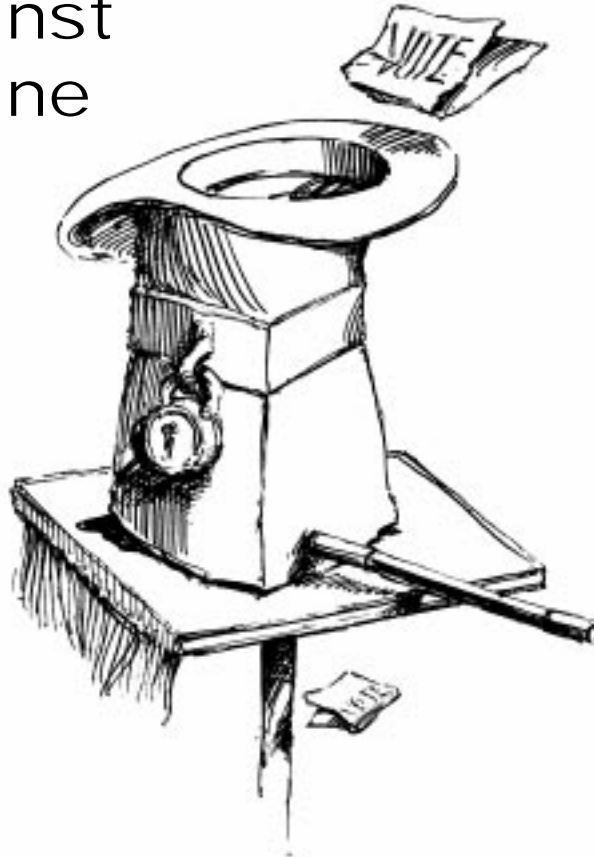


October 11, 2004

Rage against the machine



Budget & taxes

Docking casino boats pays off for IN

6

Politics & leadership

Medical malpractice battle headed for polls

7

Governors

Siegelman back in AL gov race in 2006?

10

Bird's eye view

4

Hot issues

11

Once around the statehouse lightly

13

Top Story

Supporters call electronic voting the answer to FLORIDA-like voting debacles, while opponents claim they are easily defrauded. Now with elections near, nervous states are banking that e-voting is ready for the big time.

SNCJ Spotlight

Will e-voting machines prevent a Florida redux?

When Americans choose between George Bush and John Kerry this November, about one of every six will cast their presidential ballots for the first time on an electronic voting machine. These machines, which are often but not always equipped with touch screens, once seemed to be an obvious solution to the problems that plagued the election of 2000. Lately, though, they have become embroiled in a controversy of their own. November's election

may be the moment when they either rise to the challenge or prove themselves not ready for prime time.

The Presidential election of 2000 focused attention as never before on the mechanics of voting. “Hanging chads” and “butterfly ballots” dramatized the deficiencies of 1960s-era punch-card voting systems. In response, Congress passed the Help America Vote Act of 2002, which authorized \$3.65 billion for the replacement of old punch-card and lever voting machines with newer technology, such as optical scanning devices and touch-screen voting machines.

With that act, lawmakers probably figured they had put the issue of voting technology behind them. But it has come back in a big way this year. On July 13, activists in at least 17 states (including some that have not bought electronic voting machines yet) organized “The Computer Ate My Vote” Day, during which they presented election officials with petitions to require a backup “paper trail” for electronic voting machines. And it’s not only activists who are concerned. In such states as CALIFORNIA, MARYLAND, OHIO, and NEVADA, secretaries of state have either delayed the introduction of electronic voting machines or imposed significant new requirements on them.

Activists argue that electronic voting machines are “black boxes,” and that the voter cannot be sure that the vote he enters will match what the machine records. By comparison, lever machines are also black boxes, but they can be opened up by observers from both parties before and after the vote to make sure the gears and levers are working correctly. No one can check the programming of a computer in the same way.

Compounding the problem, voting machines cannot provide voters with a receipt because Federal law prohibits it. (A receipt could be used in vote-buying schemes.) For privacy reasons, they cannot include a closed-circuit camera or use an identification card. In other words, most of the backup systems that allow you to trust an ATM are unavailable for voting machines.

