

September 6, 2010

## The Big Meltdown



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

### Top Story

*A major computer crash recently wreaked havoc in VIRGINIA. Now other states with similar computer systems are wondering if they could be next.*

## SNCJ Spotlight

### VIRGINIA computer crash reverberates beyond Old Dominion

Two weeks ago, a computer data storage unit failed in a warehouse outside of Richmond, VIRGINIA. The crash knocked 485 of the state's 4,800 data servers off-line for over a week, preventing as many as 45,000 people from renewing their driver's licenses, blocking the state from issuing taxpayer refunds and threatening to delay the delivery of food stamps and welfare checks to 380,000 residents.



In all, 26 of the state's 89 agencies were impacted, including the Departments of Motor Vehicles, Taxation, Social Services, Juvenile Justice, and Veterans Services.

Chief Information Officer Sam Nixon said last week that the source of the crash was the failure of a pair of three-year-old memory cards, one of which was supposed to back up the other.

"The thing that is never supposed to happen, happened," he said.

Even more troubling than the failure of the storage drive to some was how long it took to restore the state's networks. That task was largely the responsibility of Northrop Grumman. The Los Angeles-based defense giant won a contract — at \$2.4 billion, the largest ever in VIRGINIA — to

overhaul the state's computer system after a legislative review in 2002 showed it was out of date and increasingly costly to maintain.

The ensuing overhaul has been plagued with problems. A legislative audit released last year indicated the new system had caused problems at just about every state agency that relies on computers.

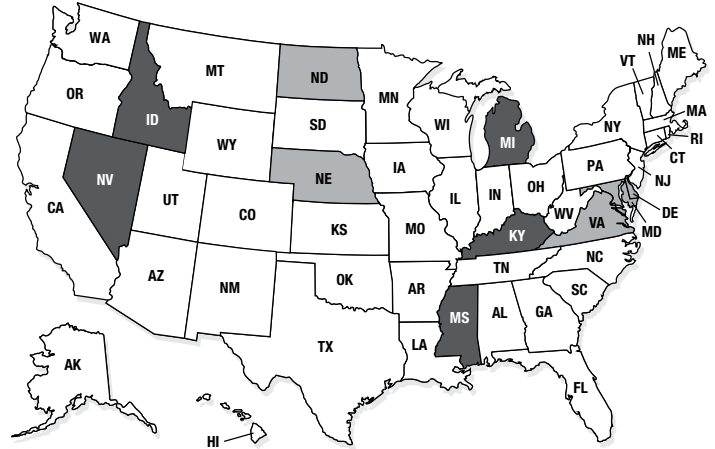
"Big, newly installed systems often have quirks — bugs," said VIRGINIA Del. Joe T. May (R), who chairs the Joint Commission on Technology and Science. "This

turned out to be much more difficult than we thought."

Democrats have seized on this latest incident to attack Gov. Robert F. McDonnell (R). Last year, McDonnell criticized his predecessor, Democrat

Timothy Kaine, for failing to manage the Northrop contract properly, and he pledged to run it more like a business. The Dems aren't satisfied with the solution McDonnell came up with: extending the state's 10-year contract with Northrop three years and committing to pay the company \$100 million more than originally agreed upon but also subjecting it to new penalties for poor performance.

## Bird's eye view



Source: Stateline, Juju.com  
 Legend: Light gray = States with lowest ratio of unemployed workers to jobs; Dark gray = States with highest ratio of unemployed workers to jobs

### DC has strongest online job market

The District of Columbia is the best place to find a job online, according to analysis by Juju.com, a leading job search engine. DC is the only region in Juju's Job Search Difficulty Index for U.S. States that has more jobs posted on the online job site than it has unemployed workers, as reported by the Bureau of Labor Statistics.

Neighboring states MARYLAND and VIRGINIA also have strong online job markets, averaging less than two unemployed workers per listed job. At the opposite extreme is MICHIGAN, where the ratio of unemployed workers to jobs is over 8 to 1.



## "The thing that is never supposed to happen, happened."



“We’re paying Northrop to run modern, quality service — and they have failed to do it every step of the way,” said Sen. Janet D. Howell (D). “At the time, I was angry that the governor extended their contract for three years when they still weren’t performing. The anger is only growing.”

