

# Capitol Countdown

August 6, 2007



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● The next issue of  
 ● Capitol Journal will be  
 ● available on August 13th.  
 ●

## Top Story

*Lawmakers consider thousands of bills every year, with only a relative few of those measures destined to become law. Now with all but a handful of statehouses done for the year, we look at how states handled some of the year’s hottest issues.*

## SNCJ Spotlight

### Most ‘early favorite’ issues for 2007 session deliver

Each year, state lawmakers introduce thousands of bills dealing with a multitude of issues. Not all of those issues are invested with the sense of urgency required to spur legislation all the way through the statehouse. Fewer still have the “legs” to accomplish that feat in multiple states. But at the start of this year, there were a number of issues that looked promising. And seven months into the session — with all but a handful of states having adjourned — most of them have lived up to their billing.

## HPV

One of the session's hottest issues actually got off to a fairly quiet start — relatively speaking — with the FDA's approval last summer of the human papillomavirus (HPV) vaccine Gardasil. Thanks in large part to an aggressive lobbying effort by that drug's manufacturer, Merck & Co., more than 20 states introduced legislation at the start of the year to add HPV to the list of diseases school-age children must be inoculated against, such as measles, hepatitis B and polio. The idea was controversial, given that unlike the other diseases for which vaccinations are required, HPV is only spread by sexual contact, but it became far more so when TEXAS Gov. Rick Perry (R) attempted to bypass his state's legislature and mandate HPV vaccinations by executive order.

Perry's action drew widespread criticism and was ultimately reversed by lawmakers, which almost certainly chastened governors and lawmakers considering similar action in other states. Mandatory vaccination bills, in fact, failed in several states, including FLORIDA, HAWAII, MARYLAND, GEORGIA and MISSISSIPPI. Twenty-one states still passed HPV-related bills, according to State Net's legislative database, but most of those measures only created HPV study groups, provided for the distribution of information regarding HPV to the public, required insurers to cover HPV vaccination, or established free voluntary vaccination programs. Only VIRGINIA passed legislation (SB 1320) actually mandating HPV vaccination for school enrollment. INDIANA, meanwhile, passed a bill (SB 327) requiring parents to notify their children's school whether they intend to vaccinate their children or not.

## CREDIT SCORING

Credit scoring is an issue that has been fairly active for the last several years as states have attempted to regulate the increasing use of credit information by auto and home insurers for setting rates. Based on data compiled by the National Conference of State Legislatures, 42 states introduced 141 such bills in 2003, 27 of which passed. The volume of activity dropped off quite a bit the following year (28 states, 58 introductions, 18 passages) but has held fairly steady since. And that trend looked to continue this year, with 83 credit-scoring bills introduced in 31 states. But only 9 of those bills have actually been approved. The reason for that is likely a pair of lawsuits

## The week in session

### States in Regular Session:

CA(Senate), IL, MA, MI, US, WI

### States in Skeleton Session: OH

**States in Special Session:** IL "a", IL "b", IL "c", IL "d", IL "e", IL "f", IL "g", IL "h", IL "i", IL "j"

**States in Recess:** CA (Assembly), DC, NH, NJ, NY, PA

**Special Sessions in Recess:** CT "a", DE "a"

**States Currently Prefiling or Drafting for 2008:** FL, KY, OK

**States Adjourned in 2007:** AK, AL, AR, AZ, CO, CT, DE, FL, GA, HI, IA, ID, IN, KS, KY, LA, MD, ME, MN, MS, MT, NC, ND, NE, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WA, WV, WY

**State Special Sessions Adjourned in 2007:** AK "a", AL "a", FL "a", FL "b", HI "a", KY "a", MS "a", MT "a", NM "a", NV "a", WI "a", WV "a"

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS  
(session information current as of 08/03/2007)  
Source: State Net database

that came before the U.S. Supreme Court in January alleging that two major insurers — Safeco and GEICO — violated the federal Fair Credit Reporting Act by failing to disclose to their customers when they were given less favorable rates than other customers because of their credit scores.