Rebecca Mercuri, a computer scientist at Harvard’s Kennedy School of Government, has proposed a solution that has become a central rallying cry of the anti-electronic voting movement: a “voter-verified paper audit trail.” In her system, the electronic voting machine would print out the voter’s selections; the voter would check that the machine had recorded them correctly (and change them if necessary). After she approved it, the paper record would be stored in the machine. Later, as needed, officials could review the printed votes and make sure the machine’s electronic totals agreed with the paper totals.

*State Recaps
available this
week on the
State Net Web site*

AK, AL, CA, CO, CT, 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

2003-04 State Session
Recaps showcase legislative
statistics for each state.

Such a system would combine the ease of touch-screen voting, the speed of electronic tallying, and the security of a paper backup.

Last year, a scandal involving the nation's largest manufacturer of electronic voting machines, Diebold Election Systems, confirmed many computer scientists' fears. In early 2003, a journalist named Bev Harris discovered the software for a Diebold voting machine on an unprotected Internet site. The breach of security in a supposedly secret system was bad enough, but worse was yet to come. In July, a team of computer scientists led by Aviel Rubin of Johns Hopkins University analyzed the software and found numerous security flaws, such as inadequate protection against bogus "smart cards" that voters could use to vote more than once. In general, they saw little evidence that Diebold had ever paid serious attention to making its machines tamper-proof. Maryland Governor Robert Ehrlich (R) commissioned two independent evaluations of Diebold's equipment, which confirmed some of Rubin's findings and identified new hardware vulnerabilities as well. Diebold has subsequently upgraded its security in response to the reports, and its machines will be used in November in every Maryland voting district except Baltimore.

Supporters of electronic voting machines make several arguments in their behalf. First, hardly anyone disputes that they are easy to use. Even Rubin, after serving as an election judge in Maryland's March primary, wrote, "One thing absolutely amazed me. With very few exceptions, the voters really LOVED the machines." Electronic machines have a much lower rate of undervotes — in other words, voters who fail to cast a valid ballot — than any other voting technology. Until recently, voting-rights groups, such as the League of Women Voters, strongly supported e-voting because it improves ballot access for disabled voters and non-English speakers. Finally, election officials argue that the integrity of the

The Week in Session

States in Regular Session:

DC, MI, NJ, PA, US

States in Perfunctory Session:

IL (House Only)

States in Recess:

CA "d", CA "e", DE "c", IL (Senate Only), MA, MI (House Only), NY

States in Skeleton Session: OH

Currently Prefiling:

CO(Drafts for 2005)

FL(Drafts for 2005)

IN(Drafts for 2005)

KY(Drafts for 2005)

MT(Drafts for 2005)

NH(Drafts for 2005)

NV(Drafts for 2005)

VA(Drafts for 2005)

States Adjourned:

AK, AL, AZ, CA, CO, CT, DE, FL, GA, HI, IA, ID, IN, KS, KY, LA, MD "2003 session", MD, ME, MN, MO, MS, NC, NE, NH, NM, OK, RI, SC, SD, TN, UT, VA, VT, WA, WI, WV, WY

States in Special Session Adjourned:

AK "a", AR "b", CA "a", CA "b", CA "c", CT "a", CT "b", CT "c", CT "d", DE "a", GA "a", IA "b", IL "a-q", LA "a", ME "a", ME "b", MS "a", MS "b", NY "a", OK "a", OR "a", TX "d", UT "a", UT "b", UT "c", VA "a", VA "b", WA "a", WA "b", WA "c", WI "d", WI "e", WI "f", WI "g", WV "a", WV "b", WY "a"

States with Projected Adjournment:

KY "a"

Letters indicate special/extraordinary sessions

Source: State Net, 10/8/04

vote depends mostly on proper procedures and well-trained poll workers, and that the possibilities for fraud identified by academics are hypothetical.

Last year, though, California Secretary of State Kevin Shelley sided with computer scientists — in a move that surprised and angered several county election officials — by ruling that all machines purchased in 2006 or later must provide a paper trail. After discovering that Diebold had provided machines with uncertified software for the March primaries, Shelley banned all 14,000 Diebold machines from use this November.