Northrop is reportedly facing a fine of more than \$100,000 for its latest shortcomings. And Gov. McDonnell has also called for an independent, third-party investigation into the crash.

VIRGINIA officials won’t be the only ones anxiously awaiting the results of that inquiry, however. The state’s failed storage units were built by MASSACHUSETTS-based EMC. Industry analysts say the company’s drives are used throughout the financial and governmental worlds and, until now, have been considered very reliable.

“This is surprising — it’s a selling point for them when they talk to a major organization, that this stuff never goes down,” Bill Kreher, a senior technology analyst at the investment firm Edward Jones, said of EMC.

If VIRGINIA’s crash is found to have been caused by flaws in the company’s units, the repercussions could extend well beyond the state.

“People in the industry are watching in horrified fascination as this unfolds,” said Robin Harris, a technology analyst and blogger in ARIZONA. “There’s a lot of ‘there but for the grace of God go I’ kind of thinking.” (WASHINGTON POST)

— *Compiled by KOREY CLARK*

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## Budget & taxes

**GULF STATES PULLING PUNCHES ON BP?** Since the first lawsuits over the BP oil spill reached a federal court in New Orleans in June, seven of the court’s 12 judges have recused themselves, citing conflicts of interest, including ownership of BP stock and relationships with individuals involved in litigation against the company.

The recusals point to a larger reality states along the Gulf Coast are facing in the aftermath of the worst offshore oil spill in U.S. history: They are extremely dependent on the industry responsible for the disaster; it provides thousands of jobs and pumps millions of dollars in tax revenues into the region.

That largely explains why LOUISIANA and TEXAS — states where fishermen, shrimpers, hoteliers and other business owners have suffered huge financial reverses — are suing the Obama administration to lift the ban on deepwater drilling in effect until Nov. 30. The states take the view that the moratorium will only make their devastated economies worse.

“We must protect the delicate balance between the environment and the economy,” LOUISIANA Attorney General Buddy Caldwell (D) said, “but shutting down 33 deepwater rigs, directly impacting more than 35,000 jobs, isn’t the way to go about it.”

ALABAMA Gov. Bob Riley (R) and MISSISSIPPI Gov. Haley Barbour (R) have also asked their attorneys general to hold off on suing BP over the disaster. Instead, they favor filing reimbursement claims — just like individuals affected by the spill — for the time being.

But the states’ governors and attorneys general don’t seem to see eye to eye on the subject. ALABAMA Attorney General Troy King (R), who filed the first state lawsuit against BP, argues that the suit won’t prevent the claims process from going forward and will only ensure that the state has BP’s full attention. MISSISSIPPI Attorney General Jim Hood (D) is considering legal action of his own.

In FLORIDA, the state that might have the most to lose from the oil spill because of its heavy reliance on beach tourism and associated sales taxes, it’s actually Gov. Charlie Crist (I) who’s taken the aggressive stance against the industry in the wake of the spill. He called a special session in July, seeking to impose a permanent ban on offshore oil drilling. State lawmakers, however, quickly rejected that idea and adjourned.

MISSISSIPPI Gov. Barbour’s contrasting position was evidently influenced by the Exxon Valdez oil spill in ALASKA in 1989. Back then, he said, a rush to litigate heightened tensions with the oil industry, leading to years of unresolved claims. In fact, suits over the spill were still dragging through the U.S. Supreme Court as recently as a couple of years ago. (WALL STREET JOURNAL)

**BUDGETS IN BRIEF:** Former NEW JERSEY Education Commissioner Bret Schundler admitted last week that he made a crucial error that cost his state up to \$400 million in federal education funds. Schundler, who was fired from his position last month, said he inadvertently removed crucial data from the state’s Race to the Top application (STAR-LEDGER [NEWARK]). • ILLINOIS’ poor bond rating has cost the state over \$500 million in additional borrowing costs since last year, according to the nonpartisan, Chicago-based Civic Federation (CHICAGO SUN-TIMES). • Federal domestic spending increased 16 percent, to \$3.2 trillion, in 2009,

