without a check or balance.”

Upcoming elections

4/30/2009 - 5/21/2009

05/02/2009

Louisiana Special Election

House District 97
Senate District 24

05/12/2009

Alabama Special Primary

Senate District 19

05/19/2009

California Special Election

Senate District 26 (Ridley-Thomas)

California Special Primary

US House (CA 32nd Congressional District)

Massachusetts Special Primary

House 3rd Suffolk

Pennsylvania Special Election

House District 124

and additional requirements on doctors who perform late-term abortions.

Parkinson undoubtedly has big shoes to fill in following Sebelius, who had developed a national reputation as a highly successful Democrat in a longstanding Republican stronghold. “Every state has its political superstars, and she was it,” said Washburn University political scientist Bob Beatty. “She’s not one who can jump up on stage and in 10 minutes have everyone in a frenzy. But she figured out how to be a successful Democrat in a Republican state.”

Lawmakers in both parties expressed optimism that Parkinson would hold his own. Senate President Stephen Morris (R), who said the new governor was more “easy going” than the hard charging Sebelius, predicted Parkinson’s previous experience means he would “be hitting the ground running and not missing a beat at all.” Senate Minority Leader Anthony Hensley (D) also did not seem concerned about the transition, noting that “An old mentor one time told me ‘governors come and go but the Democratic Party will be here forever.’ I think we will just pick up where she left off.”

Sebelius meanwhile steps into her job already facing enormous and complex challenges, from the sudden recent outbreak of swine flu to the Obama administration’s desire to overhaul the nation’s health care system. The president said her quick delivery to Washington D.C. was his idea. “We wanted to swear her in right away because we’ve got a lot of health challenges,” Obama said. “We need all hands on deck. I expect her to hit the ground running. She is the right person at the right time for the job.” (KANSAS CITY STAR, WICHITA EAGLE)

JINDAL REACHES DEAL TO KEEP SAINTS: LOUISIANA Gov.

Bobby Jindal (R) agreed to a plan that calls for the state to pay for \$85 million in infrastructure improvement to the New Orleans Superdome in order to keep the New Orleans Saints NFL team in the Crescent City through at least 2025. The plan also includes the state spending an additional \$6 million annually to lease office space for local state agencies at a downtown property Saints owner Tom Benson has an agreement to buy. Jindal called the agreement a good financial deal for Pelican State taxpayers, noting that the \$6 million annual payout is far less than the \$23.5 million the state is slated to pay the Saints annually in a direct cash subsidy over the next three years. But Rep. Karen St. Germain (D), chairwoman of the House Democratic

The week in session

States in Regular Session: AL, AZ, CA, CO, CT, DC, DE, FL, HI, ID(Senate), IL, KS, LA, MA, ME, MI, MN, MO, MS, NC, ND, NE, NH, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, US, VT

States in Recess: WI

States in Special Session: CA “c”

States in Budget Hearings: NJ

States in Extended Session: WV
(Recessed)

States Projected to Adjourn: CO, FL, ID(Senate), HI, KS, MS, ND

States Adjourned in 2009: AK, AR, GA, IA, ID(House), IN, KY, MD, MT, NM, SD, UT, VA, WA, WV, WY

State Special Sessions Adjourned in 2009: AZ “a”, CA “a”, CA “b”, CT “a”, DE “b”, FL “a” IL 2007-08 Special Sessions “a”-“z”

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS
(session information current as of 5/1/2009)
Source: State Net database



Caucus, criticized the deal both for its cost and the fact that Jindal and Benson negotiated the terms without lawmakers' input. "Again, behind closed doors, we're supplementing a multimillionaire. When do we stop the madness and worry about education and health care?" Germain asked. (ADVOCATE [BATON ROUGE])