Another 14,000 machines from other vendors were “conditionally decertified” until the counties that owned them met 23 additional security conditions (such as providing optional paper ballots). All eleven counties have now met the conditions and will use electronic machines this fall.

Nevada will be the first state to experiment with a voter-verified paper trail on a statewide basis, using machines provided by Sequoia Voting Systems. A September 7 primary with the new machines went smoothly, but the November general election, with its higher turnout, is expected to be a more serious test.

The “battleground state” of Ohio turned out to be a battleground for electronic voting, too. As recently as May, most of the state’s 88 counties were planning to use electronic machines in November, but because of ongoing concerns

Bird's eye view



Trailing the vote

Electronic voting machines have been a source of contention in statehouses all year. So far in 2004, 20 states have considered bills that would make it mandatory for the voting machines to produce a verifiable paper trail. Several states ultimately adopted the legislation, while COLORADO passed a non-binding resolution that strongly encourages them. FLORIDA, the site of one of the most notorious voting mishaps in history during the 2000 presidential election, was one of 14 states to consider but ultimately reject mandatory paper trails. The map above shows how each of the 20 states addressed paper-trail bills this year.





with the security of Diebold machines, Secretary of State Kenneth Blackwell did not allow them. As a result, 69 counties will continue to use old-fashioned punch-card ballots. Only six counties will use (non-Diebold) electronic voting machines.

And what about FLORIDA, the state where the trouble all began? Not surprisingly, punch cards there have gone the way of the dodo. Fifteen counties will use electronic voting machines this fall, while 52 will use optical-scan devices. But Florida still ended up at the front and center of a voting controversy, as a federal judge recently revived a lawsuit challenging the state's touch screen voting machines over their lack of producing a verifiable paper trail. The suit, brought by U.S. Rep. Robert Wexler, a Boca Raton Democrat, was originally thrown out of court in May on jurisdictional grounds. It is highly unlikely, however, that the case will be resolved prior to the Nov. 2 election.

Across the country in 2004, 20 state legislatures considered bills on paper trails for electronic machines. (See Bird's eye view). But while a paper audit trail may be a positive step towards restoring trust in electronic voting machines, few computer scientists think it is the final answer. One popular alternative is "open-source" software. Its supporters argue that a program that has been exposed to public scrutiny is inherently more trustworthy than one developed in secret. But because all of the major vendors of electronic voting machines use proprietary code, any move to require open code would surely send seismic shocks through the industry. This summer California passed a resolution directing Secretary of State Shelley to "investigate and evaluate" open-source voting software.

Electronic voting machines have been by far the most rapidly-growing segment of the voting industry since 2000. Election Data Services, Inc., projects that about 29 percent of the registered voters in the country will use them this fall, compared to about 12 percent in 2000. So while the Bush vs. Kerry drama plays out on the main stage, the future of electronic voting may depend on what happens behind the scenes. Will it be a boffo hit or a Florida-style fiasco? Don't expect the answers on Election Day — but keep your eyes open in the days that follow.

— *By DANA MACKENZIE*

Dana Mackenzie is a freelance mathematics and science writer based in Santa Cruz, California.



roads, allowing individual jurisdictions to set their own virtual toll rates. Particularly appealing to states is the prospect of varying rates to discourage traffic during peak commute hours or adding surcharges for vehicles

Upcoming Elections
 (10/04/2004 - 10/18/2004)
 10/12/2004 South Carolina
 Primary Runoff
 Senate 030

like heavy trucks and SUVs that are harder on roadways. The University of IOWA's Public Policy Center is currently working on a model, with funding from 15 states and the Federal Highway Administration. Meanwhile, OREGON, will begin a mileage-based tax pilot program next year. (HOUSTON CHRONICLE)

BUDGETS IN BRIEF: A national survey by the Kaiser Commission on Medicaid and the Uninsured indicates that state spending on Medicaid will grow four times faster than any other state expenditure this year. Medicaid spending will jump nearly 12 percent in 2005, the Kaiser Commission projects (STATE-LINE.ORG). • **FLORIDA** Gov. Jeb Bush (R) plans to call a special session in December to address a growing list of issues in the aftermath of the four devastating hurricanes that have struck the state. Among those issues are slowing the rise of insurance costs and granting a property tax break for residents whose homes were damaged by the storms (MIAMI HERALD). • **KENTUCKY** lawmakers began their special session last week on the state health insurance plan, hoping to avert a statewide teachers' strike at the end of the month. Observers say legislators appear to be leaning toward keeping the state's current plan, rather than adopting the controversial plan proposed by Gov. Ernie Fletcher (R).