## The week in session

**States in Regular Session:** MI, PR

**States in Recess:** CA, DC, NJ, NY, PA, US

**Special Sessions in Recess:** CA “f”, CT “a”, CT “b”, DE “b”, PA “a”

**States in Informal Session:** MA

**States in Skeleton Session:** OH

**States in Veto Session:** MO (09/15/2010), NH (10/13/2010)

**States Currently Prefiling or Drafting for 2011:** FL, KY, MT, ND, NV, VA

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

**State Special Sessions Adjourned in 2010:** AZ “a”, AZ “b”, AZ “c”, AZ “d”, CA “e”, CA “h”, FL “a”, HI “d”, HI “e”, KY “a”, MN “a”, MO “a”, MS “a”, MS “b”, NH “a”, NJ “a”, NM “a”, NV “b”, NY “w”, OR “a”, TN “a”, WA “a”, WI “b”, WV “a”, WV “b”

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS  
(session information current as of 9/3/2010)  
Source: State Net database



the Census Bureau reported last week. The record rise in spending — the largest since the Census Bureau began tracking it in 1983 — was largely due to the boost in aid to the unemployed and the federal economic stimulus package (WASHINGTON POST).

— *Compiled by KOREY CLARK*

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# Politics & leadership

**PINCHING PENNIES AT THE POLLS:** The passing of Democratic U.S. Sen. Robert Byrd in June was a great loss to his home state of WEST VIRGINIA in more ways than one. The state had already held its 2010 primary election in May, so it was forced to incur the additional expense of a special primary on Aug. 28th — a Saturday — at a time when budget pressures have rarely been greater.

“Every budget year, you have one election,” said Wood County Clerk Jamie Six before last month’s election. “This time, we’re going to have two elections. We’ll have the special election, and then we’ll have the November election. We’re using our November dollars — our November budget — for the special election.”

WEST VIRGINIA’s situation may be unusual, but it isn’t the only state concerned about election expenses. In a big election year that’s also a tough budget year, election officials across the country are looking for ways to cut costs.

Columbiana County, OHIO recently combined 10 precincts with larger ones. Kim Meek, deputy director of the county’s board of elections, explained that with each precinct costing about \$500 to operate, the savings from consolidating precinct locations can add up, especially over time.

“It’s not just one election and we’re over it,” she said. “It’s a total cost savings of \$10,000 a year. If you go out 10 years, it’s going to save us 10 times 10. It’s a lot of money.”

ARIZONA recently changed its election laws to relieve election officials of having to send sample ballots 11 days before an election to the roughly 800,000 voters registered for early voting, who already receive mail-in ballots 26 days before the election.

“It caused voter confusion, as well as cost us hundreds of thousands of dollars each cycle,” said Tammy Patrick, federal compliance officer for Maricopa County.

Grand Forks County, NORTH DAKOTA, weighed eliminating early voting altogether this year. Auditor Debbie Nelson said the county spent about \$15,000 on early voting in the 2008 election cycle and there was no significant increase in voter turnout.

In some financially struggling counties, no amount of savings is too small to consider. Members of the board of elections in Seneca County, OHIO will vote this



month on whether to let their memberships with the Ohio Association of Election Officials lapse, saving the county \$808.16 (STATELINE.ORG).

### MURKOWSKI BOWS OUT OF AK SENATE

**RACE:** U.S. Sen. Lisa Murkowski (R-ALASKA) conceded defeat last week to her “tea party”-backed and Sarah Palin-endorsed rival Joe Miller in her state’s Aug. 24th Republican primary. The unexpectedly close race had been hung up for a week, while early, absentee and contested ballots were counted. Murkowski managed to make up a little ground on her opponent over that time, but she decided on Aug. 31st it wasn’t enough to keep on fighting.

“Based on where we are right now, I don’t see a scenario where the primary will turn out in my favor,” she said in her concession remarks.

Murkowski joins six other congressional incumbents — U.S. Sens. Robert Bennett (R-UTAH) and Arlen Specter (D-PENNSYLVANIA), and U.S. Reps. Alan Mollohan (D-WEST VIRGINIA), Parker Griffith (R-ALABAMA), Bob Inglis (R-SOUTH CAROLINA) and Carolyn Cheeks Kilpatrick (D-MICHIGAN) — who haven’t survived the 2010 primary season.