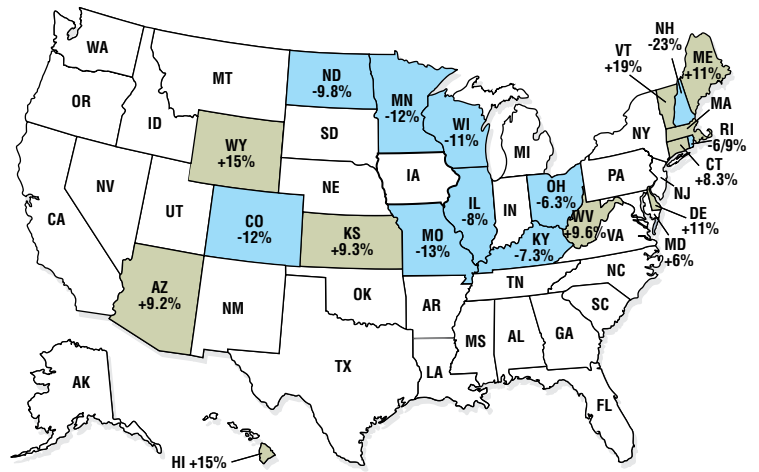
The chilling affect the cases seem to have had on credit scoring legislation while they were pending may only be intensified by their ultimate disposition in June, with the justices ruling unanimously in the insurers' favor. Still, lawmakers in a couple of states were undeterred. In the weeks following the Supreme Court's decision, NEW YORK lawmakers prohibited credit reporting agencies from considering identity theft events (AB 61, later vetoed by Gov. Eliot Spitzer (D)) or credit inquiries (AB 1416) when calculating an individual's credit score, and DELAWARE's General Assembly unanimously passed SS 1 (a substitute for SB

31), barring insurers from denying coverage or setting premiums for new policies based exclusively on credit information and from canceling coverage or raising the premiums of existing policyholders on the basis of credit information at all.

### DATA PRIVACY

Data privacy was also expected to be a major issue in 2007, and state lawmakers did not disappoint. According to State Net's database, more than 200 bills were considered in 39 states this year. Most of the measures required businesses to notify consumers when security breaches occurred, or allowed breach victims to have more control over their credit files afterward. But public furor over a massive security breach at retail giant TJX — which saw computer hackers gain access to the financial information of more than 45 million of its customers — fueled a quartet of much

## Bird's eye view



Source: National Highway Traffic Safety Administration

Biggest percentage increase

Biggest percentage decrease

### Traffic deaths on the decline



Highway fatalities dropped to their lowest level in five years in 2006, according to a recent report by the National Highway Traffic Safety Administration (NHTSA). The report notes that 42,642 people were killed in traffic accidents in 2006, a drop of 868 from 2005. By percentage, the biggest drops came in the District of Columbia and NEW HAMPSHIRE, which each saw a 23 percent reduction. By sheer numbers, the largest overall drop came in MISSOURI, which had 161 fewer highway deaths than in 2005. In contrast, VERMONT saw a 19 percent increase in traffic fatalities, while ARIZONA had the biggest increase in overall traffic deaths, 109. Although CALIFORNIA had 97 fewer highway deaths than in 2005, it still had by far the most traffic fatalities in the nation with 4,236. The accompanying map shows the states with the biggest percentage increase and decline in traffic fatalities.



harsher bills that would have forced retailers to bear the full costs to consumers for security breaches. But while CONNECTICUT approved its breach accountability measure (SB 1089), similar bills in TEXAS (HB 3222), MINNESOTA (SB 1574) and MASSACHUSETTS (HB 213) all came up short.

