



Capitol Journal

News & Views from the 50 States

September 6, 2011

Storm Warning



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● The next issue of
● Capitol Journal will be
● available on September 12th.
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Top Story

Scalded by lingering criticism over a tepid official response to previous disasters, leaders at ever level of government raced to be front and center for Hurricane Irene. The effort likely saved lives, and possible even some careers.

SNCJ Spotlight

Officials get out in front of Hurricane Irene

When the first major hurricane since President Obama took office hit the east coast last month, he made sure not to repeat the major misstep of his predecessor during Hurricane Katrina — or his own after last year's Gulf oil spill: appearing too passive a leader. Cutting his summer vacation a day short, Obama returned to Washington to monitor the response to Hurricane Irene and even sat in on a conference call at the headquarters of the Federal Emergency Management Agency.

“There’s no question that now the expectation is that you get out to the scene as quickly as possible, and that failure to do so becomes a political story,” said Michael Chertoff, who served as Homeland Security Secretary under President George W. Bush.

Officials at the state and local levels seem to have learned that lesson too. Governors and mayors all along the eastern seaboard moved quickly and decisively in dealing with the Category 3 hurricane.

New York Gov. Andrew Cuomo (D) ordered the system-wide shutdown of the Metropolitan Transportation Authority — which carries an average of over five million passengers a day — for the duration of the storm. And New York City Mayor Michael Bloomberg took the unprecedented step of ordering the mandatory evacuation of 370,000 residents in low-lying neighborhoods, beseeching them on radio and television to flee to higher ground.

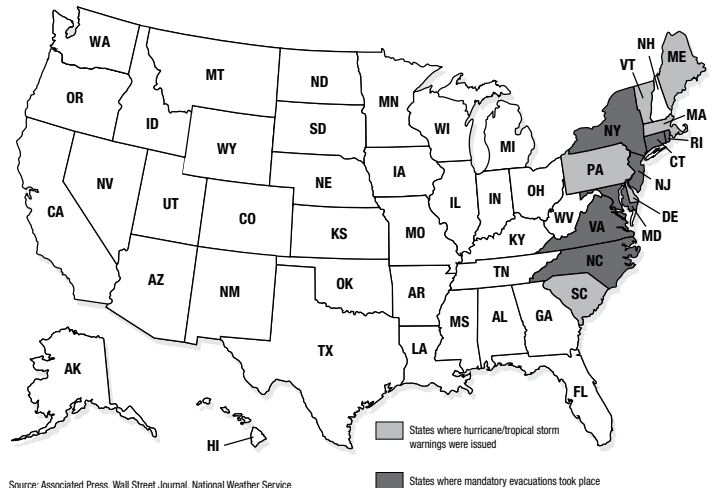
No New York City mayor had ever issued such a broad evacuation order. But the Bloomberg administration had been widely criticized for its poor response to last December’s blizzard; Bloomberg had actually been at his vacation home in Bermuda in the days leading up to that storm. And even after it had become clear the city had escaped the worst of Irene, which had calmed to a tropical storm by the time it arrived, the mayor stood by his decision.

“I think we made exactly the right call,” he said.

New Jersey Gov. Chris Christie (R) had also been out of town during last winter’s snowstorm, and some thought he’d missed a chance to demonstrate his leadership skills under pressure. He didn’t miss this opportunity, however, calling for the evacuation of a million people from the beaches along the state’s coastline in his inimitable style.

“Get the hell off the beach,” he said.

Bird’s eye view



Officials moved aggressively on Hurricane Irene

Government officials took unusually aggressive measures in preparation for Hurricane Irene, including evacuating hundreds of thousands of people from areas in the storm’s path. New York City Mayor Michael Bloomberg, for instance, ordered the mandatory evacuation of 370,000 residents from low lying neighborhoods, and New Jersey Gov. Chris Christie (R) called for the evacuation of a million visitors and residents from that state’s shoreline. Of the more than a dozen states that declared hurricane or tropical storm warnings, mandatory evacuations were carried out in at least seven.





One of those lessons, according to former New Jersey Gov. Tom Kean (R), is that “when there’s a crisis, people expect a governor to be on top of it.”