— *Compiled by KOREY CLARK*

Politics & Leadership

MEDICAL MALPRACTICE BATTLE HEADED FOR POLLS: Tort reform is an issue that has divided statehouses for years. But this November, the battle is shifting to the voters, with tort reform measures slated for the ballot in four states, and rising medical malpractice costs a defining issue in governors' races in three others.

Health care providers and insurers are supporting ballot measures in FLORIDA, NEVADA, OREGON and WYOMING that would limit medical malpractice awards or strengthen existing damage caps. Those efforts are being vigorously opposed by trial lawyer groups, which have placed competing mea-



asures on the ballot in Florida and Nevada. And because there are no spending limits on those initiative campaigns, both sides are pumping millions into them. Voters have been bombarded with television ads showing doctors in exodus or portraying trial lawyers as sharks in a feeding frenzy, leading some observers to believe the issue is too confusing for voters. That is not good news for supporters of the initiatives. “When voters confront an issue that’s confusing...the tendency is to vote no,” said Jennie Bowser of the National Conference of State Legislatures.

The move to let voters decide the issue actually began last year, with a ballot measure in TEXAS — which passed by the slimmest of margins — authorizing lawmakers to limit damages in malpractice suits. The issue has seen quite a bit of action since, with legislatures in 24 states imposing limits on malpractice awards and President Bush pushing for a federal cap of \$250,000, an effort opposed by Democratic presidential hopeful John Kerry. Meanwhile, medical malpractice has split gubernatorial candidates down party lines in MISSOURI, WASHINGTON, and WEST VIRGINIA, states that have already seen plenty of debate on the issue. In Missouri, for example, lawmakers approved legislation earlier this year that included malpractice caps, but the bill was vetoed by outgoing Gov. Bob Holden (D). The Republican candidate seeking to replace him, Secretary of State Matt Blunt, supports a \$250,000 cap, while the Democratic gubernatorial nominee, State Auditor Claire McCaskill, favors other measures to lower malpractice insurance premiums. (STATELINE.ORG)

NEW BREED OF POLITICAL ACTIVISTS: A VIRGINIA student group has abandoned the “sit-ins” of their parents’ generation in favor of a more direct form of political activism. The group, which calls itself Virginia21, actually lobbies for its agenda in the halls of the statehouse. And it scored high marks earlier this year when it managed to wrangle \$176 million in higher education funding during the state’s 115-day budget standoff, beating out transportation interests in the process. “It’s very rare in the Virginia General Assembly that funding for higher education wins and funding for transportation loses, but that is exactly what happened this year,” said Stephen Farnsworth, a political science professor at the University of Mary Washington.

Virginia21 credits that success to the strong guidance of advisers like five-term Del. Anne G. “Panny” Rhodes (R); financial backing from sponsors like America Online, Altria Corporate Services, Bank of America and the Virginia Education Association; and the frenetic leadership of its 23-year-old executive director and co-founder Jesse Ferguson, a graduate of the College of William &

Mary. And the future looks very bright for the group. At its first statewide conference of college student leaders last month — which was attended by some of the state’s most powerful politicians, including Gov. Mark R. Warner (D) and Senate Finance Committee Chairman John H. Chichester (R) — the group generated \$200,000 for its 2005 operating budget. Topping its agenda for next year is garnering more funding for higher education and making it easier for students away from home to vote. (ASSOCIATED PRESS, VIRGINIAN-PILOT [NORFOLK])