### **HIRING ILLEGAL ALIENS**

Illegal immigration was predicted to be on many lawmakers' minds as well, particularly in light of the ongoing inability of Congress to pass any meaningful immigration reform. Several states, including GEORGIA and COLORADO, approved bills that greatly restrict access to public services, while TENNESSEE, WEST VIRGINIA, OKLAHOMA and ARIZONA approved measures to impose harsh sanctions against employers that knowingly hire undocumented workers. For example, OKLAHOMA HB 1804 bars undocumented immigrants from receiving public benefits like welfare, allows police to detain illegals and invokes fines against employers who hire them. In addition, the new law also allows Sooner State workers to sue employers for hiring undocumented workers in lieu of legal residents. ARIZONA later chimed in with HB 2779, which requires employers to get rid of undocumented workers or face fines and a loss of their business license. But while Gov. Janet Napolitano (D) signed the measure, she is already considering calling a special session to address some of the bill's flaws, which include the possibility of the Grand Canyon State being forced to shut down hospitals and other essential services that may have illegal employees.

### **REAL ID**

Perhaps no issue raised as many hackles this year as the impending deadline for states to adhere to the federal Real ID Act. That statute requires states to develop uniform tamper-proof driver's licenses, in part by requiring multiple forms of identification from driver's license applicants, verifying that those documents are legitimate and then developing databases to hold the information. All of those databases would then be linked with one another as well as with an overriding federal database. While the federal government has long claimed that meeting the requirements would run states approximately \$100 million, NCSL and others have pegged the implementation costs at over \$11 billion. Ire over cost and potential privacy issues spurred more than a dozen states to pass bills or resolutions opposing implementation of Real ID, with many more still pending.

### **TRANS FATS**

In contrast to Real ID, the anticipated wave of states moving to ban the use of heart-unfriendly trans fats in restaurant kitchens never really materialized. The issue gained national attention last December when New York City banned the artery clogging fats from Big Apple eateries, prompting lawmakers in several states to introduce



legislation to impose similar bans at the statewide level. But the issue turned into far more sizzle than steak, as to date no state has adopted such a measure, although the RHODE ISLAND House did approve a non-binding resolution calling for a statewide trans fat ban in all public eateries. Three states in 2007 — OREGON, NEW JERSEY and TEXAS — also approved legislation restricting the use of trans fats in school cafeterias.

But while the issue has gone from hot to lukewarm, State Net senior analyst Kevin Schmidt says it is definitely not dead, noting that 15 states still have legislation pending either for this year or in holdover for 2008. CALIFORNIA, for instance, has eight trans fat-related measures still under consideration with several months left in its legislative session, while NEW YORK has 19 such bills on their docket.

### **RFID**

Radiofrequency Identification (RFID) is an issue that has been around for some time but has gained new impetus recently as a result of a push to use the technology to ensure the proper distribution of pharmaceuticals from manufacturers to wholesalers and retailers. Over a hundred RFID bills were introduced this year, about half of which were of the electronic “pedigree” drug tracking variety. Eleven of the measures went on to be enacted. In addition, NORTH DAKOTA passed a bill (S 2415) prohibiting the implantation of RFID devices in people.

### **ETHANOL**

Ethanol has become a state-legislative-issue-to-watch lately thanks in large part to federal government regulation. Both Congress’ direct efforts over the last decades to foster a home-grown alternative to foreign oil, like the unprecedented renewable fuels standard (RFS) it passed in 2005, requiring petroleum refiners to increase the amount of ethanol in their gasoline to 7.5 billion gallons per year by 2012, and the indirect effect of such actions as the 1990 Clean Air Act Amendments, which mandated that oxygenates like ethanol be added to gasoline to reduce carbon monoxide emissions, helped create the current ethanol boom—although spiraling oil prices certainly played a role as well.

States have gotten into the act in the last couple of years, passing RFS mandates of their own, as well as addressing some of the downsides of corn-based ethanol, such as, according to some critics, its low net energy balance compared to other alternatives; the generally accepted ceiling on corn-based ethanol production at about 15 billion gallons per year (about a tenth of the amount of gasoline the U.S. consumes annually); and the limited availability of so-called E85 fuel — gasoline blended with up to 85 percent ethanol — at gas stations across the nation. This year, despite Congress’ plans to raise the federal RFS as much as 700 percent by 2030, states introduced 357 bills pertaining specifically to ethanol and passed 53 of them. The enactments consisted mostly of tax credits and grants for the production and use of ethanol as well as other bio- and alternative fuels, state fleet requirements and incentives to facilitate the installation of E85 pumps at gas stations.



