

Pure Political Power

June 14, 2010



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● The next issue of
 ● Capitol Journal will be
 ● available on June 21st.
 ●

Top Story

*Women have for years
 been slowly clawing their
 way into the political
 pipeline. But in last
 week's primaries, a host
 of female candidates
 and current officeholders
 leapt out of the trenches
 and directly to the
 forefront of their parties'
 national aspirations.*

SNCJ Spotlight

The rise of the women

Entering the tumultuous primary season, the respected political analyst Charlie Cook speculated that 2010 might be the year of the “angry white senior.” Although there are certainly plenty of angry men around, the results of last Tuesday’s primaries suggest that this may turn out to be the year of the angry (and determined) female Republican candidate.

A Cannon Perspective



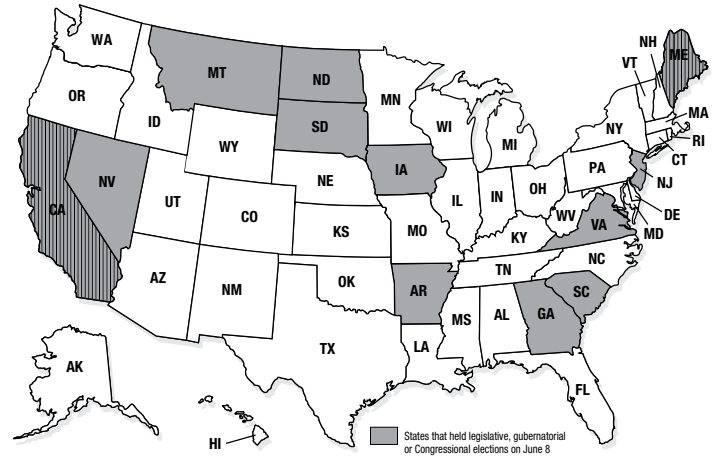
With Lou Cannon

In CALIFORNIA, where the GOP had never before put forward a woman for high statewide office, Republican voters nominated billionaire Meg Whitman, the former eBay chief executive, for governor, and Carly Fiorina, the former CEO of Hewlett Packard, for U.S. Senate. In NEVADA, underdog Sharron Angle, a Tea Party favorite, upset an establishment candidate, also a woman, in the GOP Senate primary. (Both of them outpolled a third, perfectly respectable, male candidate.) Angle will face Senate Majority Leader Harry Reid in November. Still another Tea Party favorite, Nikki Haley, overcame slurs against her virtue and ethnicity to lead the Republican gubernatorial primary in SOUTH CAROLINA. Haley wiped the floor with a slew of male Republicans, falling just short of 50 percent, and will face second-place finisher Rep. Gresham Barrett in a June 22 runoff.

Meanwhile, a Democratic woman had her day in ARKANSAS. Centrist Sen. Blanche Lincoln turned back a challenge in a Democratic primary runoff from liberal Lt. Gov. Bill Halter, who had been favored. Her victory gave heart to incumbents, who have been having a bad year in both parties. Lincoln survived attacks on her left from environmentalists over her closeness to oil companies, liberal activists who proclaimed she was insufficiently supportive of health care reform, and labor leaders furious with the senator's opposition to "card check," which would enable unions to be recognized as a bargaining unit without an election of the workers they seek to represent. Lincoln also weathered attacks from the business community, especially bankers that dislike her support for controlling the much-abused practice of derivatives in the financial reform bill now pending in Congress.

Politically, there are profound differences among the candidates who won Tuesday, but all are part of an ongoing trend that is bringing women into elective

Bird's eye view



Source: Stateline, Washington Post, National Conference of State Legislatures, National Association of Secretaries of State, Federal Election Commission, Ballotpedia

A dozen states hold 'Super Duper Tuesday' elections

Last Tuesday was the busiest election day of the year so far, with 10 states holding primaries. Parties selected nominees for legislative offices in eight states, for governor in six states and for congressional offices in 10. ARKANSAS, meanwhile, held a runoff to settle the May 18 Democratic U.S. Senate primary contest between incumbent U.S. Sen. Blanche Lincoln and Lt. Gov. Bill Halter. And GEORGIA held a special election to fill the former U.S. House seat of Nathan Deal, who resigned to run for governor. In addition, voters in CALIFORNIA and MAINE decided five ballot measures apiece, including high profile initiatives establishing an open primary in the Golden State (Proposition 14) and vetoing tax reforms approved by the Pine Tree State Legislature last year (Question 1).





office at all levels of government. According to the National Conference of State Legislatures, there are currently 1,804 women legislators in the 50 states, 24.4 percent of the total. The percentage has increased slowly but steadily during the past two decades. The most dramatic recent change has been among Republican women seeking higher office, with 14 this year running for the U.S. Senate compared to only three in 2008. Seventeen women presently serve in the Senate; only four are Republicans. There are six women governors, evenly divided between the parties. Since both parties in NEW MEXICO have nominated women, that state will have a female governor for the first time.