“Whether or not you can do anything about it, people want you on the scene and people want you talking to people who are in trouble. And if you can’t do anything, at least giving people sympathy...”

Surely, the Eastern officials weren’t motivated solely by career concerns in heeding that lesson, and more important than what they may have gained politically from doing so is what they may have avoided losing. Although the death toll from Irene stood at 45 late last week, Homeland Security Secretary Janet Napolitano suggested it could have been much higher when she said the mass evacuations and other precautions taken by various authorities had “dramatically reduced risk to life.”

(WALL STREET JOURNAL, POLITICO, STAR-LEDGER [NEWARK], MIAMI HERALD, PUBLICPOLICYPOLLING.BLOGSPOT.COM)

— *Compiled by KOREY CLARK*

Upcoming stories

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

- **Education**
- **Health care**
- **The Amazon battle**

Budget & taxes

IRENE COULD BE ONE OF NATION’S COSTLIEST DISASTERS: In the few days that Hurricane Irene lashed the East coast, it flooded cotton and tobacco crops in North Carolina, disrupted shellfish harvesting in the Chesapeake Bay, prevented commuters from getting to work in the New York metropolitan area and forced tourists off beaches up and down the Atlantic Coast at the peak of the summer vacation season.

Late last week, state and local officials all along the eastern seaboard were still too busy clearing debris, restoring electrical service and reopening flooded roads and bridges to tally up the costs of all the damage. But a few offered rough estimates.

“It’s my guess costs will be in the tens of millions,” said New York Gov. Andrew Cuomo (D).

New Jersey Gov. Chris Christie (R) expected the price tag in his state to be much higher.

“I’ve got to imagine that the damage estimates are going to be in the billions of dollars, if not in the tens of billions of dollars,” he said during an interview on NBC’s “Meet the Press.”

Some experts estimate the storm could end up costing \$7-10 billion, which would make it one of the 10 costliest disasters in U.S. history. And analysts say much of

the damage might not actually be covered by insurance because it wasn't caused by winds but by flooding, which is often excluded from standard policies.

But with President Obama having declared emergencies in at least 10 states, a percentage of those costs will likely be covered by the federal government. Federal Emergency Management Agency Administrator Craig Fugate said an emergency declaration "helps offset the costs" states incur "with 75 percent funding from the federal government."

Virginia officials, however, weren't sure their state sustained the catastrophic damage necessary to immediately qualify for federal disaster relief.

"This storm wasn't a catastrophe," said Michael Cline, the state's Coordinator of Emergency Management. "We can't get in a helicopter and fly by and...call the president and say, 'Yeah this one's a go.' What we have to do is go through a damage assessment process."

Christie has asked the federal government to skip that process for his state and, after speaking to the president, he seems confident that will happen.

"He is encouraging Secretary of Homeland Security [Janet] Napolitano to cut the red tape on FEMA stuff so that it can flow even more quickly," he said. "When the president of the United States is making those kinds of assurances, I believe that he's going to be able to get it done, and I think he deserves great credit for the way FEMA operated in this storm."

Any additional expense, however, will be tough for states to bear after yet another year of tough budget cuts.

"It's the last thing we needed now," said Cuomo. "We just came through a tough budget session and we didn't need any additional costs."

What's more, it may be a while before states receive much in the way of federal assistance. FEMA is running out of money; it has less than \$800 million in a special disaster fund, and it was spending \$400 million a month even before Hurricane Irene struck, due to a recent string of disasters, including the tornado that hit Joplin, Missouri in May and the flood in Minot, North Dakota in June. And Congress appears headed for another showdown over supplemental funding for the agency. Republican leaders were calling last week for any new spending on disaster relief to be offset by additional cuts.

"We will find the money if there is a need for additional money, but those monies are not unlimited," said U.S. House Majority Leader Eric Cantor (R-Virginia). "We'll find other places to save so that we can fund the role the federal government needs to play."

Democrats immediately condemned that approach to emergency management.