POLITICS IN BRIEF: Proponents of Proposition 68, one of the two major gambling initiatives facing CALIFORNIA voters in November, called it quits last week after conceding that in spite of spending \$25 million on their campaign, the measure had no chance to win. The proposal would have allowed the state’s card rooms and racetracks to have slot machines unless all California Indian tribes agreed to share 25 percent of their slot machine revenue. Gov. Arnold Schwarzenegger (R) adamantly opposed the bill (SACRAMENTO BEE). • **NEW JERSEY** residents began receiving property tax rebate checks last week, despite the fact the state is facing a \$4.1 billion budget shortfall next year. Lawmakers of both parties concede that the rebates, begun under former Gov. Brendan Byrne, have become a political necessity, regardless of the state’s economic situation. (TIMES [TRENTON]). • The Republican-controlled U.S. House voted last week to break up the San Francisco-based 9th U.S. Circuit Court of Appeals, leaving only CALIFORNIA and HAWAII under the jurisdiction of the 9th Circuit and placing the other seven states it currently covers — ALASKA, ARIZONA, IDAHO, MONTANA, NEVADA, OREGON and WASHINGTON — under the jurisdiction of two new courts. While supporters say the action was taken to relieve the court’s excessive caseload, critics contend the move was motivated by conservatives’ irritation over some of the court’s rulings, including a 2002 decision that declared it unconstitutional to recite the words “under God” in the Pledge of Allegiance in public schools. Observers say the measure faces strong opposition in the U.S. Senate (ASSOCIATED PRESS, SAN DIEGO UNION-TRIBUNE).

— *Compiled by KOREY CLARK*

•
•

Governors

SIEGELMAN BACK IN ALABAMA GOV RACE IN 2006? A federal court threw out criminal conspiracy charges against former ALABAMA Gov. Don Siegelman (D) last week, prompting prosecutors to drop the balance of the fraud charges against him as well. The stunning reversal of fortune for Siegelman came only an hour into his trial, leading some analysts to claim he could have a chance to make another run at the governor's office in 2006. Siegelman lost a razor-thin race with Republican Bob Riley in 2002 amid numerous accusations of corruption and cronyism in his administration, and his future seemed even more bleak when federal investigators charged him and his chief of staff in an alleged health care bid-rigging scheme designed to

Quote...

"Don Siegelman's political career is intact. I fully expect him to be highly competitive and effective."

Alabama Democratic Party Chairman Redding Pitt assessing the chances of former governor Don Siegelman making another run at the office.

... unquote

"Voters' cynicism is very high. When allegations are made against political figures, they don't start with the presumption of innocence. People say, 'They finally caught the crook.'"

Athens State University political scientist Jess Brown offering another view. (BIRMINGHAM NEWS)

benefit one of his supporters. Although Siegelman has said nothing about his future plans, observers familiar with him say it is hard to imagine him not trying to regain his old job. But the former governor is not out of the woods yet. Although the federal case was dismissed "with prejudice," meaning he can't be retried on those charges, Siegelman is facing another grand jury investigation in Montgomery that is probing numerous other actions of his administration.

(MONTGOMERY ADVERTISER, BIRMINGHAM NEWS)

PERRY WON'T STOP EXECUTIONS: TEXAS Gov. Rick Perry (D) rejected a call last week to delay the execution of inmates whose cases originated in Houston, where local authorities are still pouring over evidence misplaced by that city's troubled crime lab. A Perry spokesperson said the governor saw no reason to order a moratorium because "he is going to look at each case individually, as he has always done." The governor's decision angered death penalty opponents and spurred the attorney for one death row inmate facing execution this week to say that "he [Perry] and the state of Texas care more about executing people



quickly than in making sure justice is done.” Some death penalty supporters were also angered by Perry’s decision, but for different reasons. Democratic Sen. John Whitmire, who favors capital punishment, said the scandal over the missing evidence — and Perry’s decision not to stop executions while it is getting sorted out — could derail the state’s death penalty law. (DALLAS MORNING NEWS)

