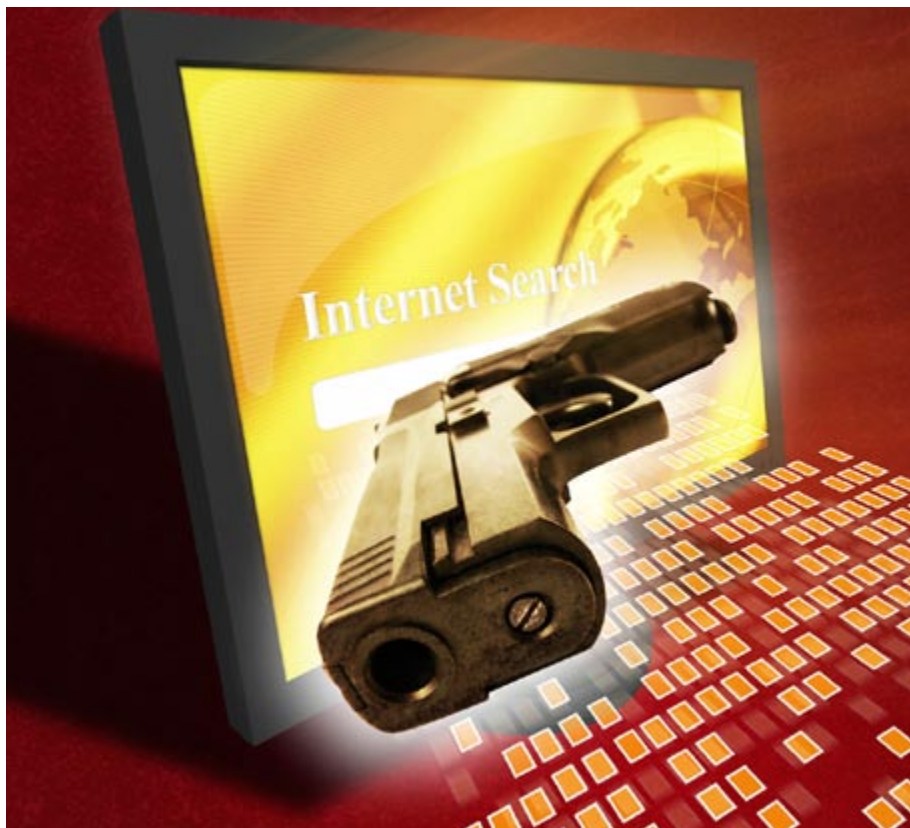


Checking First



December 3, 2007

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The next issue of Capitol Journal will be available on December 10th.

Top Story

States have for years been reluctant to share mental health records with federal officials looking to prevent mentally disturbed people from buying weapons. But last April's tragic VIRGINIA Tech shooting has many states rethinking that position.

SNCJ Spotlight

States double reporting to federal gun database

Prompted by the tragic shooting rampage at VIRGINIA Tech University in April, states have more than doubled the number of mental health records they are submitting to a federal database designed to keep psychologically disturbed people from buying guns. The findings were reported by the U.S. Department of Justice last week.

The VA Tech shooting claimed the lives of 32 students as well as the gunman, Seung-Hui Cho, a student with a history of mental health problems.

Despite a special justice's 2005 order that Cho obtain outpatient treatment for being a danger to himself, he was able to later buy two guns — a Glock 9mm at a VIRGINIA store and a .22-caliber pistol over the Internet — that he used in his attack. Neither seller, however, knew of Cho's mental problems because VIRGINIA officials had never submitted any record of them to the National Instant Criminal Background Check System (NICS), the federal database gun sellers use for doing background checks on potential buyers.

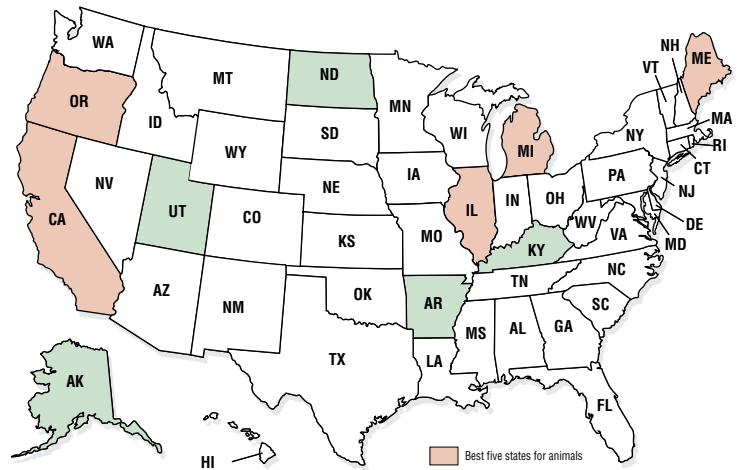
That omission was not the norm for VIRGINIA, which Justice Dept. data indicates has traditionally submitted far more names of mentally ill people to the federal database than other states. In fact, previous to the VA Tech attack only 22 states were regularly handing over that information at all. Last week, U.S. Attorney General Michael Mukasey announced that figure has climbed to 32 states.