## GLOBAL CLIMATE CHANGE

While ethanol and the other aforementioned issues have grabbed their share of national headlines, the highest profile issue of the session is undoubtedly global climate change. It's an issue that has actually been coming on for decades but has been heating up quite a bit in statehouses the last few years, fueled by growing public pressure and federal government inaction. This year has been no exception. Three hundred and sixty three bills pertaining to the issue have been introduced, 29 of which have passed. (Five of the measures have since been vetoed, including a major energy bill that FLORIDA Gov. Charlie Crist (R) nixed in June, a few weeks before issuing three executive orders aimed at reducing the state's greenhouse gas emissions.) In addition, seven bills are still pending in NEW YORK and 21 in global warming legislation poster state CALIFORNIA.

The enacted measures do everything from establish commissions and task forces to study climate change and its potential effects, including rising sea levels (NY A 9002); to provide tax rebates for energy-efficient appliances; to regulate the issuance of air quality permits to electric power generating facilities; to set energy standards for state vehicles and buildings; to create greenhouse gas inventory programs (NV S 422 and WV S 337), cap and trade programs (ME H 1290), interstate pacts (RI H 5577) and emission reduction targets (NJ A 3301); to require global warming index labels on motor vehicles (NY S 4833). "I would say [climate change] is the one issue every state had something to say about," stated Marci Wasserman, a senior analyst on general business issues for State Net, adding that it "is very fashionable and will no doubt stay that way." (STATE NET, NCSL.ORG)

— *Compiled by KOREY CLARK & RICH EHISEN*

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# Budget & taxes

**B**UDGET STALEMATES DRAG ON: Budget battles forced five states to start their new fiscal year July 1 without a new budget. And although two of those states — NORTH CAROLINA and PENNSYLVANIA — have since managed to remedy that situation, standoffs continue in three others: CALIFORNIA, ILLINOIS and WISCONSIN.

In WISCONSIN, the Republican-led Assembly and Democrat-controlled Senate have passed budget plans that differ by about \$10 billion. Last week, a conference committee managed to hammer out the chambers' differences on over 500 budget items, but hundreds of other divisive issues remain.

A temporary budget that had kept ILLINOIS' government operating in July expired last Wednesday, forcing Gov. Rod Blagojevich (D) to appeal to state workers to remain on the job. "With your cooperation, the people who count on state



government will experience no inconveniences,” he wrote in a letter, in which he also vowed that the employees would be paid in full for their time.

One of the key sticking points in the budget negotiations has been the governor’s insistence on a major tax increase to fund a new health care program. “He wants health care. He made that very clear,” said Senate Minority Leader Frank Watson (R), adding, “It’s a costly budget-buster.”

If a budget agreement is not reached by Aug. 8, schools will miss about \$170 million in aid payments and roughly 4,900 public employees will miss their paychecks. But some of Blagojevich’s comments last week didn’t sound too encouraging. “There’s not going to be a budget resolution without a health care plan,” he said, “whether we have to stay here through August to get it done or through September.” He also posed the evidently rhetorical question, “At the end of the day, do people really care whether or not the Cubs win in 14 innings or nine innings?” answering it himself, “It’s whether they win or lose.”

Meanwhile, in CALIFORNIA last week, the Senate failed for the second time to approve the budget the Assembly has passed and Gov. Arnold Schwarzenegger

**“At the end of the day, do people really care whether or not the Cubs win in 14 innings or nine innings?”**

(R) has promised to sign. The upper chamber’s GOP caucus had pledged to vote as a block against the spending plan until a majority favored it. And while one of them — the moderate Sen. Abel Maldonado (R) — broke ranks, the 14 remaining members were just enough to deny the two-thirds majority required to pass the budget, by a single vote.