"Now is not the time for another round of budget politics," said U.S. Rep. David Price of North Carolina, the ranking Democrat on House Appropriations Homeland Security Subcommittee. "Livelihoods and local economies depend on swift relief and assistance in the event of a natural disaster, and the millions of Americans affected

by Irene and other recent events can't afford to wait around while Republicans pick another budget fight with the president by holding disaster relief hostage to further spending cuts."

There are at least a couple of academics, however, who don't seem too worried about the future of the hurricane-damaged region. Professor Joseph Seneca at Rutgers University's Edward J. Bloustein School of Planning and Public Policy said the economic impact of the storm would be neither "permanent nor deep."

"The spike in consumer spending in anticipation of the storm was a short term stimulus, although some of this spending was borrowed from the future," he said.

James Hughes, dean at the same school, said the economic losses would be offset by construction spending.

"Thus, in many cases, the overall economy will be 'rebalanced,' with overall activity minimally impacted," he said. (WALL STREET JOURNAL, REUTERS, NEW YORK TIMES, LOS ANGELES TIMES)

CA GOV UNVEILS JOBS PLAN: While President Obama and U.S. House Speaker John Boehner (R-Virginia) were busy last week sparring over when the president would unveil his plan for reviving the nation's job market, California Gov. Jerry Brown (D) was rolling out a jobs plan of his own.

Brown's aim is to stimulate job growth by granting \$1 billion per year in tax breaks to businesses that invest in new manufacturing equipment and small firms that hire new workers. He wants to pay for the tax breaks by changing the way businesses calculate the taxes they pay the state.

"We know that if you want...jobs, you want to reduce the burden in creating them. This will reduce the burden by a billion dollars a year."

Specifically, the plan would give start-up companies a nearly 4 percent break on the state sales tax they pay on manufacturing equipment and give older firms a 3 percent reduction. In addition, it would make companies with up to 50 employees eligible for the state's tax credit for small businesses that hire new employees; the cutoff is currently 20 employees. And the credit would also be increased from \$3,000 per employee to \$4,000.

The plan would also do away with the current system of calculating business taxes that allows businesses to choose between two formulas and which Brown called a "perverse and outrageous tax incentive" because it reduces taxes for companies that move jobs out of California and raises them for companies that create new jobs within the state.

The components of the plan have already been introduced in the Legislature. But they need Republican support to pass, and that doesn't look to be forthcoming, with GOP members saying the plan violates the governor's campaign pledge not to raise taxes without voter approval.



“We do not believe you need to increase taxes to provide business tax breaks,” said Assembly Republican leader Connie Conway. “If the governor actually believes his tax breaks will stimulate the economy and create jobs, then he should move forward without raising taxes on other businesses. Raising taxes is the worst thing we can do to an economy in decline, and we will fight these taxes every step of the way.”

Sen. Sam Blakeslee (R), meanwhile, said he was open to working with the governor but that he would have to incorporate “some Republican ideas that actually create jobs.” He also noted that since taking office, Brown has proposed raising taxes to generate revenue, to address the state’s “wall of debt” and now to create jobs.

“This governor seems to be obsessed with raising taxes,” he said. (SAN FRANCISCO CHRONICLE)

BUDGETS IN BRIEF: MASSACHUSETTS

Gov. Deval Patrick (D) and legislative leaders agreed on a proposal last month that would license three Las Vegas-style casinos and one 1,250 slot machine gambling hall in the state. The plan marks the third attempt in as many years to legalize casinos in the state, but only the first time that the governor and legislative leaders have worked together on the effort (BOSTON GLOBE). • The **ILLINOIS** Tollway Board approved a plan that will nearly double tolls to pay for a \$12-billion highway construction plan. Under the plan, which will go into effect January 1st, basic I-Pass toll rates will increase from 40 cents to 75 cents (CRAIN’S CHICAGO BUSINESS). • Republican lawmakers in **MINNESOTA** quietly slipped a measure eliminating the popular Market Value Homestead Credit into the hurried budget deal that ended the state’s 20-day government shutdown in July. The change will save the state \$365 million in revenue but cost some homeowners and businesses several hundred dollars more each year in property taxes (MINNEAPOLIS TRIBUNE). • **MISSOURI**’s Republican state auditor, Tom Schweich, filed a lawsuit last month against Gov. Jay Nixon (D) alleging that he violated the state constitution by cutting spending on education and other services to help cover the costs of the Joplin tornado. The lawsuit contends Nixon had no accounting data to justify the cuts, made them before the state budget took effect and did so in a way that was harder on Republican officials than on Democratic ones (JEFFERSON CITY NEWS TRIBUNE). • The Port Authority has approved a \$4.50 toll hike over five years for E-ZPass commuters crossing the bridges and tunnels between **NEW YORK** and **NEW JERSEY** starting