Many reasons have been cited for Murkowski’s defeat, including the Palin- and tea party- factors, low voter turnout, overconfidence on the part of the Murkowski campaign and nepotism: Murkowski was appointed to the Senate in 2002 by her father, ALASKA’s then-Gov. Frank Murkowski, to finish out his unexpired term.

The state’s voters will now decide between the Democratic mayor of Sitka and the Yale-educated lawyer Miller, who is the heavy favorite. (CHRISTIAN SCIENCE MONITOR)

**POLITICS IN BRIEF:** Nearly 5,800 deceased Ohioans remain on the state’s voter rolls, according to analysis by *The Columbus Dispatch*. The OHIO Secretary of State’s office and county election officials said they are confident human errors and computer issues are to blame and that none of the dead has actually cast a ballot (COLUMBUS DISPATCH). • MASSACHUSETTS State Treasurer Timothy P. Cahill acknowledged last week that his campaign committee has failed to pay an estimated \$15,000 in state income taxes over the past decade. Cahill, who has attempted to cultivate an image as a watchdog of the public’s finances, vowed to pay the taxes immediately (BOSTON GLOBE). • The MISSOURI Secretary of State’s office vowed last week to appeal a county court’s order to place a proposed constitutional amendment, prohibiting the levying of taxes on real estate transfers, on the Nov. 2 ballot. The state claims backers of the measure failed to gather the number of signatures in six of the state’s nine congressional districts required for constitutional amendments (JEFFERSON CITY NEWS TRIBUNE). • FLORIDA’s

## Upcoming stories

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

- Time to bag plastics?
- Lou Cannon’s global perspective
- Ballot measure previews



state Supreme Court affirmed lower court rulings last week striking three measures from the state’s November ballot. The measures would have removed some restrictions on the Legislature during redistricting (Measure No. 7), prohibited the state from participating in any health insurance exchange that forces residents to buy insurance (Measure No. 9) and provided extra tax breaks to first-time home buyers (Measure No. 3) (MIAMI HERALD). • **MARYLAND** Sen. Ulysses Currie (D) relinquished his post as chairman of the Senate’s powerful budget committee last week, after being indicted by a federal grand jury on bribery, mail fraud and other criminal charges. Prosecutors allege Currie accepted payments to help the Shoppers Food Warehouse chain expand in the state (BALTIMORE SUN).

– *Compiled by KOREY CLARK*

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# Governors

**C**HRISTIE SAYS NO OBAMA APOLOGY FORTHCOMING: NEW JERSEY Gov. Chris Christie (R) dismissed calls from Democratic Legislative leaders last week that he apologize to President Barack Obama for incorrectly blaming the White House for the Garden State’s failure to garner \$400 million in federal “Race to the Top” grant money.

Christie scoffed at the demands from Democratic state Senate President Steve Sweeney and Majority Leader Barbara Buono, saying “It’s good summer entertainment, but it’s not much more than that.”

The governor also urged lawmakers to cancel hearings they have planned over the affair, saying it is time for everyone to move on. But Dems have so far refused, saying the hearings are needed to determine what happened with the state’s failed bid and the role of an expensive consultant the state hired to oversee the proposal.

The whole thing started on August 24<sup>th</sup> when the state learned it had been passed over in the second round of the Race to the Top competition. At issue was incorrect budget information contained in the proposal, an error that cost the state approximately five points, a fatal flaw given the state missed the cutoff for receiving a grant by a mere three points out of 500.

Christie initially lambasted federal officials over the incident, claiming the Obama administration’s rules were too rigid and accusing them of not allowing NEW JERSEY education chief Bret Schundler to correct the error. He also said the president would have to “explain to the people of the state of NEW JERSEY why he’s depriving them of \$400 million.” But federal officials quickly released a video showing conclusive proof that state officials had never tried to correct the error.