The Republicans have balked at, among other things, the \$700 million deficit prescribed by the Assembly plan, Senate GOP leader Dick Ackerman stating that his caucus would not “settle for a budget that’s half-baked.” His Democratic counterpart, Senate President Pro Tem Don Perata (D), said that with the Assembly in recess until Aug. 20, negotiations probably wouldn’t resume until then. He appeared to have had enough anyway. “This is a Republican problem, and it’s going to have to be solved by Republicans,” he said. “I’m done.”

Schwarzenegger may soon step into the fray, however. He has pledged to overhaul the state’s health care system. And he’s running out of time to do that, with only three weeks left before the Legislature adjourns for the year. (NEW YORK

**Upcoming elections**

08/02/2007 - 08/23/2007

08/07/2007

**Alabama Special Primary**

Senate District 32

**Minnesota Special Election**

House District 28B (Rep Steve Sviggum)

**Mississippi Primary Election**

Constitutional Officers: Governor, Lieutenant Governor, Secretary of State, Treasurer, Attorney General, Auditor of Public Accounts, Commissioner of Agriculture and Commerce, Commissioner of Insurance

**South Carolina Special Election**

Senate District 44

08/21/2007

**California Special Election**

**Run-Off**

US House (Congressional District 37)



TIMES, CHICAGO TRIBUNE, QUAD-CITY  
TIMES, STATE JOURNAL-REGISTER  
[SPRINGFIELD], SAN JOSE MERCURY  
NEWS)

**US HOUSE PASSES SCHIP BOOST:**

On a largely party-line 225-204 vote, the U.S. House approved a sweeping health care bill last week that would expand the State Children’s Health Insurance Program (SCHIP) and increase benefits for seniors.

The House bill would provide \$50 billion in additional funding for SCHIP over five years, allowing the program to cover about 5 million more children. It would also boost preventive benefits for Medicare recipients and provide more assistance for low-income seniors, with prescription drug costs in

particular. The funding for those initiatives would come from a 45-cent increase in the current 39-cent-per-pack tax on cigarettes and a cut in federal payments to private managed-care plans that participate in Medicare, which Congressional analysts estimate are inflated by 12 percent per beneficiary over the cost of traditional Medicare.

But the House plan still faces major obstacles. The Senate is working on an alternate proposal that would provide \$35 billion over five years for SCHIP by increasing the cigarette tax by 61 cents but making no changes to Medicare. President Bush and GOP leaders oppose both plans, maintaining that they constitute a step toward government-run medicine, so supporters may need a veto-proof compromise to get their way. And there doesn’t appear to be much wiggle room on at least one major issue: trimming funding for managed care, which the health insurance industry says would force about 3 million seniors out of the plans. “If they do that, I’ll be off the bill,” said Sen. Orrin G. Hatch (R), one of the original authors of SCHIP. (LOS ANGELES TIMES)

**BUDGETS IN BRIEF:** Due to the state’s sagging housing market, **FLORIDA** officials are now projecting a \$1.5 billion budget shortfall for the current fiscal year, a larger shortfall than the state faced in 2001 after the Sept. 11 terrorist attacks crippled the state’s tourist industry. The Legislature will convene in special session on Sept. 18 to consider spending cuts (ST. PETERSBURG TIMES). • A federal judge has declared that **CALIFORNIA**’s practice of notifying the rightful owners of property in the state’s possession through generic newspaper ads unconstitutional and barred

**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: 58**

**Number of Intros last week: 380**

**Number of bills enacted/adopted last week: 403**

**Number of prefiles to date: 34,936**

**Number of Intros to date: 151,198**

**Number of enacted/adopted over-all to date: 39,299**

— Compiled By JAMES ROSS  
(measures current as of 08/02/2007)  
Source: State Net database





The Republican-controlled legislature approved Senate Bill 117 in a lame-duck session in mid-December. The measure caps non-economic damages available under the Consumer Sales Practices Act at \$5,000, a figure opponents claim is far too low to discourage unethical companies from taking advantage of consumers, particularly the poor and elderly. Lawmakers sent the measure to then-Gov. Robert Taft (R) last Dec. 27, one day after the session ended. He decided to let it become law without his signature, and former Sect. of State Ken Blackwell filed it on Jan. 5.