According to State Net, at least eight states, including HAWAII, NEW JERSEY, ILLINOIS and NEW YORK, have pending measures that would add them to the list of states that submit information to the NICS.

Other states that had submitted only a handful of records before April have also ramped up their efforts. CALIFORNIA, for example, had surrendered just 27 names previous to the shootings; the Golden State has since given the Justice Dept. more than 200,000 files. The increased participation helped grow the overall number of mental health records on file from a total of 174,863 at the time of the VA Tech shooting to 393,957 records in just the NICS "Mental Defective File."

Mukasey lauded the efforts to get that information into the database, but cautioned that many states are still lagging behind. "We're making progress, and I

Bird's eye view



Source: Animal Legal Defense Fund, The Humane Society of the United States

Best five states for animal abusers

Ranking the best and worst states for animal cruelty laws

When it comes to laws that protect animals, some states are clearly better than others. Or at least so says a new report from the Animal Legal Defense Fund (ALDF), a CALIFORNIA-based organization that works to foster and support the field of animal law. Every state has laws against animal cruelty, but the strength of those laws and severity of punishment for cruelty and animal torture crimes differ greatly from state to state. ALDF ranks each state on the strength and weakness of its animal protection laws in areas like cruelty legislation, animal fighting provisions and restrictions on pet ownership by those previously convicted of animal abuse. According to the latest ALDF survey, KENTUCKY and ALASKA are among the states with the least effective animal abuse laws. In contrast, the report cites CALIFORNIA, ILLINOIS and OREGON among the states with the strongest statutes against animal cruelty.





hope that even more states will submit this information so that the national instant background check system can be maximally effective,” he said.

The NICS system requires gun dealers to call a toll-free number to submit customer information to the FBI before selling a firearm. The Bureau then checks the NICS to ensure the customer doesn’t have mental health issues, a criminal background, warrant for arrest, or other issue that would prevent him or her from purchasing such a weapon. Knowingly selling a weapon to someone on the list could lead to a loss of a federal firearms license, fines and a prison term.

Privacy, gun and mental health advocates have lobbied against the federal database, arguing that it unfairly stigmatizes some people and infringes on their Second Amendment right to possess firearms. Justice Department officials, however, say they only place prohibitions on individuals if a court or state board or commission has determined the person is mentally troubled enough to be a danger to themselves or others, or who were involuntarily committed to a mental institution. (ABC NEWS, ASSOCIATED PRESS, DESERET MORNING NEWS [SALT LAKE CITY], REUTERS)

– Compiled by RICH EHISEN

Budget & taxes

DUELING GLOBAL WARMING REPORTS: Three weeks ago, the FLORIDA Chamber of Commerce released a report written by economists at CRA International indicating that the executive order issued by Gov. Charlie Crist (R) mandating the reduction of greenhouse gas emissions could increase every FLORIDA household’s costs 82 percent by 2020.

“No matter how well policies are designed, there will be a significant overall cost to FLORIDA of meeting the caps,” the report, entitled *Economic Analysis of Florida’s Executive Order*, said. What’s more, the report stated that “a massive change in FLORIDA emissions only leads to a small global change.”

Last week, the Washington, D.C.-based advocacy group Environmental Defense released a report prepared by researchers at Tufts University that provided a very different warning: If FLORIDA and the rest of the world do nothing about global warming, the resulting rise in sea levels, increase in insurance and electricity rates, and decline in tourism will cost the state \$92 billion by 2050.

“We’re on an escalator that’s headed down,” said Frank Ackerman, one of the authors of the report, *Florida: The Costs of Inaction*. “The status quo is not an option that is going to continue.”



The dueling reports constitute the first salvos in a new phase of the policy war over global warming that could soon be waged not just in FLORIDA, but in other statehouses across the country, as well as Congress.

Environmental Defense was evidently aware of that when it issued its report, and the organization appears ready for the fight.