That did not sit well with Christie, who accused Schundler of lying to him. Christie, who some observers have dubbed “Gov. Wrecking Ball,” responded by



firing Schundler the next day. The governor also stood by his criticism of the Obama administration, insisting the rules are too rigid.

Schundler, however, has not been content to go away quietly. The former gubernatorial candidate admitted that he made the critical mistake on the application, but denied lying to Christie about it. He also insisted that he warned the governor beforehand not to blame federal officials, a warning he says Christie ignored.

“When the governor gets rolling, a lot of stuff gets said,” he said.

Schundler also accused Christie of defaming him and lying about his own role in the matter. Schundler released to the media seven pages of e-mails between himself and the governor’s office he says support his version of the events. But Christie dismissed those as well, saying Schundler verbally informed him that he had given the Race to the Top panel updated information, which was not true.

“It is, I think, pretty clear at this point that the truth wasn’t told,” Christie said. “As governor, all you can do with cabinet officers is ask them questions and rely upon the fact that they’re going to give you the straight answers.”

Christie urged Dems to drop the matter — saying anything else was just “playing politics” — but Buono insisted that many questions remain, including why Wireless Generation, a consultant the state paid almost \$180,000 to work on the application, did not catch the mistake before it went to the panel.

“We’re not going to sweep this under the rug just because it’s politically expedient for the governor,” she said. (NEWARK STAR-LEDGER, TRENTONIAN, BLOOMBERG BUSINESSWEEK, NEW YORK TIMES, WALL STREET JOURNAL)

**WYOMING WON’T CHANGE WOLF PLAN:** WYOMING Gov. Dave Freudenthal (D) said he has no intention of modifying the Equality State’s gray wolf management plan in spite of increasing criticism from both federal officials and environmental groups in MONTANA and IDAHO. A federal judge earlier this month rejected a proposal from the U.S. Fish and Wildlife Service to turn over wolf management to IDAHO and MONTANA while leaving the animals listed as an endangered species in WYOMING. U.S. District Judge Donald Molloy ruled that all wolves in the Northern Rockies must be treated as a single population without separate management plans in the three states.

## 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:** 54

**Number of Intros last week:** 178

**Number of Enacted/Adopted last week:** 201

**Number of 2010 Session Prefiles to date:** 20,749

**Number of 2010 Intros to date:** 88,593

**Number of 2010 Session Enacted/Adopted overall to date:** 28,201

**Number of 2009-10 bills currently in State Net Database:** 188,281

— Compiled By JAMES ROSS  
(measures current as of 9/2/2010)  
Source: State Net database



Assistant U.S. Secretary of Interior Tom Strickland later called on WYOMING to change its policy, which allows the wolves to be shot on sight. He said the state should work out a plan in conjunction with its neighboring states rather than insisting on going it alone. But Freudenthal noted that his counterparts, MONTANA Gov. Brian Schweitzer (D) and IDAHO Gov. Butch Otter (R), have not even asked him about the matter.

“It may be that they’ve known me long enough that I’m not going to change my position,” Freudenthal said. (IDAHO STATESMAN [BOISE])

## 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!

**GOVERNORS IN BRIEF:** A CALIFORNIA appeals court rejected a conservative group’s request to require Gov. Arnold Schwarzenegger (R) and Attorney General Jerry Brown, the current Democratic gubernatorial nominee, to defend in federal court the state law barring same-sex marriage. The group seeking the ruling, the Pacific Justice Institute, said it would file an emergency appeal with the state Supreme Court (SACRAMENTO BEE). • **MINNESOTA** Gov. Tim Pawlenty (R) rejected an \$850,000 federal grant for teenage pregnancy prevention last week. Pawlenty turned down the grant, which had no restrictions on use, in favor of a \$500,000 abstinence-only grant that requires \$379,000 in matching state funds (MINNEAPOLIS STAR-TRIBUNE). • Governors at the annual Southern Governors Association meeting told federal officials that states which take the risk and allow offshore drilling should be rewarded more than those who don’t. Governors specifically requested an increase in the percentage of revenues that states receive from royalties on oil and gas well leases. **ALABAMA** Gov. Bob Riley (R) said states would use the additional money to prepare better for environmental disasters caused by an oil spill like the one caused by last April’s explosion of a BP oil rig in the Gulf of Mexico (MONTGOMERY ADVERTISER).