Some of the surge in Republican candidacies among women probably is attributable to the star power of Sarah Palin, the former ALASKA governor, who campaigned for Fiorina and Angle. Some of it may also be due to the related phenomenon of the populist Tea Party, whose candidates tend to be political unknowns. But the larger reason for the emergence of women in politics is their advance toward equality in many arenas of business and public life. “Women have come up in politics through state and local government,” says Martha Joynt

“It took a long time to get women into the pipeline.”

Kumar, a professor of political science at Towson State University in Maryland who is at work on a book about the presidential transition from George W. Bush to Barack Obama. “They started out as volunteers. Some of them went into the

work place, seeking careers. In politics they were elected to lower offices and are now moving on to higher ones. It’s a natural progression.” Tim Storey, a political analyst for NCSL, agrees with this narrative, pointing out that several of the women who have run for governor and congressional office came up from the legislature, including Nikki Haley in SOUTH CAROLINA. “It took a long time to get women into the pipeline,” said Storey, who notes that they are still “significantly under-represented” in legislatures and Congress.

Storey also believes that women have an added advantage in a year such as this when incumbency is toxic. “When people visualize a politician, they usually have a man in mind,” Storey said. “Women epitomize the outsiders.” And this is a good year for outsiders in gubernatorial elections. After this week’s primaries in which incumbent Gov. Jim Gibbons of NEVADA lost in the GOP primary, at least 24 governors will be new in 2011. Several other incumbents are in trouble; Storey said the number of new governors could exceed the Depression-era record of 27.

Outsiders most certainly had the edge in the CALIFORNIA primary. In fact, Whitman and Fiorina are so far outside the normal political process that they have rarely voted, an issue for which they have been scorned in the media but that as of yet has had no discernible impact with voters. Both women, and especially Fiorina, face uphill general-election races in a state in which Democrats have a registration edge of a million and a half votes. CALIFORNIA has since 1992 been represented in the

Budget & taxes

FEDERAL BOND PROGRAM BENEFITS STATES — AND WALL STREET: Last year, the Obama administration initiated a federally subsidized bond program under the economic stimulus law to jump start the stalled municipal bond market and help cash strapped state and local governments fund road, school and other construction projects. The program has proven very popular. The Treasury Department reported this month that over \$106 billion in “Build America Bonds” have been issued since April 2009, and the bonds now constitute more than 20 percent of the municipal bond market.

“Build America Bonds have had a very strong reception from state and local governments as a way to provide financing for critical building projects in a way that minimizes costs to taxpayers,” Alan B. Krueger, the Treasury Department’s chief economist, said in a statement.

The bonds have certainly been a boon to state and local governments. They’ve not only revived the municipal bond market, but as a result of the 35 percent subsidy the federal government pays on the interest rate of the bonds directly to the entity that issues them, they’ve also saved local governments and other issuers \$12 billion, according to Treasury Department estimates.

But another big beneficiary of the program has been Wall Street. Goldman Sachs, J.P. Morgan Chase and other investment banks that dominate the U.S. underwriting market have earned \$670 million from selling the bonds, with average commission fees running nearly 20 percent higher than those for traditional tax-exempt bond offerings, according to data from Thomson

Reuters. And the Wall Street firms stand to make millions more under a planned expansion of the Build American Bonds program that is part of a jobs bill recently passed by the U.S. House and now under consideration in the Senate.

But the program’s very success has prompted criticism from some lawmakers, including U.S. Sen. Charles E. Grassley of IOWA, the ranking Republican on the Senate Finance Committee, who has called Build America another bailout package for Wall Street banks. Grassley is also concerned that the program encourages governments to pile up debt.

Steve Ellis of Taxpayers for Common Sense, likewise, said the bond offerings are “sweetheart deals for everybody but the taxpayer.”

“The real winners are the banks who are putting together these deals, raking in great fees and trading the bonds in the secondary market.... Investors can turn

“The real winners are the banks who are putting together these deals, raking in great fees and trading the bonds in the secondary market.....”

around, resell and pocket a quick profit. Nice gig if you can get it.”

But Michael Decker, a municipal securities expert at the Securities Industry and Financial Markets Association (SIFMA), said the criticism of bank commissions is overblown and that many have benefited from Build America Bonds.