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: 97

Number of Intros last week: 271

Number of Enacted/Adopted last week: 181

Number of 2011 Prefiles to date: 36,732

Number of 2011 Intros to date: 132,419

Number of 2011 Session Enacted/Adopted overall to date: 44,845

Number of Measures currently in State Net Database: 1x51,215

— Compiled By JAMES ROSS
(measures current as of 9/1/2011)
Source: State Net database

next month. The PA had initially proposed an immediate \$4 increase to the current \$8 toll followed by another \$2 boost in 2014 but scaled back that plan at the request of Govs. Andrew Cuomo (D) and Chris Christie (R) (NEW YORK DAILY NEWS).

- **CALIFORNIA** may have to return billions of dollars to the federal government because it failed to spend federal stimulus money in time. As of March 31, \$8.6 billion in stimulus funds remained unspent, according to a report by the state's auditor (ORANGE COUNTY REGISTER). Also in **CALIFORNIA**, Internet retailer Amazon has proposed building two new distribution centers that would bring 1,000 jobs to the state if lawmakers agree to suspend the law requiring it to collect sales taxes from California customers — which took effect July 1st — until January 2014. The offer is the carrot to the company's previously wielded stick: a drive to place a referendum on the new tax law on the state's June 2012 ballot (STATELINE.ORG).
- Last week, Harrisburg, **PENNSYLVANIA's** City Council rejected a fiscal recovery plan proposed by Mayor Linda Thompson. The Council's 4-3 vote marked the second time in as many months that it has blocked a path out of the debt it has been saddled with as a result of a costly municipal incinerator project (BLOOMBERG).
- **OKLAHOMA** Agriculture Secretary Jim Reese said the state's drought will cause nearly \$2 billion in agricultural losses this year, the most ever (OKLAHOMAN [OKLAHOMA CITY]).

— Compiled by *KOREY CLARK*

Politics & leadership

VIRGINIA PRIMARIES SET UP BATTLE FOR CONTROL OF LEGISLATURE: On August 23rd, Virginia voters advanced a slate of party nominees to the state's November general election. Among the higher profile results was Arlington County Board member Barbara A. Favola's easy victory over lawyer Jaime Areizaga-Soto to claim the Democratic nomination for an open Senate seat that includes parts of Arlington, Fairfax and Loudoun counties. Former state delegate and Republican Party leader Jeffrey M. Frederick won a tough battle with small-business owner Tito Munoz — dubbed "Tito the Builder" by Sarah Palin — in the Republican primary for a Senate seat in Fairfax and Prince William counties. And one-time federal lobbyist Alfonso Lopez all but cinched the 49th House District seat by defeating fellow Democrat Stephanie Clifford, with no Republican running in the general election.

But Republicans are hoping to extend their majority in the House of Delegates and take control of the Senate, where Democrats currently hold a 22-to-18 edge,

which would give the GOP control of all three branches of the state's government for only the second time since Reconstruction.

"Our party is as united as it has ever been, and we are offering Virginians qualified conservative candidates in every region of the commonwealth," said Senate Minority Leader Thomas K. Norment Jr. (R).

However, Senate Democrats, who are lagging behind the Republicans in both recruitment and fundraising, claimed the GOP nominees are too conservative to win in November.

"We just cinched our coming back into the majority," said Senate Majority Leader Richard L. Saslaw (D). "It's over." (WASHINGTON POST)

IL DEMOCRATIC PARTY CHAIRMAN IRKS

GOV: Illinois House Speaker and Democratic Party chairman Mike Madigan raised a few eyebrows — those of the state's top Democrat, Gov. Pat Quinn, in particular — when he attended a fundraiser last month for the leadership fund of U.S. House Speaker John Boehner (R-Ohio).