But Strickland, new Secretary of State Jennifer Brunner, and Attorney General Marc Dann, all Democrats, argued that the 10-day time period for bills to become law without a gubernatorial signature started when Taft got the bill, not on Dec. 26 when the legislative session ended. They also contended that Sundays and the New Year's holiday should not be counted, thus making the end of the signing period

Jan. 8. Strickland vetoed the bill almost immediately after taking office, prompting Senate President Bill Harris and House Speaker Jon Husted, both Republicans, to file suit.

Although the all-Republican court eventually sided with the GOP on a 5-2 vote, the decision drew a venomous

**“The majority has re-interpreted the Ohio Constitution to allow the General Assembly to destroy the governor’s veto right.”**

and personal dissent from Justice Paul E. Pfeifer, who accuses his colleagues of doing “dirty work” for Taft and the legislature, and reaching a “new level of judicial activism.” Pfeifer also claimed the ruling will allow future legislatures to circumvent the governor by simply adjourning and holding onto bills for 10 days until they become law, noting that “The majority has re-interpreted the Ohio Constitution to allow the General Assembly to destroy the governor’s veto right.” That drew a strong rebuke from Justice Maureen O’Connor, who accused Pfeifer of reacting with “sarcastic scurrility.”

Justice Robert R. Cupp discounted Pfeifer’s dissent, noting in his majority opinion that “The General Assembly does not have constitutional free rein to withhold a bill that it has enacted from timely presentment to the governor.” But that gave little comfort to Strickland, who expressed his own concerns over how the ruling will impact his powers. “I think this decision could have the effect of interfering with the governor’s constitutional right to veto measures, whoever that governor may be,” he said. But Strickland also seemed resigned to the ruling, saying “I think this is an unwise precedent, but the courts have spoken.” (CLEVELAND PLAIN DEALER, COLUMBUS DISPATCH)

**PAWLENTY MAY CALL SPECIAL SESSION OVER BRIDGE COLLAPSE: MINNESOTA** Gov. Tim Pawlenty (R) is considering calling for a special legislative session to deal with last week’s tragic collapse of the Interstate 35W



bridge over the **MISSISSIPPI** River. House Speaker Margaret Anderson Kelliher (DFL) said the state’s portion of the repair costs alone could justify a special session. Although the federal government is expected to pay for the lion’s share of the repair cost, it is also expected to require the state to put up at least 10 percent of those expenditures. Preliminary estimates have ranged from \$250 million to well over \$300 million.

In spite of several reports over the last 15 years warning of serious structural problems with the bridge, Pawlenty (R) said there was no official indication that it was in any danger of collapsing prior to its failure last Wednesday. In 2005, state transportation inspectors rated the bridge a 50 on a scale of 100 for structural stability and classified it as “structurally deficient.” But Pawlenty noted that state officials were told only to monitor the bridge while they worked on a future replacement. “There was no call by anyone that we’re aware of that said it should be immediately closed or immediately replaced,” he said. Pawlenty added that the bridge deck was scheduled to be replaced in 2020 at the earliest.

While state and federal officials try to figure out just what caused the bridge to come down, governors in states from MASSACHUSETTS to NEW MEXICO wasted no time in ordering immediate bridge inspections. NEW JERSEY Gov. Jon Corzine (D), for example, said Garden State officials planned to evaluate all 6,400 of the state’s bridges, regardless of whether the structures are maintained by state, local or federal governments. (ASSOCIATED PRESS, ST. PAUL PIONEER PRESS, MINNEAPOLIS STAR TRIBUNE)