Upcoming stories

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

- **Balance Billing**
- **Data Mining**
- **Free Choice/Card Check**

GOVERNORS IN BRIEF: Citing ongoing budget shortfalls, **NORTH CAROLINA** Gov. Bev Perdue (D) announced that state workers would have to give back one-half of 1 percent of their salaries by June 30 in exchange for 10 hours of unpaid time off they must use by Dec. 31. The furlough order, which includes teachers, police and social service workers, is expected to save the state about \$65 million. The state is facing a \$3.2 billion budget gap (NEWS AND RECORD [GREENSBORO]). • **ALASKA** Gov. Sarah Palin (R) signed SB 89, legislation that provides temporary state funding for 26 elderly members of the **ALASKA** Territorial Guard, whose pensions were decreased after the military no longer recognized their service guarding the territory from the threat of Japanese attack during World War II. The state action is good through 2010 (ANCHORAGE DAILY NEWS). • **MISSISSIPPI** Gov. Haley Barbour (R) called a special session to formally ask lawmakers to address the state's use of eminent domain to foster private development. The special session will take place this week. Barbour vetoed a measure in March (HB 803) that would have almost eliminated eminent domain use, saying the proposal was too broad and that it would have hurt the state economy (SUN-HERALD [BILOXI]). • **ILLINOIS** Gov. Pat Quinn (D) said he plans to seek re-election next year. Quinn took over the governor's office after former Gov. Rod Blagojevich (D) was impeached earlier this year (ST. LOUIS POST-DISPATCH). • **VIRGINIA** Gov. Tim Kaine (D) ordered an investigation into how a unit of the State Police determined that the Old Dominion's colleges and universities are potential breeding grounds for terrorism. The police report singled out the state's historically black schools and a prominent Christian school for special mention. Kaine called the report "misleading" (VIRGINIAN-PILOT [HAMPTON ROADS]).

— *Compiled by RICH EHISEN*

Hot issues

BUSINESS: The **CALIFORNIA** Senate approves SB 789, which would allow farm worker unions to replace secret ballot elections with a card-check system that lets union organizers submit cards signed by a majority of the

workers asking for representation to state labor authorities. It is now in the Assembly (LOS ANGELES TIMES). • **IOWA** Gov. Chet Culver (D) signs SF 137, which sets a 180-day limit for workers to file equal-pay lawsuits, beginning from the time workers believe they have been victims of discrimination, and allows plaintiffs to sue for double and triple damages, based on severity (DES MOINES REGISTER). • The **NEVADA** Assembly endorses AB 229, which requires cigarette manufacturers to sell only “fire safe” cigarettes, which self-extinguish when not in use. The bill is now in the Senate (LAS VEGAS REVIEW-JOURNAL). • The **OREGON** Senate endorses SB 570, which would require scrap metal dealers to purchase only from a company or agency approved to trade in such metals. The bill also bars dealers from paying in cash, requires them to keep a record of each transaction for a year and notify police if they suspect metal is stolen. It has moved to the House (STATESMAN-JOURNAL [SALEM]). • The **WISCONSIN** Legislature approves SB 20, which would allow workers to seek up to \$300,000 in punitive damages in workplace discrimination cases. It moves to Gov. Jim Doyle (D), who has indicated he will sign it into law (WISCONSIN RADIO NETWORK).

CRIME & PUNISHMENT: The U.S. Supreme Court rules that an arresting officer may search a suspect’s vehicle only if weapons were potentially in reach of that person or if there was reason to believe that the car contained evidence related to the arrest. The ruling upholds a similar decision by the **ARIZONA** Supreme Court (LOS ANGELES TIMES). • The **TEXAS** House endorses HB 1736, which would increase a lump-sum payment given to people who are wrongly imprisoned. Under the measure, the payment would increase from the current rate of \$50,000 to \$80,000 per year of incarceration. It has moved to the Senate (AUSTIN AMERICAN-STATESMAN). • The **COLORADO** Senate endorses SB 241, which requires anyone arrested for a felony to submit a DNA sample to authorities. It has moved to the House (DENVER POST). • The **FLORIDA** Senate approves HB 123, which would permit state and local authorities to arrest human traffickers and charge them with a first-degree misdemeanor. It is now with Gov. Charlie Crist (R) for review (MIAMI HERALD). • Also in **FLORIDA**, the House and Senate endorse SB 344, which would allow police to pull over drivers solely for not wearing a seat belt. Violators face a fine of \$30 plus county fees. The bill has also gone to Crist, who says he will sign it into law (ORLANDO SUN SENTINEL).