"Frankly I'm disappointed," said Quinn. "I don't think going to see John Boehner at some gathering at a house in Lemont, supporting...the 'John Boehner' fund, sends the right message."

Boehner was raising money for a legal challenge to the map Madigan had actually helped draw gutting Republican congressional districts in the state. Madigan attended the fund-raiser as a non-paying guest of CME Group Executive Chairman Terry Duffy, who hosted the event.

Quinn wasn't any more pleased with Madigan four days later when he was a no-show at Governor's Day at the Illinois State Fair and at all five of President Obama's stops in the state.

"I was disappointed Mike couldn't make that," Quinn said. "I think when the president of the United States is in our state, as he was on that day, I went to Democrat Day in the morning, and I was at the rally briefly, then I got out to see the president in Alpha, Illinois. We're proud of President Obama. He's a great president, and he happens to be a Democrat, and I think when you're chairman of the party, you should stand with the president."

The week in session

States in Regular Session: CA, MI, PR, US

States in Recess: CT, DC, NC, NH, NJ, NY, PA, WI

States in Special Session: CA "a", GA "a", MS "a"

Special Sessions in Recess: CT "a", DE "b", VA "a"

Upcoming Special Sessions:

MO "a" regarding Various Topics convenes 09/06/2011.

NM "a" regarding Various Topics convenes 09/06/2011.

States in Informal Session: MA

States in Skeleton Session: OH

States Currently Prefiling or Drafting for 2012: AL, FL, KY, TN

States Adjourned in 2011: AK, AL, AR, AZ, CO, CT, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MN, MO, MS, MT, ND, NE, NM, NV, OK, OR, PR, RI, SC, SD, TN, TX, UT, VA, VT, WA, WV, WY

State Special Sessions Adjourned in 2011: AK "a", AK "b", AL "a", AZ "a", AZ "b", AZ "c", DE "a", KY "a", LA "a", MN "a", TX "a", UT "a", UT "b", WA "a", WI "a", WV "a", WV "b"

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS
(session information current as of 9/2/2011)
Source: State Net database

Asked if he thought Madigan should remain state Democratic Party chairman, Quinn said only, "Well, that's up to the members."

Madigan didn't comment on the incident himself, but his spokesman, Steve Brown, issued a rather unapologetic statement.

"Pat Quinn is the governor of Illinois because Mike Madigan and the Democratic Party reversed the avalanche that swept across America," he said. "The big message we took from the 2010 election is that voters would like to see more cooperation among Democratic and Republican leaders." (CHICAGO SUN-TIMES)

FL PRISON PRIVATIZATION CHIEF

RESIGNS: Florida Secretary of Corrections Edwin Buss, who was recruited just six months ago to oversee the nation's third largest prison system, including the privatization of facilities in 18 South Florida counties, abruptly resigned last month over "differences in philosophy and management styles" with Gov. Rick Scott (R), according to a statement from the governor's office.

Buss had recently clashed with Scott aides on a couple of issues, including the posting of a \$400 million health care privatization contract on an agency website without running it by the Governor's Office first. That might have been less of a problem if the contract hadn't mandated vendor accreditation by an association run by the husband of the consultant Buss hired to prepare the contract.

Despite Buss's departure, however, the administration said it intends to move ahead with the privatization plan. (MIAMI HERALD, SOUTH FLORIDA SUN SENTINEL, ORLANDO SENTINEL)

PA CORRUPTION PROBE SNARES FORMER HOUSE SPEAKER:

A four-year-long probe of Pennsylvania government corruption has netted one of the commonwealth's most powerful politicians. Former House Speaker John Perzel (R) has entered guilty pleas to eight criminal charges arising out of the misuse of millions of taxpayer dollars to build a high-tech political machine to help House Republicans win elections. Perzel held his legislative seat for 32 years before losing election to a 17th term in 2010. He is expected to be a key prosecution witness against others awaiting trial.