**CRIST MIFFED OVER INSURANCE:** Openly wondering if insurers are colluding to keep the cost of home insurance policies high, **FLORIDA** Gov. Charlie Crist (R) has asked state lawyers to investigate what action the Sunshine State can take to force insurers to lower their rates. State Insurance Commissioner Kevin McCarty has also asked his staff to investigate the relationship between insurers and the reinsurance industry, which is not regulated by the state. Reinsurance costs can make up 90 percent of the premium for some homes. During a special in session in January, lawmakers attempted to mitigate high reinsurance prices by offering primary insurers access to a \$16 billion state hurricane protection fund, with the requirement that any savings be passed to consumers. But expected consumer savings have not panned out, and many insurers are even requesting price increases as high as 226 percent. (TALLAHASSEE DEMOCRAT, ST. PETERSBURG TIMES)

**GOVERNORS IN BRIEF:** Spurred by a gruesome home invasion robbery and triple murder that became national news, **CONNECTICUT** Gov. M. Jodi Rell (R) last week ordered state parole officer to conduct random unannounced visits to all

## Upcoming stories

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

- **Battling bullying**
- **Congestion pricing**
- **The illicit scrap metals trade**



paroled burglars convicted of breaking into occupied homes. Rell said she also plans to ask lawmakers to reclassify such offenses as violent crimes, meaning offenders must serve at least 85 percent of their sentences before parole is a possibility (HARTFORD COURANT). • **VIRGINIA** Gov. Tim Kaine (D) said he is not interested in running as a vice presidential candidate in the 2008 presidential election. Speaking on his weekly radio show, Kaine responded to a caller question by saying he would support either former Old Dominion Gov. Mark R. Warner or current U.S. Sen. Jim Webb (D) as potential candidates, adding “I have a job until January of 2010” (RICHMOND TIMES-DISPATCH). • **NEW JERSEY** Gov. Jon Corzine (D) signs legislation that will allow Garden State voters to determine if the state will borrow \$450 million over the next decade to fund stem cell research. The ballot measure goes to voters in November (NEWSDAY [NEW YORK]).

## In case you missed it

Hurricane Katrina focused attention on the need for states to account for evacuating pets in their disaster preparation planning. But as we noted in our July 23 issue, this year several states have also started to factor pets into another dangerous situation — domestic abuse.

In case you missed it, the article can be found on our Web site at [http://www.state-net.com/capitol\\_journal/07-23-2007/html](http://www.state-net.com/capitol_journal/07-23-2007/html).

— *Compiled by RICH EHISEN*

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# Hot issues

**B**USINESS: The **CALIFORNIA** Supreme Court upholds a state law that bans the sale of products made with kangaroo leather. Legislation that would overturn the prohibition is pending in the Golden State Legislature (SAN JOSE MERCURY NEWS). • **FLORIDA** Gov. Charlie Crist (R) signs SB 1822, which requires new buildings with fireplaces, fossil fuel-burning heaters or appliances or attached garages to also have carbon monoxide detectors. The measure takes effect on July 1, 2008 (TALLAHASSEE DEMOCRAT). • The **NORTH CAROLINA** House endorses legislation that would allow billboard owners to clear a 375-foot swath of trees and shrubs from in front of billboards, up from the current limit of 250 feet. The bill would also impose hefty fines and other penalties for violators of the new limit. The measure now cuts a path to the Senate (NEWS & OBSERVER [RALEIGH]). • The **NORTH CAROLINA** House also endorses legislation that would require the Tar Heel State’s largest energy suppliers to get at least 12.5 percent of their electricity from renewable sources or energy-conservation measures by 2021. The measure also allows energy providers to bill customers for the costs of new coal and nuclear plants while those plants are still under construction. The bill heads to conference committee to work out differences with a Senate-approved version before it can go to Gov. Mike Easley (D) for review (WINSTON-SALEM JOURNAL).





social service agencies to train welfare recipients for better-paying jobs and train women for work in construction, computer sciences and other jobs traditionally held by men. Critics of the measure contend it did not take into account what jobs were available in a given area (NEW YORK TIMES). • **DELAWARE** Gov. Ruth Ann Minner (D) signs legislation that creates a 211 telephone calling system that allows First State residents to get information on available social services. It is expected to be operational by next spring (NEWS JOURNAL [NEW CASTLE-WILMINGTON]).