“It means local and state governments are able to build more roads and other projects at a lower cost,” he said.

E. Lynn Hampton, interim president and chief executive of the Metropolitan Washington Airports Authority, which used Build America Bonds to fund a planned 25-mile Metro extension along the Dulles Toll Road, said the associated bank fees weren’t out of line, given the complexity and newness of the project. She added, “I think over time the fees will come down as taxable investors get more used to these products.”

That appears to be happening already. A year ago, the bank fee for Build America Bonds averaged nearly \$8 per \$1,000, according to Thomson Reuters data. But in the second quarter of this year, the fee averaged \$6.25 per \$1,000, which the Treasury Department said is nearly the same as the average fee charged for traditional municipal bonds over that period. (WASHINGTON POST)

TALE OF TWO STATES ON TAX REFORM:

RHODE ISLAND and MAINE undertook major — and divergent — actions related to tax reform last week.

In RHODE ISLAND, Gov. Don Carcieri (R) signed into law a sweeping tax reform measure — HB 8196/SB 2921, which cleared the General Assembly without a single dissenting vote — reducing the number of tax brackets from five to three, cutting the top rate from 9.9 percent to 5.99 percent, eliminating itemized deductions and most tax credits, and raising standard deduction amounts for most taxpayers. The state’s Office of Revenue Analysis has projected that the plan will reduce taxes for about 60 percent of taxpayers.

“It’s not an overhaul,” said former state Revenue Director Gary Sasse. “It’s like trading the car in: We have a new car.”

In MAINE, in contrast, voters soundly rejected a tax reform plan signed into law by Gov. John Baldacci (D) last year. The plan, which the *Wall Street Journal* hailed as

Upcoming elections

6/10/2010 - 7/01/2010

06/15/2010

Massachusetts Special Election
House 16th Essex

Virginia Special Election

House Districts 26 & 27

06/22/2010

California Special Primary
Senate District 15

Mississippi Primary Runoff

US House (Congressional District 2)

North Carolina Primary Runoff

Senate District 21

US House (Districts 8, 12 and 13)

US Senate

South Carolina Primary Runoff

House Districts 38, 39, 41, 69, 87, 117 and 123

Constitutional Officers:

Governor, Lieutenant Governor, Attorney

General, Superintendent of Education

US House (Districts 1, 3, 4 and 6)

Texas Special Runoff

Senate District 22

Utah Primary Election

House (All)

Senate 2, 3, 4, 5, 7, 9, 11, 12, 15, 17, 18, 21, 22, 26, 28

US House (All)

US Senate

“the Maine Miracle,” reduced the income tax rate from 8.5 percent to 6.5 percent for residents earning less than \$250,000, broadening the sales tax and raising the tax on meals and lodging to replace the lost revenue.

The Maine Revenue Service estimated that nearly 90 percent of Mainers would pay less in taxes as a result of the law. Consequently, the 61 to 39 percent vote in favor of its repeal came as a bit of a surprise to some of its supporters.

“I never thought I’d see the public vote to raise their own taxes.”

“I never thought I’d see the public vote to raise their own taxes,” said Sen. Joe Perry (D).

But the complexity of the tax reform law and voter anger and distrust of the government evidently sunk the law. Many voters said they didn’t trust the government’s analysis of the law’s likely impact on their tax bills. (STATELINE.ORG, PROVIDENCE JOURNAL, BANGOR DAILY NEWS)

BUDGETS IN BRIEF: The Obama administration announced plans last week to give states \$250 million in grants over five years to more closely scrutinize insurance rate increases. UnitedHealth, WellPoint and Aetna Inc., the nation’s largest insurers, have urged regulators to limit the new rate-review plans, which they say could cost them tens of millions of customers a year and potentially drive them out of some markets (INDIANAPOLIS BUSINESS JOURNAL). • Moody’s Investors Service cut **ILLINOIS’** bond rating from Aa3 to A1 because the state has failed to come up with a permanent solution to its financial problems, instead cobbling together a spending plan with a series of one-time fixes (STATE JOURNAL REGISTER). • **NEW YORK** lawmakers approved \$775 million in cuts and other savings from the state’s health care budget last week after Gov. David Paterson (D) inserted the reductions into emergency spending legislation to keep the state government from shutting down. The cuts, which will affect hospitals, nursing homes and a range of health-related programs, represent the first major step in weeks toward an agreement on the state budget, which is more than two months overdue (NEW YORK TIMES).