Upcoming elections

9/1/2011 - 9/22/2011

09/06/2011

New Hampshire Special Election
House District Rockingham 14

09/13/2011

Minnesota Special Primary
Senate Districts 46 and 61

Nevada Special Election
US House District 2

New York Special Election
Assembly Districts 23, 27, 54, 73, 116
and 144 US House District 9

09/20/2011

Georgia Special Election
House District 43

Massachusetts Special Election
House District 12th Bristol

Massachusetts Special Primary
House District 3rd Berkshire

New Hampshire Special Election
House District Hillsborough 3

Governors

COLORADO GOV MULLING OLYMPICS BID: Colorado Gov. John Hickenlooper (D) and Denver Mayor Michael Hancock are considering making a bid for the 2022 Winter Olympic Games. But a lingering dispute between U.S. and International Olympic Committee (IOC) officials is threatening to send the effort off the track before it gets started.

“We know what we are capable of doing in Denver; the question is now — do we test it on the Olympics?” Hancock said early last week. “We are ready to take our rightful place on the global stage. Certainly nothing would help us do that greater than the Olympics in 2022.”

Hickenlooper sounded similarly optimistic about that possibility.

“There are so many people here, citizens, people who live in Denver who love the Olympics, and have spent a lot of time working on how would we prepare the state to host an Olympics,” Hickenlooper said. “And to do it in such a way, in the process of doing that we make the state stronger and better.”

That opportunity, however, is already in danger over an ongoing revenue sharing dispute with the IOC. Last week, the United States Olympic Committee said it was pulling out of the bidding on the 2020 Summer Games over the disagreement. Ironically, that action may be helpful to a Denver bid, given that a successful 2020

Games bid would surely have prevented the U.S. from also receiving the following Winter Games.

Denver would also have to overcome its status as the only city to ever turn down an Olympiad. The city was awarded the 1976 Games in 1972 but turned them down after taxpayers resoundingly rejected using public funds to pay for them. Those

games subsequently went to Innsbruck, Austria. Denver also seriously considered a bid for the 2018 Games, but the USOC instead focused its efforts on an ultimately unsuccessful attempt to garner the games for Chicago.

Any actual attempt to earn the games will likely be met with some of the same strong opposition it faced 40 years ago. Former Gov. Dick Lamm (D), who as a lawmaker in 1972 led the charge against accepting the Games, said he still believes hosting the event is a fiscal disaster.

“I still think voters did the right thing,” Lamm said. “The history of the Winter Olympics has been soaked in red ink.”

But Lamm also noted the international prestige of hosting the Games is hard to resist.

“The history of the Winter Olympics has been soaked in red ink.”

“I know that those five...rings are so glittery that they can distort people’s judgment,” he said.

Hickenlooper, however, appears unfazed at the negative aspects of hosting the Games. He also believes hosting the event could help land the state federal transportation dollars for infrastructure improvements that would ease traffic along the state’s notoriously clogged I-70 mountain corridor.

“Were we to do this, the whole state would have to come together and look at all kinds of solutions to things like the I-70 corridor,” he said. He also noted the possibility of using the Games to get additional federal funding for things like health and exercise programs for kids.

“If we are going to make a bid,” Hickenlooper said, “We ought to make sure we have something to show for the investment.” (DENVER POST, COLORADO INDEPENDENT, POLITICO, KDVR.COM [DENVER])

In case you missed it

With the federal government allowing immigration reform to fall by the wayside, states have stepped into the breach with a multitude of policies of their own. The result is a mishmash of plans that may be making the problem worse.

In case you missed it, the article can be found on our website at http://www.statenet.com/capitol_journal/08-22-2011/html#sncl