— *Compiled by RICH EHISEN*

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## Hot issues

**B**USINESS: The CALIFORNIA Senate gives final approval to SB 657, which would require Golden State companies with more than \$100 million in gross annual receipts to post on their Web site what efforts they are making, if any, to ensure their suppliers are not using slave laborers. It moves to Gov. Arnold Schwarzenegger (R) for review (LOS ANGELES TIMES). • Still in CALIFORNIA, the Assembly gives its final endorsement to AB 482, which would

prohibit use of credit reports in hiring decisions unless the information is “substantially job-related,” such as for employment in a bank or financial institution, a management position or a law enforcement appointment. It also goes to Gov. Schwarzenegger (SACRAMENTO BEE). • Also in **CALIFORNIA**, the Senate rejects SB 797, which would have banned baby products like sippy cups and bottles that contain bisphenol A, or BPA (SACRAMENTO BEE). • Still in **CALIFORNIA**, lawmakers endorse AB 1650, which would bar persons engaging in investment activities in Iran’s energy market from bidding on or entering into state government contracts. It moves to Schwarzenegger (CALIFORNIA WATCH [SACRAMENTO]). • **CALIFORNIA** lawmakers also endorse SB 967, which would give companies bidding on state contracts a 5 percent preference if 90 percent of the company’s employees are Golden State residents. It also moves to the governor (CALIFORNIA WATCH [SACRAMENTO]). • The **CALIFORNIA** Senate also approve SB 346, which would, beginning in 2014, bar the sale of motor vehicle brake pads containing 5 percent or more of copper. The bill has been sent to the governor for review (STATE NET).

**CRIME & PUNISHMENT:** The **CALIFORNIA** Senate gives final approval to SB 1399, which would create a compassionate release and parole program for prisoners who are permanently medically incapacitated, need 24-hour care, and are not serving sentences of death or life without parole. It now goes to Gov. Arnold Schwarzenegger (R) for review (SACRAMENTO BEE). • Still in **CALIFORNIA**, lawmakers endorse AB 1844, which, among other things, would impose a sentence of life imprisonment without parole for some sex crimes against minors and lifetime

parole supervision for habitual sex criminals. It also goes to Gov. Schwarzenegger (SACRAMENTO BEE). • Also in **CALIFORNIA**, the Assembly gives final approval to AB 2479, which would allow paparazzi photographers to be sued for “false

## Upcoming elections

9/02/2010 - 9/23/2010

09/14/2010

### **Delaware Primary Election**

House (All)

Senate 1, 5, 7, 8, 9, 12, 13, 14, 15, 19, 20

Constitutional Officers:

Treasurer, Attorney General, Auditor

US House (All)

US Senate

### **District of Columbia Primary Election**

Council Ward 1, Ward 3, Ward 5, Ward 6;

Member at Large

US House (All)

### **Maryland Primary Election**

House (All)

Senate (All)

Constitutional Officers:

Governor, Lieutenant Governor,

Attorney General,

Comptroller

US House (All)

US Senate

### **Massachusetts Primary Election**

House (All)

Senate (All)

Constitutional Officers:

Governor, Lieutenant Governor,

Secretary of the Commonwealth,

Treasurer, Attorney General, Auditor

US House (All)

### **New Hampshire Primary Election**

House (All)

Senate (All)

Constitutional Officers: Governor

US House (All)

US Senate

### **New York Primary Election**

Assembly (All)

Senate (All)

Constitutional Officers:

Governor, Lieutenant Governor, Attorney

General, Comptroller

US House (All)

US Senate

*(continues on next page)*



imprisonment” if they physically harass someone in order to obtain their photos or audio recordings. It moves to Schwarzenegger (SACRAMENTO BEE).