EDUCATION: The **NORTH CAROLINA** House approves HB 442, legislation that would require school districts to give parents the option of exempting their children from corporal punishment. The proposal, which would also require school officials to make a “reasonable attempt” to contact a parent before such punishment is used, has moved to the Senate (WINSTON-SALEM JOURNAL). • **GEORGIA** Gov. Sonny Perdue (R) signs HB 229, which requires all Peach State K-12 students to complete an



annual fitness test. Parents will receive a report card on their child's health, similar to the one currently handed out for academics (ATLANTA JOURNAL-CONSTITUTION). • The **CALIFORNIA** Supreme Court upholds a lower court ruling that says private religious schools are not beholden to the state civil rights law that bars businesses from discriminating. The court said the religious schools are social organizations, not businesses, and therefore exempt from the statute (SAN FRANCISCO CHRONICLE). • The **OKLAHOMA** Senate gives final approval to SB 834, which would allow local school districts to decide for themselves which state policies they want to adhere to, such as class size, schedule or school day hours. It has moved to Gov. Brad Henry (D) for review (OKLAHOMAN [OKLAHOMA CITY]).

ENVIRONMENT: The **FLORIDA** Senate refuses to consider a House-endorsed proposal to allow oil and gas drilling within three miles of Sunshine State beaches. Senate leaders said the measure was too complex to be taken up so late in the session (ST. PETERSBURG TIMES). • **CALIFORNIA** air quality regulators approve a proposal to reduce the "carbon intensity" of fossil fuels used in the Golden State by 10 percent by 2020. The plan is part of an effort to adhere to a 2006 law that mandates cutting the state's overall volume of greenhouse gases 25 percent by 2020 (LOS ANGELES TIMES).

HEALTH & SCIENCE: The **OREGON** House approves HB 2358, which bars the free distribution of non-cigarette tobacco products in the Beaver State. It has moved to the Senate (STATESMAN-JOURNAL [SALEM]). • **IOWA** Gov. Chet Culver (D) signs HF 311, which requires health insurers to cover the cost of prosthetic devices. The measure applies only to state-regulated providers (DES MOINES REGISTER). • The **RHODE ISLAND** Senate endorses SB 185, legislation that would license medical marijuana dispensaries. The Ocean State allows patients with a doctor's prescription to smoke pot, but has no legal avenue for those patients to obtain the drug. The measure is now with the House (PROVIDENCE JOURNAL). • The **FLORIDA** House endorses SB 462, which would require Sunshine State pharmacies and clinics to inform state officials within 15 days who received prescription drugs and what was prescribed. The measure, which is intended to stop the practice of "doctor shopping," moves to Gov. Charlie Crist (R) for review (MIAMI HERALD).

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: 159

Number of Intros last week: 4,335

Number of Enacted/Adopted last week: 1,482

Number of Prefiles to date: 31,158

Number of Intros to date: 132,284

Number of Enacted/Adopted overall to date: 18,879

— Compiled By JAMES ROSS
(measures current as of 4/30/2009)
Source: State Net database



SOCIAL POLICY: The NEW HAMPSHIRE

Senate approves HB 436, which would legalize same-sex marriage in the Granite State. It returns to the House for concurrence on changes made in the Senate (CONCORD MONITOR). • The **WASHINGTON** House and Senate endorse SB 6158, a proposal to delay by three years a state law that gives parents five weeks of partially paid time off to care for a new child. The measure is now with Gov. Christine Gregoire (D), who is expected to sign it into law (SEATTLE POST-INTELLIGENCER). • The **COLORADO** House approves SB 88, which would allow same-sex partners of Centennial State government workers to obtain health coverage on the employee’s policy. It is now with Gov. Bill Ritter (D) for review (DENVER POST). • The **INDIANA** General Assembly fails to reach compromise on SB 89, which would have required doctors who perform abortions to have admitting privileges at a hospital. Both chambers approved the bill, but it died when lawmakers could not concur on changes made in the House (INDIANAPOLIS STAR).

In case you missed it

With few exceptions, Republicans have taken a serious beating at both the state and federal level over the last few years. In our April 20th issue of SNCJ, Lou Cannon ponders whether, given President Barack Obama’s popularity holding steady, can the GOP come back?