GOVERNORS IN BRIEF: ILLINOIS Gov. Pat Quinn (D) signed HB 2972, which requires Prairie State governors to submit nominees to head state agencies for Senate review more quickly. The law also prohibits a governor from naming someone an “acting” agency director if that person has already been rejected for a permanent appointment (QUAD-CITY TIMES [DAVENPORT]). • **ALABAMA** Gov. Robert Bentley (R) announced the formation of a group to study the state’s recovery from last April’s devastating tornadoes. The Tornado Recovery Action Council has 19 members and is tasked with gaining a broad understanding of the state’s recovery effort and then reporting those findings to Bentley by next January (BIRMINGHAM NEWS). • **CALIFORNIA** Gov. Jerry Brown (D) reiterated his opposition to so-called “card check” legislation that allows unions to organize farm workers through signed petition cards rather than secret ballots, but he proposed his own package of compromise measures to protect workers from grower interference. Tenets of his proposal include reducing the time by which growers can delay bargaining and allowing for the immediate reinstatement of employees unfairly fired during organizing drives. Brown vetoed card-check legislation (SB 104) in June (SACRAMENTO BEE). • **MONTANA** Gov. Brian Schweitzer (D) was fined \$4,100 by the State Commissioner of Political Practices, who had previously ruled that Schweitzer broke ethics laws when he appeared in a public service radio advertisement during his 2008 re-election campaign (GREAT FALLS TRIBUNE).

— Compiled by RICH EHISEN

Hot issues

BUSINESS: The **CALIFORNIA** Senate approves AB 1319, which would ban the manufacture or sale of baby bottles and cups that contain the chemical bisphenol A (BPA). Supporters claim BPA is linked to negative health effects in young children. The measure returns to the Assembly (SACRAMENTO BEE). • Also in **CALIFORNIA**, the Assembly endorses SB 469, legislation that would require cities and counties to assess the economic impact of so-called “superstores” like Walmart and Target before approving them. The measure moves to Gov. Jerry Brown (D) for review (SACRAMENTO BEE). • **ILLINOIS** Gov. Pat Quinn (D) signs SB 1306, which gives the state Commerce Commission greater regulatory oversight of entities that repossess consumers’ collateral in the case of defaulted loans. The law establishes procedures and sets fees for license applications and permits for repossession business employees (ILLINOIS GOVERNOR’S OFFICE).

CRIME & PUNISHMENT: The **CALIFORNIA** Assembly gives final approval to AB 648, which would require the governor to give at least 10 days of notice to the district attorney in the jurisdiction where the crime occurred before acting on an application for clemency. The measure is now with Gov. Jerry Brown (D) for review (SAN JOSE MERCURY NEWS). • Also in **CALIFORNIA**, the Senate approves AB 353, a bill that would restrict Golden State cities’ ability to impound cars driven by sober people caught at sobriety checkpoints without driver’s licenses. Under the measure, police at the checkpoint would have to release the car to another sober, licensed driver representing the unlicensed driver. The bill returns to the Assembly (LOS ANGELES TIMES). • Still in **CALIFORNIA**, the Senate approves AB 486, which would bar the sale of synthetic chemicals commonly sold as “bath salts.” The measure, which would go into effect immediately, returns to the Assembly (SAN DIEGO UNION TRIBUNE).

EDUCATION: The **CALIFORNIA** Senate approves SB 161, which would allow non-medical school employees to administer anti-seizure medication to epileptic students. The bill returns to the Assembly (SACRAMENTO BEE). • The **CALIFORNIA** Assembly gives final approval to AB 844, which would allow undocumented immigrants at California State University campuses or community colleges to be compensated for positions they hold in student government. The measure goes to Gov. Jerry Brown (D) for review (SACRAMENTO BEE). • Still in **CALIFORNIA**, the Assembly gives final approval to AB 131, which would allow undocumented immigrant students to apply for state-funded student aid

and scholarships. It moves to Gov. Brown for review (SACRAMENTO BEE). • **ILLINOIS** County Judge John Schmidt rules that Gov. Pat Quinn (D) has the legal authority to eliminate salaries for regional school superintendents across the Prairie State. Quinn vetoed around \$10 million in salaries for superintendents and related personnel from this year's budget, saying those wages should be paid from local coffers (CRAIN'S CHICAGO BUSINESS).

ENVIRONMENT: NEW JERSEY Gov. Chris Christie (R) conditionally vetoes SB 2576, legislation that would have imposed a permanent ban on hydraulic fracturing, a natural gas extraction process known as "fracking." Under his veto, the moratorium would last only one year. Lawmakers will consider a veto override (STAR-LEDGER [NEWARK]).