**EDUCATION:** The **CALIFORNIA** Senate gives final approval to SB 1381, which sets Sept. 1<sup>st</sup> as the date by which Golden State children must turn 5 years old to start kindergarten. It moves to Gov. Arnold Schwarzenegger (R) for review (SACRAMENTO BEE). • Still in **CALIFORNIA**, lawmakers endorse SB 1317, which would make parents who habitually allow their children to skip school subject to criminal misdemeanor charges. The bill also goes to Gov. Schwarzenegger (SACRAMENTO BEE). • The 11<sup>th</sup> U.S. Circuit Court of Appeals upholds a 2006 **FLORIDA** law that bars Sunshine State universities from funding travel to “terrorist” countries, including Cuba and Iran. The court rejected a claim that the statute conflicts with federal law (CHRISTIAN SCIENCE MONITOR).

**ENERGY:** The **CALIFORNIA** Senate fails to approve Assembly amendments made to SB 722, a bill that would have required one-third of the state’s power to come from renewable energy sources like wind or sunlight (LOS ANGELES TIMES).

**ENVIRONMENT:** The Environmental Protection Agency rejects a **TEXAS** regulation that dictates when industrial plants must implement additional pollution controls, saying the rules violate the federal Clean Air Act. The EPA specifically rejected a portion of the rules that allowed new plants to use estimates instead of real data to set emissions limits (HOUSTON CHRONICLE). • **NEW JERSEY** Gov. Chris Christie (R) signs AB 2928, legislation that allows Garden State cities and towns to obtain market- or below-market-rate loans for clean water projects (NEWARK STAR-LEDGER). • **CALIFORNIA** lawmakers endorse AB 2503, which would allow offshore oil drilling rigs due to be retired to be converted into artificial reefs for fish and other marine life. It moves to Gov. Arnold Schwarzenegger (R) for review (SACRAMENTO BEE). • Also in **CALIFORNIA**, lawmakers endorse AB 2398, which requires Golden State carpet manufacturers to establish and finance a program to collect, process and recycle waste carpet into secondary products. It also moves to Gov. Schwarzenegger (LOS ANGELES TIMES).

**Upcoming elections (cont.)**  
9/02/2010 - 9/23/2010

**Rhode Island Primary Election**

House (All)  
Senate (All)  
Constitutional Officers:  
Governor, Lieutenant Governor,  
Secretary of State,  
Treasurer, Attorney General  
US House (All)

**Wisconsin Primary Election**

Assembly (All)  
Senate (Odd)  
Constitutional Officers:  
Governor, Lieutenant Governor,  
Secretary of State,  
Treasurer, Attorney General,  
Superintendent of Public Instruction  
US House (All)  
US Senate

09/18/2010

**Hawaii Primary Election**

House (All)  
Senate 2, 4, 8, 9, 10, 11, 13, 14, 15, 19,  
20, 24, 25  
Constitutional Officers:  
Governor, Lieutenant Governor  
US House (All)  
US Senate



**HEALTH & SCIENCE:** The **CALIFORNIA** Senate gives final endorsement to SB 1163, which would require health insurers to provide consumers with 60 days’ notice before increasing premiums. It moves to Gov. Arnold Schwarzenegger (R), who has indicated he will sign the bill into law (CALIFORNIA HEALTHLINE). • Still in **CALIFORNIA**, the Senate rejects AB 2578, which would have required health insurers to obtain approval from lawmakers before raising premiums (CALIFORNIA HEALTHLINE). • Also in **CALIFORNIA**, the Senate gives final approval to SB 220, which would require health insurance policies to cover treatment to help people stop smoking. It goes to Gov. Arnold Schwarzenegger (R) for review (SAN BERNADINO SUN). • Again in **CALIFORNIA**, lawmakers approve AB 2470, which would require health insurers seeking to rescind an insurance policy to first have that rescission approved by an independent review panel. It also moves to the governor (CALIFORNIA WATCH [SACRAMENTO]).

**SOCIAL POLICY:** The **CALIFORNIA** Assembly gives final approval to AB 2199, which eliminates a decade-old law requiring the state to seek a cure for homosexuality. It moves to Gov. Arnold Schwarzenegger (R) for review (SACRAMENTO BEE). • A **TEXAS** appeals court rules that same-sex couples legally married in other states cannot divorce in the Lone Star State. The court also overruled a lower court’s ruling that said the state’s ban on same-sex marriage was unconstitutional (SAN ANTONIO EXPRESS-NEWS).