— *Compiled by KOREY CLARK*

Politics & leadership

PUBLIC EMPLOYEE UNIONS PUBLIC ENEMY NO.1? When NEW JERSEY Gov. Chris Christie (R) told an irate teacher who complained she wasn’t fairly compensated by the state at a town hall meeting last month, basically, that if she didn’t like it, she didn’t have to teach, video of the exchange became a YouTube sensation.

you remind the taxpayers that they're footing the bill for that — they get on the reform train pretty quickly.”

Schwarzenegger is counting on that. He has vowed not to sign a budget that doesn't include pension reform.

“I will hold up the budget. It doesn't matter how long it drags — into the summer or fall or into November or after my administration — and I think the people will support that.” (POLITICO, SALON.COM, NEW YORK POST, WALL STREET JOURNAL)

CA VOTERS EMBRACE 'TOP-TWO'

PRIMARY: Starting next year, instead of holding traditional party primaries, CALIFORNIA will hold a single primary election, open to voters of all parties. The two candidates who receive the most votes, regardless of party affiliation, will advance to the general election.

That at least is the apparent intent of voters who, last Tuesday, overwhelmingly passed Proposition 14, one of the most closely watched of the five measures on the Golden State ballot. Bruce Cain, director of the University of California Washington Center, however, suggested voters weren't totally sure what they were doing last week.

“I don't know that people really knew what they were voting for,” he said.

The high rate of unemployment, record number of foreclosures and palpable level of anger at legislators in the state had primed the pump, Cain said.

“When people get mad,” he said, “they lash out.”

Some drew a comparison with 1978, when widespread anti-tax sentiment led to the passage of Proposition 13, capping the state's property taxes and touching off a national anti-tax revolt. And while supporters have argued that the so-called “top two” primary will give more of an opportunity both to moderate candidates, who tend to be shunned by highly partisan primary voters, and to independents, who now make up 20 percent of the state's voters, critics say Prop. 14 could have a host of unintended consequences, just like Prop 13. They say it could lead to a rise in fringe candidates, for example, as well as the marginalization of small parties.

Ron Nehring, CALIFORNIA's Republican Party chairman, who opposed the proposition along with his counterparts in the state's Democratic and four smaller parties, said the measure will actually transfer power from the mass of primary voters

The week in session

States in Regular Session: CA, DC, DE, LA, MA, MI, NC, NH, NJ, NY, PA, PR, US

States in Special Session: CA “f”, NH “a”, PA “a”

Upcoming Special Sessions:

CT “a” regarding Citizens' Election Program projected to convene 06/21/2010.

WV “b” regarding Education and Other Topics convenes 07/19/2010.

FL “a” regarding Energy Policy - TBA.

States in Skeleton Session: OH

States Currently Prefiling or Drafting for 2011: KY, MT, ND

States Adjourned in 2010: AK, AL, AR, AZ, CO, CT, FL, GA, HI, IA, ID, IL, IN, KS, KY, MD, ME, MN, MO, MS, NE, NM, OK, RI, SC, SD, TN, UT, VA, VT, WA, WI, WV, WY

State Special Sessions Adjourned in

2010: AZ “a”, AZ “b”, CA “e”, CA “h”, KY “a”, MN “a”, MS “a”, NM “a”, NV “b”, OR “a”, TN “a”, WA “a”, WI “b”, WV “a”

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS
(session information current as of 6/11/2010)
Source: State Net database



to a smaller group of party leaders and loyalists who will pick their candidates in conventions and caucuses.

“Ninety-nine percent of the Republicans that were involved in choosing our candidates are now excluded from choosing our candidates,” he said. “In the future this decision will be made by no more than a few thousand and, in most cases, a few dozen.”

The truth is, no one really knows what the actual effects of Prop. 14 will be. What is certain is that CALIFORNIA’s voters liked it. It passed in all but two of the state’s 58 counties, with the only holdouts at the poles of the political spectrum: conservative Orange County and liberal San Francisco. What seems probable is that the measure will result in litigation, with both major parties indicating they are weighing how to block implementation of the measure before it takes effect next year. It is also likely that, just as with Prop. 13, the measure’s passage will spur similar action in other states.