— *Compiled by RICH EHISEN*

Hot issues

B **USINESS:** A **NEW JERSEY** Assembly committee unanimously endorses a measure that would bar telemarketers from using devices that mask their identities on caller ID displays. The bill would assess civil penalties of up to \$20,000 for repeated violations. It moves to the full Assembly (THE TIMES [TRENTON]). • Saying the state made its case too late, a federal bankruptcy court orders **CALIFORNIA** to drop fraud claims seeking \$2 billion in refunds from Enron Corp. The court ruled that since the Golden State filed for the refund after the court-imposed Oct. 15, 2002 deadline, the bankrupt energy giant is protected from further damage claims. California officials say they will appeal (LOS ANGELES TIMES). • **NEW YORK, ILLINOIS** and **MARYLAND** reach a tentative settlement with R.J. Reynolds Tobacco Co. over a controversial cigarette promotion the company ran in those states. State officials alleged that Reynolds’ “KOOL Mixx” campaign violated the 1998 Master Settlement Agreement. Under the new settlement, the company admits no wrongdoing but will pay \$1.5 million to four organizations dedicated to youth smoking prevention. The settlement must still be approved by the New York Supreme Court as well as lower courts in Illinois and Maryland (BUSINESS FIRST [BUFFALO]).

CRIME & PUNISHMENT: Corrections officials in **FLORIDA** close down the Sunshine State’s only boot camp for girls after the camp was ordered to add activities like soccer, video games, whiffle ball, dance and yoga to the girls’ daily schedule. The young women were redistributed to other programs across the state, and will be replaced at the camp by male inmates (ST. PETERSBURG TIMES).

EDUCATION: A new education report shows that **NEW YORK** has the nation’s largest gap in funding between its wealthiest and poorest schools. The study, which was conducted by The National Education Trust, a non-profit Washington D.C.-based education advocacy group, shows that the Empire State annu-

ally spends as much as \$65,375 more per classroom in wealthy schools than in poor ones (ALBANY TIMES-UNION).

ENVIRONMENT: The U.S. House of Representatives approves a \$395 million water bill that would foster the first major changes in **CALIFORNIA**'s water systems since the 1960s. The bill authorizes a host of levee reconstruction, ecosystem restoration and recycling projects among others things, all aimed at restoring the increasingly fragile Sacramento-San Joaquin Delta and ensuring clean drinking water for millions of users. It heads now to Pres. George W. Bush, who is expected to sign it (SAN DIEGO UNION TRIBUNE).

HEALTH: Defying federal regulations, **ILLINOIS** Gov. Rod Blagojevich (D) and **WISCONSIN** Gov. Jim Doyle (D) launch I-SaveRx, a state-sponsored program designed to let residents purchase prescription drugs at a discounted price from pharmacies in Canada, Ireland and the United Kingdom. The governors claim the program will save buyers 25-50 percent on drug purchases. The federal Food and Drug Administration says it is considering taking legal action against both states (CHICAGO SUN-TIMES). • **A NEW JERSEY** Senate committee approves a bill that would bar health care providers from billing patients insured by HMO's for fees beyond their co-pay amount or deductible. It moves to the full Senate (PHILADELPHIA INQUIRER). • The U.S. Supreme Court rejects an appeal to overturn a **CALIFORNIA** law requiring employers to pay for contraceptive services as part of their health insurance plan. A non-profit Catholic organization had challenged the law, saying it violated its right to religious freedom (LOS ANGELES TIMES).

SOCIAL POLICY: A **LOUISIANA** court tosses out the Pelican State's new voter-approved constitutional ban on same-sex marriage. The presiding judge said the ban was too broad in its application because it addressed both same-sex marriage and civil unions. The amendment's supporters vowed an appeal (NEW ORLEANS TIMES PICAYUNE).