**POTPOURRI:** The **CALIFORNIA** Senate shoots down AB 1810, which would have allowed the state to keep permanent records of anyone buying a shotgun or rifle (SACRAMENTO BEE). • **CALIFORNIA** Gov. Arnold Schwarzenegger (R) signs SB 535, which directs state officials to issue up to 40,000 new permits to owners of low-emissions vehicles to drive solo in freeway carpool lanes. It also extends to 2015 the lifespan of existing permits (LOS ANGELES TIMES).

— *Compiled by RICH EHISEN*

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# Once around the statehouse lightly

**I**T’S ALL IN THE GAME: The end of a legislative session usually has its share of rituals, some regal and some goofy. A particularly good example of the latter was in display in the **CALIFORNIA** Assembly last week. As the *Sacramento Bee* reports, lawmakers from both parties marked the end of the regular session



by participating in a game of “Legislative bingo,” a little number requiring them to insert oddball words or phrases into floor debates. Examples from last Tuesday’s marathon bill-fest include the use of phrases like “you’re not the boss of me” as well as references to “Humpty Dance,” “cougar pay,” “cheap money shot,” and “Doogie Howser.” Here’s guessing that Golden State residents suffering through yet another torturous budget battle — this year’s budget is already over two months past due — might have inserted a few choice words and phrases of their own.

## In case you missed it

Republicans are heavily favored to win big in this fall’s Congressional and state legislative elections. But even if they do, America will remain a country that is politically split just about down the middle.

In case you missed it, the article can be found on our Web site at [http://www.statenet.com/capitol\\_journal/08-23-2010/html](http://www.statenet.com/capitol_journal/08-23-2010/html)

**PINEAPPLES OR PRAIRIES:** President Barack Obama is not even two full years into his presidency, but the battle is already on over his eventual post-term library. As might be expected, HAWAII officials want any such facility to be located in the Aloha State, where the future president was born and raised. Not so fast, say ILLINOIS officials, who argue that Obama became presidential timber only after moving to Chicago and immersing himself in Prairie State politics. As the *Honolulu Star Bulletin* reports, the HAWAII Legislature has jumped out to an early lead by adopting a resolution urging Obama to choose HAWAII for the site. Officials there are also feverishly working on a design they hope will sway him their way. They also traveled to DC last week to lobby federal officials in the U.S. parks system. ILLINOIS officials have promised to undertake their own lobbying effort “at the proper time.”

**JUST SAY AH:** Or don’t, actually, if you are using it to pronounce “NEVADA.” As any good Silver State resident will tell you, it is pronounced “Ne-VAD-a,” not “Ne-VAH-da” as some out-of-staters like to say. While that may seem trifling to some, it is a big deal to most Nevadans, who are prone to loudly correct folks using the “wrong” pronunciation. But not everyone there is so sensitive. As the *Reno Gazette-Journal* reports, Assemblyman Harry Mortenson, a Las Vegas Democrat, has pre-filed a resolution for 2011 calling on his fellow citizens to be more tolerant of folks who use the offensive vernacular. Mortenson, who is termed out and won’t be around in 2011 to fight for his bill, says he has already heard from scores of people on both sides of the issue, saying “I expected a big controversy and I got it.”

**GOING TO THE DOGS:** If you think things are going to the dogs, well, you may just be right. As the *Washington Post* reports, ALASKA recently became the 10<sup>th</sup> state to name an official state dog. The Last Frontier’s decision was the culmination of a three-year effort by students from an Anchorage grade school, which successfully convinced lawmakers to bestow the honor upon the Alaskan malamute, the largest and strongest of Arctic sled dogs. The *Post* also notes, however, that such matters



are not always taken so seriously. In 1965, a similar bill in the PENNSYLVANIA statehouse prompted lawmakers to “arf” their approval. Forever known as the “barking dog vote,” the measure passed, making the Great Dane the Keystone State’s official canine. Alas, OREGON may soon join the pack. The Portland Oregonian reports an effort is underway there to name the border collie the Beaver State’s official hound.

— By RICH EHISEN

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