“We in CALIFORNIA have said we’ve got to come to the center, we’ve got to bring everyone together in order to solve problems,” said Gov. Arnold Schwarzenegger (R), a key proponent of Prop. 14. “And I think the rest of the nation eventually will find out this is exactly where the action is.” (NEW YORK TIMES)

POLITICS IN BRIEF: The U.S. Supreme Court issued an emergency order last week blocking **ARIZONA** from giving extra matching funds to political candidates who have opted for public campaign financing and are being outspent by their privately funded opponents, in accordance with the state’s campaign finance law. While some were surprised by the timing of the ruling, coming just two months before the state’s Aug. 24 primary election, others said it’s just another indication of the current court’s animosity toward election spending limits, evidenced by its January decision to lift the federal ban on corporate political spending (LOS ANGELES TIMES). • Five weeks after bolting from the Republican Party to run as an independent, **FLORIDA** Gov. Charlie Crist (I) leads the three-way race for U.S. Senate in a new Quinnipiac University poll. Crist has the support of 37 percent of voters, while 33 percent favor Republican Marco Rubio and 17 percent back Democrat Kendrick Meek (MIAMI HERALD).

— *Compiled by KOREY CLARK*

Governors

GIBBONS MAKES WRONG KIND OF NV HISTORY: Heading into the election last Tuesday, no sitting NEVADA governor had ever lost a primary. But by the time the polls closed that evening, that was no longer the case.



Voters soundly rejected giving Gov. Jim Gibbons (R) a second term, a decision that almost assuredly marks the end of Gibbons’ long political career, which also featured time in the state Assembly and five terms in Congress.

Gibbons was gracious in defeat, saying he was “humbled and grateful for the four years the people of the state of NEVADA have given me as governor” and professing pride in his administration’s accomplishments. But while Gibbons most notably stood firm with his supporters in opposition to tax hikes and increased federal intervention in states’ affairs, he will likely be remembered far more for his scandal-plagued personal life and aloof demeanor, which ultimately alienated even many of his closest allies. Even before his election in 2006, Gibbons faced multiple challenges of his own making, including charges he had drunkenly assaulted a woman in a parking garage. He was also accused of taking \$90,000 in campaign contributions from a defense contractor while in Congress in exchange for securing the company a hefty government contract.

The wheels really came off, however, in 2008 when Gibbons and his wife divorced. The split led to more embarrassing revelations about his personal life, including an alleged affair. The litany of negative press seemed to push him into a shell, and he stayed oddly uninvolved in the 2009 budget process, one of the most challenging in state history.

“Hands down, he will be remembered by historians as our worst governor.”

Gibbons’ fate was never really in doubt. He trailed his GOP primary opponent, former federal judge Brian Sandoval, by double digits for weeks before the election. Sandoval easily routed Gibbons on Tuesday, garnering over 55 percent of the vote to the incumbent’s 27 percent. Many observers expressed empathy for Gibbons, saying he faced almost insurmountable obstacles during his tenure, including the national foreclosure crisis and ensuing economic downturn, but also noted the role he played in his own demise.

“He’ll be remembered for sticking to what he believed in, but I don’t think that’s what the times called for,” said state Sen. Bill Raggio (R), who supported Sandoval.

Guy Rocha, the retired state archivist known for both his deep knowledge of Silver State history and for butting heads with Gibbons over the governor’s efforts to cut funding to the state archives, believes Gibbons will be remembered in a far more negative light.

“Hands down, he will be remembered by historians as our worst governor,” Rocha said.

Because Gibbons doesn’t leave office for almost another seven months, he gets one more piece of state history as well — the longest lame duck period of any outgoing governor. That means Gibbons will also preside over the creation of the state’s next two-year budget, which leaves him with what Rocha calls an “unprecedented” opportunity to impact the voters who just summarily rejected him.



The governor has not offered specifics on what his proposals may look like, but he strongly hinted he will attempt to implement his long standing vision of an austere, pared-down government. “It’s going to look every bit as if the state has been spending far too much money over the last 20 years,” he said. While some observers expressed fear over that cryptic message, others were less concerned.

“For the most part he’s been pretty disengaged as governor until recently. My guess is he probably is going to be disengaged as a lame duck governor,” said Dr. Paul Davis, a political scientist at Truckee Meadows Community College (LAS VEGAS SUN, RENO GAZETTE JOURNAL, NEVADA SECRETARY OF STATE, KOLOTV.COM)

In case you missed it

The final passage of the federal health care overhaul hinged almost entirely on whether the massive reform would allow public money to pay for abortions. Now that battle has moved to the states.