HEALTH & SCIENCE: The author of **CALIFORNIA** AB 52, which would have granted the state Department of Insurance the power to approve or reject health insurance premium hikes, pulls the bill back from further consideration for this year. Assemblyman Mike Feuer (D) says he will bring the measure, which received strong opposition from health officials and the insurance industry, back next year (SACRAMENTO BEE). • **ILLINOIS** Gov. Pat Quinn (D) signs HB 224, which ensures that Prairie State law regarding consumers' ability to appeal certain health insurance claim denials to independent review organizations conforms to minimum consumer protections required by federal law. The law goes into effect immediately (ILLINOIS GOVERNOR'S OFFICE).

IMMIGRATION: U.S. District Court Judge Sharon Blackburn issues a temporary injunction blocking implementation of an **ALABAMA** law that, among many things, allows police to detain anyone they suspect might be in the country illegally. Blackburn said she would issue a final order either permanently blocking the law or allowing it to proceed by September 29th (MONTGOMERY ADVERTISER). • **NEW MEXICO** District Court Judge Sarah Singleton issues a temporary injunction blocking an attempt by the administration of Gov. Susana Martinez (R) to require over 10,000 citizens of foreign countries living in the state to recertify their driver's licenses and verify whether they continue to live in the Land of Enchantment. Singleton halted the program while it is being challenged in court (WASHINGTON POST).

SOCIAL POLICY: U.S. District Court Judge Sam Sparks issues a preliminary injunction blocking a new **TEXAS** law that requires women to receive a fetal sonogram and hear about its results at least 24 hours before an abortion. Sparks said the measure is too vague and violates the U.S. Constitution's First Amendment by improperly requiring doctors and patients to engage in government-mandated speech. Lone Star State Attorney General Greg Abbott (R) filed notice he intends



to appeal the ruling (AMERICAN-STATESMAN [AUSTIN]). • U.S. District Court Judge Thomas Marten orders federal family planning funding to be restored to the **KANSAS** chapter of Planned Parenthood while the organization’s lawsuit seeking to overturn a new state law that strips that funding is in the courts. Lawmakers earlier this year adopted legislation barring the use of federal funds for the group and redirecting the money to other health centers. Planned Parenthood filed suit last month to restore the funding. A judge upheld the request, but the Sunflower State did not immediately release those funds. Marten also ordered the state to issue the funds on a quarterly basis rather than the monthly payments state officials were seeking (KANSAS CITY STAR).

POTPOURRI: The **CALIFORNIA** Assembly endorses SB 702, which requires pets retrieved or adopted from shelters to be implanted with a microchip that identifies the pet’s owners. It goes to Gov. Jerry Brown (D) for review (SAN JOSE MERCURY NEWS). • Also in **CALIFORNIA**, the Senate unanimously approves SB 921, which would give the governor the power to appoint an independent inspector general to oversee the state Military Department. The bill moves to the Assembly (SACRAMENTO BEE). • **ILLINOIS** Gov. Pat Quinn (D) places an amendatory veto on HB 2860, which would have allowed motorcycle riders and bicyclists to go straight through a red light after stopping. Quinn said he wants lawmakers to add a two-minute wait requirement to the measure (QUAD-CITY TIMES [DAVENPORT]).

— *Compiled by RICH EHISEN*

Once around the statehouse lightly

LIFE’S A BEACH: Hurricanes rightfully scare the bejeebers out of most folks located in their path. There are exceptions, however. With Hurricane Irene recently whipping up massive turmoil all along the eastern seaboard, some people simply refused to get out of the way. Some were surfers inspired by the once-in-a-generation waves while others seemed to just be enthralled by the storm’s incoming fury. Whatever the case, it was too much for New Jersey Gov. Chris Christie. In an address posted on YouTube, the always-blunt Christie waxed incredulous that anyone would still be hanging out in the face of the storm, imploring Garden State residents to “get the Hell off the beach,” noting “you’ve maximized your tan.” Thankfully, the cast of Jersey Shore is not filming there this year, so at least a few of the more likely beach tanners were already safe from self-created disaster.



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