In the Hopper

State Net's database tracks tens of thousands of bills in all 50 states at any given time. Here's a snapshot of what's in the legislative works:

- **Number of prefiles/intros this week:** 1,626
- **Number of prefiles/intros overall in 2004:** 121,673
- **Number of bills enacted/adopted this week:** 679
- **Number enacted/adopted overall in 2004:** 25,757
- **Total number of measures in State Net database:** 190,001

— Compiled By GINA HUMMELL
(2003-04 data current as of 10/1/04
Source: State Net)



POTPOURRI: A **NEW JERSEY** Senate committee endorses legislation that would ban motorized scooters, skateboards and so-called “pocket bikes” from public places. Pocket bikes are mini-motorcycles capable of reaching 45 m.p.h. The bill speeds off to the full Senate (PHILADELPHIA INQUIRER). • **CALIFORNIA** Gov. Arnold Schwarzenegger (R) vetoes AB 2598, which would have barred homeowners associations from foreclosing on property owners who owe less than \$2,500 in back association dues. The bill was sparked by the case of a Golden State couple who lost their home over an unpaid \$120 association assessment (LOS ANGELES TIMES). • The U.S. Supreme Court decides not to review a lower court’s ruling which deemed that **CALIFORNIA** gun enthusiasts do not have a First Amendment right to hold gun shows on government property. The Court’s decision allows California to remain the only state in the nation where municipalities can bar gun shows on government-owned land (SAN DIEGO UNION TRIBUNE). • A federal court rules that **MISSOURI**’s new law banning sexually explicit billboards can remain in place while opponents challenge it in court. The law is being contested by the owners of a chain of adult bookstores, who claim it violates their First Amendment rights to free speech (ST. LOUIS POST-DISPATCH).



— Compiled by RICH EHISEN

Once around the statehouse lightly

DUELING REPUBLICANS. A cross-country war of sorts has broken out between **CALIFORNIA** and **MASSACHUSETTS**, with the GOP governors of those states taking prominent roles on the battlefield. Gov. Arnold Schwarzenegger launched the first salvo several weeks ago when his administration placed bigger-than-life billboards near Boston’s Logan Airport, featuring the gov with muscled arms crossed and the caption: “Arnold says, California wants your business.” Gov. Mitt Romney fired back last week with strategically placed billboards near San Diego, San Francisco and Los Angeles airports.



Romney, too, is depicted with crossed arms but with a slightly different slogan, reports the *Los Angeles Daily News*: “Smaller muscles, but lower taxes! Massachusetts means business.”

DISAPPEARING PARTIES. Officials in San Bernardino County, CALIFORNIA, are a bit red-faced these days following the discovery that party labels had been left off 60,000 absentee ballots already in the mail. According to the *Los Angeles Times*, the county may have compounded the mistake by sending out corrected absentee ballots to the same pool of voters. Some candidates and campaigns worry that confused voters who already marked and returned their ballots may also use the corrected ballots — thus voting a second time. Assm. Bob Dutton, a Republican running for the state Senate in the affected area, dryly observed: “My preference would have been that this [error] take place in someone else’s race.”

DISAPPEARING PENSIONS? A NEW YORK state senator was shocked recently to discover that a pair of her former colleagues still collect hefty pensions from the state — despite, as the *New York Post* reports, both being convicted on felony charges of bribery in connection with their public offices. But if Sen. Liz Krueger has her way, those pensions will stop at the jailhouse door. The Manhattan Democrat recently introduced a bill to prevent any public money from being disbursed through such a pension (a disgraced lawmaker could still collect on his or her private contribution to the pension). The target of her wrath: former state Sen. Guy Velella’s \$74,472 annual pension and former Assm. Gloria Davis’ \$61,290 annual dole. Meanwhile, an obscure state commission recently released Velella after the ex-lawmaker had served but two months of a 12-month sentence. One reason cited for the early release was the weight of 32 letters written on Velella’s behalf by various officials. Unfortunately, notes *The New York Times*, many of the letter-writers had no idea their support would help secure Velella’s release. “I would like to have known that,” complains New York Councilwoman Madeline Provenzano.

DONATION? WHAT DONATION? Oh, THAT donation. Yes, Mr. Kaser, the \$500 you apparently gave to the National Republican Congressional Committee. Normally, such a gift is no big deal, even for a minor state official such as the director of the KENTUCKY Wood Products Competitive Corporation. The problem, explains the *Lexington Herald-Leader*, is how you paid the donation. Had you written a check — no problem. Had you slipped them cash in a brown envelope — no problem. But using your state credit card was a problem. The state ethics commission is investigating. Mark Kaser is not responding to phone calls on the subject.