In case you missed it, the article can be found on our Web site at http://www.statenet.com/capitol_journal/06-07-2010/html

MORE GOVS RACES NOW SET: Voters in five other states also went to the polls to choose their gubernatorial candidates last week. Four of those states — CALIFORNIA, MAINE, SOUTH DAKOTA and IOWA – made final selections, while the top two SOUTH CAROLINA GOP primary finishers, Nikki Haley and U.S. Representative Gresham Barrett, will face each other in a runoff for a chance to take on Democrat Vincent Sheheen in November. Former eBay CEO Meg Whitman easily won the CALIFORNIA GOP primary and will face Democrat Jerry Brown, the current state attorney general and a former two-term governor. In SOUTH DAKOTA, Republican Dennis Daugaard and Democrat Scott Heidepriem will seek to follow termed-out Gov. Mike Rounds (R), while in MAINE Republican Paul LePage will challenge Democrat Elizabeth “Libby” Mitchell for the right to succeed outgoing Gov. John Baldacci (D). Another former governor seeking his old job back will get the chance in IOWA, where Republican Terry Branstad, who held office in the Hawkeye State from 1983 to 1999, will take on incumbent Gov. Chet Culver (D). (STATELINE.ORG, STATE [COLUMBIA], SACRAMENTO BEE, WICHITA EAGLE)

BREWER WANTS TO DUMP STATE COMMERCE AGENCY: ARIZONA Gov. Jan Brewer (R) is planning to issue an executive order to replace the state Department of Commerce with a quasi-public agency she says will enhance the state’s efforts to boost its economy. Brewer had pushed Grand Canyon State lawmakers to give her the okay to make the changes, but the Legislature adjourned without that happening. Brewer’s administration believes it has the legal authority to create its proposed new 15-member agency. It may not, however, get a rubber stamp from lawmakers to go along with the rest of the plan. House Majority leader John McComish (R) acknowledged there was “broad acceptance” among lawmakers that the agency needed to be revamped, but said only the Legislature has the ultimate authority to abolish the current Department of Commerce. “I do have questions,



legally, about how much the governor can do by executive order,” McComish said. (ARIZONA REPUBLIC [PHOENIX]).

GOVERNORS IN BRIEF: Governors in 10 East Coast states joined federal authorities last week to form a consortium to promote the development of offshore wind energy. The group, known as the Atlantic Offshore Wind Energy Consortium, consists of **MAINE, NEW HAMPSHIRE, MASSACHUSETTS, RHODE ISLAND, NEW YORK, NEW JERSEY, DELAWARE, MARYLAND, VIRGINIA,** and **NORTH CAROLINA** (BANGOR DAILY NEWS). • **INDIANA** Gov. Mitch Daniels (R) and **ILLINOIS** Gov. Pat Quinn (D) reached an agreement for their two states to team up to build a new superhighway, dubbed the Illiana Expressway, to connect Interstate Highway 55 in **ILLINOIS** with Interstate Highway 65 in the Hoosier State (CHICAGO TRIBUNE). • **GEORGIA** Gov. Sonny Perdue (R) vetoed a series of initiatives championed by his fellow Republicans, including HB 1023, a 50 percent reduction in the long-term tax on capital gains and tax credits for “angel investors,” high net-worth individuals who typically invest in technology startups. Perdue said he wanted to wait until a special council on tax reform lawmakers created this year makes its proposals before the 2011 general legislative session (ATLANTA BUSINESS CHRONICLE).

— *Compiled by RICH EHISEN*

Hot issues

B **USINESS:** The **TENNESSEE** House overrides Gov. Phil Bredesen’s (D) veto of SB 3012, legislation that allows Volunteer State residents with concealed carry permits to bring guns into bars and restaurants that serve alcohol. The Senate had previously overridden the veto, so the bill now becomes law (MEMPHIS COMMERCIAL APPEAL). • Still in **TENNESSEE**, the Senate approves HB 2685, a bill that allows businesses to require their workers to speak English on the job whenever there is a “legitimate business necessity,” such as safety or efficiency. It moves to Bredesen for review (NASHVILLE TENNESSEAN). • **COLORADO** Gov. Bill Ritter (D) vetoes HB 1281, which would have permanently exempted interconnected voice-over-internet-protocol, commonly known as VoIP, from state regulation. Ritter called it “unwise” to ban regulation while the Federal Communications Commission is still determining whether the technology should be regulated at the federal level (COLORADO GOVERNOR’S OFFICE).



CRIME & PUNISHMENT: A LOUISIANA

Senate committee endorses HB 1357, which would make “sexting,” sending nude photos via a cell phone, a crime punishable by a \$100 fine and up to 30 days in jail. The bill, which would only apply to minors, is now with the full Senate (ADVOCATE [BATON ROUGE]).

• **CONNECTICUT** Gov. M. Jodi Rell (R) signs HB 5030, which allows the state to seize any cash or property of criminals convicted of promoting prostitution, human trafficking or sexually exploiting children. The measure also criminalizes the use of interactive computer or Internet services in those activities (CONNECTICUT GOVERNOR’S OFFICE).