**POTPOURRI:** The **NEW JERSEY** Supreme Court rules that Garden State homeowners’ associations may set “reasonable” rules that limit the free-speech rights of community residents. The decision stemmed from a suit brought by residents who objected to restrictions on the display of political signs and what they perceived as unequal consideration in the community newsletter (STAR-LEDGER [NEWARK]). • The **MASSACHUSETTS** Senate unanimously approves legislation that would require children riding in automobiles to be in booster seats until they are at least age 8 or 57 inches tall. Current state law requires the seats only to age 6 or 40 pounds. The proposal moves to the House (BOSTON GLOBE). • The **OHIO** Supreme Court upholds a Buckeye State law that categorizes pit bulls as “vicious dogs.” The court’s decision also validates the right of cities to limit the number of dangerous dogs in a single household (CLEVELAND PLAIN DEALER).

— *Compiled by RICH EHISEN*

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## Once around the statehouse lightly

**T**HIS IS THE WAR ON TERROR? When the going gets tough, the tough call each other names. Or so it often goes when budget deadlines are nigh and lawmakers are on different wavelengths. Such was the case recently in CALIFORNIA, where Republicans are currently dueling with the Democratic majority over — what else? — the Golden State’s chronically overdue budget. As reported by *KCRA 3*, the Sacramento NBC affiliate, Senate Pro Tem Don Perata, a Democrat, accused Republicans of holding the budget hostage, which he then equated to waging “fiscal terrorism” on the state’s citizenry. Apparently not willing to be beaten in a battle of hyperbole, Republican Sen. Dave Cox then led a bevy of his GOP brethren in front of TV cameras to decry the comments...and to show off a picture of Osama bin Laden, which Cox said was to remind reporters “what a terrorist looks like.” Maybe for their next trick they will show everyone what a signed budget looks like.



**NOW THIS IS IMPORTANT:** When WEST VIRGINIA lawmakers recently learned that concession stands at the Charleston minor league baseball stadium sold a “Senator” burger but not a similar “Delegate” burger, House Judiciary Chairwoman Carrie Webster wanted to know why. Although the answer is actually pretty simple — the team was once known as the Senators — the *Charleston Gazette* reports that the owner of the concessions saw a golden opportunity to do some “shameless self promotion” by inviting lawmakers to submit their own recipes for the new sandwich. Among the favorites to win the coveted honor were Delegate Sam Cann’s recipe for a burger that is “70 percent beef, 30 percent pork” and Delegate Bonnie Brown, who suggested it would be more appropriate to replace the current Senator burger with Sloppy Joes.

**YOU BET ON WHAT?** For more than 20 years, the residents of Keister, MINNESOTA have rustled up some fun during the annual Keister Days celebration by playing something called “cow chip bingo.” For the uninitiated, the game consists of letting a...err...fully loaded cow walk onto a grid in a field while people bet on which square Old Bossy will drop her plop. But as reported by the *St. Paul Pioneer Press*, Gopher State gambling officials have cracked down on the event, saying it falls under the category of illegal wagering. It seems the fear is that the bovine gladiators may be easily goaded by bettors into making their deposit in specific areas, which apparently is a no-no. And we hear they don’t tip their servers either.

**I SEE DEAD PEOPLE** in the MISSOURI governor’s mansion. Or so says a new book by a man who has chronicled dozens of allegedly haunted places around the Show Me State. As noted by the *Jefferson City News Tribune*, author Jason Offut says one of the ghostly environs he discovered is the attic at the gov’s residence, where a workman once supposedly saw a shadowy little girl at play. The apparition is allegedly the spirit of Carrie Crittenden, daughter of former Gov. Thomas Crittenden, who served from 1881-1885. Mary Pat Abele, the director of Missouri Mansion Preservation Inc., says the little girl’s ghost is not cause for alarm. “She’s a friendly ghost,” Abele says.

— By RICH EHISEN



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