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

http://www.statenet.com/capitol_journal/04-20-2009/html

POTPOURRI:

OKLAHOMA Gov. Brad Henry (D) signs HB 1368, which bars Sooner State motorists from driving for an extended period of time in the left lane of highway traffic (LAND LINE [GRAIN VALLEY]). • Now-former **KANSAS** Gov. Kathleen Sebelius (D) signs SB 145, which also bars Sunflower State drivers from driving in the left highway lane except for passing another vehicle (LAND LINE [GRAIN VALLEY]). • A federal appeals court in **CALIFORNIA** says that private citizens may invoke the constitutional right to bear arms in challenging state and local gun laws. The decision, the first of its kind in the nation, buttresses a U.S. Supreme Court ruling last year that said the Second Amendment protects an individual’s right to possess guns for self-defense but which did not indicate whether that statute also applied to state and local laws (SAN FRANCISCO CHRONICLE). • The **TEXAS** Senate approves HB 670, which would protect journalists from revealing information in court unless a judge deems it necessary and prosecutors prove the information can’t be reasonably obtained elsewhere. It is now with Gov. Rick Perry (R) for review (DALLAS MORNING NEWS). • The **OREGON** House approves HB 2377, which would ban drivers from using a hand-held cell phone while behind the wheel. The measure is now in the Senate (OREGONIAN [PORTLAND]). • The **TENNESSEE** House approves SB 393, legislation that bars drivers from sending or receiving text messages while behind the wheel. It has returned to the Senate (TENNESSEAN [NASHVILLE]).

– Compiled by **RICH EHISEN**



Once around the statehouse lightly

DALE CARNEGIE HE'S NOT: Boise coffee shop owner Dave Ledgard might want to switch to decaf. As the *Idaho Spokesman-Review* reports, Ledgard recently became enraged when he noticed IDAHO Gov. Butch Otter coming out of a rival java joint across the street. So angry, in fact, that he confronted the governor with some salty language. Ledgard says he was miffed because the competing caffeine dealer is based in WASHINGTON and, as he sees it, the gov should be buying from a locally-based company, not some nefarious out-of-state chain. As might be expected, Ledgard's hissy fit didn't sit well with Otter, who made it clear that he wouldn't be getting his morning jolt from Ledgard's place any time soon. Ledgard, who has since apologized, said, "I guess I witnessed an executive order at the street level."

NO BETTER REASON: Like most states, the NEVADA Legislature these days is absorbed in trying to find ways out of a gaping budget hole. But weary lawmakers recently took a moment to consider another pressing matter: legislation to name an official state bug. As the *Nevada Appeal* reports, Silver State lawmakers unanimously endorsed a proposal to deem the Vivid Dancer Damsselfly — which was nominated by a classroom of Las Vegas fourth graders — the state's top insect. Republican Assemblyman Lynn Stewart lauded the choice, saying the Damsselfly is "a useful insect. It eats mosquitoes and other harmful insects." While a utilitarian purpose is nice, that is not what caught the fourth grader's attention. Kids being kids, they chose it because the fly's blue and silver wings look cool and match the state colors.

BROTHEL BUNNY BLAGO: A federal judge has refused to allow former ILLINOIS Gov. Rod Blagojevich to travel to Cost Rica to participate in the reality TV show "I'm a Celebrity...Get Me Out of Here!" But Blagojevich may not be ready to give up on his boob tube chances just yet. As reported by the *Las Vegas Daily Herald*, the Moonlight Bunny Ranch — a NEVADA brothel featured in the HBO reality series *Cathouse* — has offered the deposed gov an opportunity to serve an apprenticeship in which he "would assist with hiring ladies in addition to facilitating with training and proper disciplinary action." A Blagojevich spokesperson said it was unlikely he would accept, noting the former gov is currently considering many other offers. The spokesperson did not mention what, if anything, Blagojevich is doing to defend himself on the federal corruption charges that got him impeached in the first place.



BAD TIMING IS EVERYTHING: With the swine flu rapidly spreading across the globe, state leaders have rushed to get out in front of the public to assure folks they are working hard to contain the bug. IOWA Lt. Gov. Patty Judge, however, was less than comforting in that role last week when she broke into a prolonged coughing fit during a news conference to outline steps the state was taking to handle the outbreak. Judge managed to croak out, “I don’t have it” before moving off the stage. The video of course made for big laughs that night on the CBS show, *Late Show with David Letterman*. As *Radio Iowa* reports, Letterman also cracked wise about the reaction of “that guy” who was standing behind Judge at the podium before she left. Letterman clearly doesn’t know his state political figures. For the record, “that guy” was IOWA Gov. Chet Culver.

— By RICH EHISEN

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