EDUCATION: The **TENNESSEE** House and Senate endorse SB 2621, legislation that would make students who participate in extracurricular activities subject to random drug testing. The bill moves to Gov. Phil Bredesen (D) for review (COMMERCIAL APPEAL [MEMPHIS]). • **CONNECTICUT** Gov. M. Jodi Rell (R) signs HB 5164, legislation that requires the state’s public colleges, universities, community-technical colleges and vocational-technical high schools to coordinate the development of a “green technology” curriculum. The schools will also be required to publicize the green jobs training they offer and to work together to develop “career ladders” for the green technology industry (HARTFORD COURANT). • The **OHIO** Board of Education votes to make the Buckeye State the seventh to adopt the Common Core State Standards, an initiative of the National Governors Association to give states common academic standards for math and English. Two days later, **GEORGIA** officials make the Peach State the eighth to sign on. **KENTUCKY, MARYLAND, HAWAII, WEST VIRGINIA, WISCONSIN** and **NORTH CAROLINA** have also agreed to use the standards (COLUMBUS DISPATCH, ATLANTA JOURNAL CONSTITUTION). • A federal appeals court upholds a state law that prohibits non-nursing school employees in **CALIFORNIA** from administering insulin shots to diabetic students even if the school personnel are trained to do so. Opponents of the law are considering an appeal (SACRAMENTO BEE).

ENVIRONMENT: **COLORADO** Gov. Bill Ritter (D) signs HB 1348, legislation that forces uranium mills to clean up existing contamination sites before launching new projects (DENVER POST). • **DELAWARE** Gov. Jack Markell (D) signs SB 234, legislation that requires all First State waste haulers to begin offering every-other-week curbside recycling pickups by Sept. 15, 2011 as part of their regular services (NEWS JOURNAL [NEW CASTLE-WILMINGTON]). • **HAWAII** Lt. Gov. James “Duke” Aiona (D) signs SB 2441, legislation making it a third-degree felony to intentionally harm or kill the endangered Hawaiian monk seal. Violators face five years in prison and a fine of up to \$50,000. Aiona is the acting Aloha State

At Issue in the States

Want to learn more about State Net, our legislative experts or the Capitol Journal staff? Visit our blog, <http://statenet.typepad.com/at-issue-in-the-states/>. It's a great way to find out in a flash what's going on in statehouses across the country...like yours!

governor while Gov. Linda Lingle (R) is in Asia on a trade mission (HONOLULU STAR ADVERTISER).

HEALTH & SCIENCE: COLORADO Gov. Bill Ritter (D) signs HB 1284, which requires medical marijuana dispensaries to be licensed by the state and to grow at least 70 percent of the cannabis they sell. Ritter also signs HB 109, which requires doctors that recommend medical marijuana to complete a full assessment of the patient’s medical history and to be available for follow-up care. The bill also would bar doctors from getting paid by dispensaries for writing recommendations (DENVER POST). • **MISSOURI** Gov. Jay Nixon (D) signs HB 1311, which requires health insurers to cover autism treatment for children 18 and younger. Benefits are capped at \$40,000 annually (ST. LOUIS TODAY).

IMMIGRATION: The **PENNSYLVANIA** House endorses HB 1502, a bill that would bar contractors and subcontractors who hire illegal immigrants from bidding on state construction contracts. Still in the Keystone State, House members also endorse HB 1503, which would authorize the state to pull the license of any contractor who hires undocumented immigrants. The bills would also grant whistleblower protection to workers who report companies that violate the law and require business owners to use the federal E-Verify database to check the legal status of their employees. Both bills move to the Senate (PITTSBURGH POST-GAZETTE). • The **TENNESSEE** Legislature approves HB 670, a bill that would require Volunteer State jails to notify U.S. Immigration and Customs Enforcement when they book prisoners who cannot prove they are legally in the United States. It moves to Gov. Phil Bredesen (D) for review (MEMPHIS COMMERCIAL APPEAL).

SOCIAL POLICY: A federal appeals court upholds a **KENTUCKY** law banning the inclusion of the Ten Commandments in displays that feature multiple religious and government documents at two Bluegrass State courthouses. The court ruled the displays could not provide “a valid secular purpose” (BOWLING GREEN DAILY NEWS).

POTPOURRI: GEORGIA Gov. Sonny Perdue (R) vetoes SB 519, legislation that would have required anyone operating a golf cart on public property to have a vehicle driver’s license. The measure would also have imposed a \$75 fine on motor vehicle operators who fail to get out of the left lane if they are not driving at the posted speed limit (ATHENS BANNER-HERALD). • Still in **GEORGIA**, Perdue also shoots down SB 291, legislation that would have allowed people to carry firearms into the non-federally regulated areas of Atlanta International Airport, one of the busiest in the nation. But Perdue signs SB 308, which allows permit-holders to carry guns into some airport bars and parking lots (ATHENS BANNER-HERALD).



- A **LOUISIANA** Senate committee kills HB 68, which would have allowed Pelican State residents with concealed carry weapons permits to carry guns into church with them (**NEW ORLEANS TIMES-PICAYUNE**).
- The **MASSACHUSETTS** House approves SB 2257, a bill that would raise the minimum age for riding an all-terrain vehicle (ATV) or motorized dirt bike in the Bay State from 10 to 14. The bill moves back to the senate (**CAPE COD TIMES**).

— Compiled by **RICH EHISEN**

Once around the statehouse lightly

MAYBE WE SHOULD LICENSE POLITICIANS: It is no secret that statehouse media coverage is in the midst of an ongoing evolution. Newspapers are on the decline, Capitol bureaus are being shuttered and traditional reporters are often competing now with bloggers, online outlets and even — gasp! — citizen journalists. It is all a bit too much for **MICHIGAN** Sen. Bruce Patterson to take. As *Fox News* reports, Patterson, a constitutional lawyer, recently introduced SB 1323, a bill that would have the Wolverine State regulate journalists just like it does plumbers and hairdressers to ensure scribes are credible and possess “good moral character.” The bill would, among other things, require reporters to have a journalism degree and proof of acceptable ethical standards. Patterson says he doubts the bill will pass and mostly just wants to provoke a public discussion. Sure, starting with why an alleged constitutional expert doesn’t seem to grasp the First Amendment.

END AROUND AND AROUND: In **TEXAS**, politics and football are both contact sports that are all about power and imposing your will on the other team before they can do it to you. Finesse is for wimps. So it was no surprise when lawmakers learned that six college football powers from the Big 12 Conference — including the Universities of Colorado and Oklahoma, Oklahoma State, Texas A&M, Texas Tech and the vaunted Texas Longhorns — were considering becoming part of the Pac-10, they quickly got into the game too. As *Rivals.com* reports, as many as 15 **TEXAS** pols immediately banded together to work behind the scenes to make sure that Baylor University was included in the overhaul, ostensibly pushing out the University of Colorado. Alas, the U of C quickly pulled its own end around, announcing last week that it would be the first team of the six to jump to the new conference.



JUST TASE ‘EM BRO: Yogi and Booboo may want to lay off swiping picnic baskets in ALASKA, where wildlife officials are turning to a new tool in their battle to control Mother Nature’s more uncontrollable critters: the Taser! As the *Juneau Empire* reports, using the Taser — which fires two barbed electrodes into its target, causing it to immediately stop whatever it was doing to prompt being zapped in the first place — is the brainchild of Larry Lewis, a State Fish and Game wildlife technician who got the idea a few years back while being “chased by an angry moose.” Although he and a fellow officer had sidearms, Lewis says his partner instead Tasered the animal, rendering it immobile. ALASKA is currently the only state using the weapon in this way, but Lewis says the practice is now drawing interest from other states as a non-lethal way to control large animals. Hear hear!

ALL IN, ALL OUT: With his chips running low, Paul Hegyi knew he needed to do something big to stay alive in this year’s World Series of Poker in Las Vegas, which features thousands of players in a grueling months-long marathon of no-limit Texas Hold ‘em. So, as *Capitol Weekly* reports, Hegyi, who serves as chief of staff to CALIFORNIA Assemblyman Van Tran, went all in with a pair of pocket 7s. Unfortunately for him, his opponent had drawn a pocket ace-king combo. With the pair Hegyi technically still had the better hand, but his competition drew a straight on the river, sending Hegyi back home to Sacramento. Although he didn’t get a chance to collect the approximately \$8 million the eventual winner will garner, Hegyi did bring home a cool \$15,642. Or as state income tax collectors call it, unexpected revenue!

— By RICH EHISEN

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Editor: Rich Ehisen — capj@statenet.com
Associate Editor: Korey Clark — capj@statenet.com
Contributing Editors: Virginia Nelson, Art Zimmerman
Editorial Advisor: Lou Cannon
Correspondents: Richard Cox (CA), Steve Karas (CA),
Bruce McKeeman (CA), James Ross (CA), Linda Mendenhall (IL),
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