“This is where we see the debate going on in Tallahassee and it’s our organization’s way of saying

we’re not going to cede an inch of ground on this issue of cost,” said Jerry Karnas, FLORIDA project director for the group. (MIAMI HERALD)

“This is where we see the debate going on in Tallahassee and it’s our organization’s way of saying we’re not going to cede an inch of ground on this issue of cost.”

NEEDY KIDS IN WEALTHY STATES: Some of the nation’s neediest children live in some of the richest states, according to a new study based on federal data and interviews of more than 100,000 households.

The study, conducted by the Kids Count program of the Annie E. Casey Foundation, which advocates for vulnerable children and families, ranked the 50 states based on several categories, including children’s health, social and emotional well-being, and family activities.

According to the rankings, low-income children fare worst in MASSACHUSETTS, RHODE ISLAND, NEW YORK, NEW JERSEY, MARYLAND and DELAWARE.

Ron Haskins, co-director of the Brookings Institution’s Center on Children and Families, said those states have large cities with pockets of poverty and more households headed by single women, which are five times more likely to exist below the poverty level than those with two parents.

The states that topped the rankings were: UTAH, NORTH DAKOTA, IDAHO, WYOMING and SOUTH DAKOTA, states O’Hare said have a greater sense of community and more families led by married parents. (USA TODAY)

CA ISSUES \$1B IN BONDS: CALIFORNIA initiated a \$1 billion “negotiated” bond offering last week to raise money for infrastructure projects. The state had planned to sell the bonds to a single brokerage through competitive bidding. But due to recent turmoil in the bond market, it decided to do the deal on a negotiated basis — in which pre-selected underwriters negotiate rates and prices with the state — to keep interest rates down. “You can’t achieve that objective and get the best deal for taxpayers with a competitive deal. You have to go negotiated,” said a spokesman for Treasurer Bill Lockyer. (LOS ANGELES TIMES)

BUDGETS IN BRIEF: WISCONSIN'S

long-term debt increased 87 percent over the past decade — triple the rate of inflation over that period — according to the state's Legislative Fiscal Bureau. The state had \$4.41 billion in general obligation debt in 1996. The debt total had risen to \$8.28 billion by mid-2006 (MILWAUKEE JOURNAL SENTINEL).

• Although **NEW JERSEY** fiscal officials are projecting a budget shortfall of up to \$3 billion next year, acting Treasurer Michellene Davis said last week that tax collections were actually running about \$300 million ahead of projections four months into the fiscal year. The Garden State received a \$133 million windfall at this same time last year (STAR-LEDGER [NEWARK]). • **PENNSYLVANIA** House and Senate leaders revealed last month that they've spent \$466,000 this year on focus groups and polls, the results of which haven't been made available to the public. Lawmakers of both parties defended the practice as an effective means of shaping policy (PHILADELPHIA INQUIRER). • The **ILLINOIS** House rejected a plan last week to bail out Chicago's mass transit systems. Gov. Rod Blagojevich (D) had called lawmakers into special session to consider the issue and had predicted hours earlier that a proposal to funnel \$385 million in gas tax proceeds to the Chicago Transit Authority (SB 307) was on the verge of being approved. But a majority of the House balked, contending that the action, combined with the expansion of health care the governor is seeking, would put the state in worse financial shape than its already in (QUAD-CITY TIMES [DAVENPORT]).

— Compiled by **KOREY CLARK**

The week in session

States in Regular Session: DC, MI, NY, PA, US, WI

States in Informal Session: MA

States in Skeleton Session: OH

States in Perfunctory Session: IL
Special Sessions "a"- "p"

States in Veto Session: IL

States in Special Session: IL "q", IL "r", PA "a", WA "a"

States in Recess: IN(2008), NH, NJ

Special Sessions in Recess: CA "a", CA "b", DE "a"

States Currently Prefiling or Drafting for 2008: AL, AZ, CO, DE, FL, GA, IA, IN, KS, KY, ME, NH, OK, TN, VA

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

State Special Sessions Adjourned in 2007: AK "a", AK "b", AL "a", CT "a", CT "b", DE "b", FL "a", FL "b", FL "c", FL "d", HI "a", HI "b", HI "c", KY "a", KY "b", MD "a", MN "a", MO "a", MS "a", MT "a", MT "b", NC "a", NM "a", NV "a", UT "a", WI "a", WI "b", WV "a", WV "b"

Letters indicate special/extraordinary sessions

— Compiled By **JAMES ROSS**
(session information current as of 11/30/2007)
Source: State Net database

Politics & leadership

NEW HAMPSHIRE SETS PRIMARY DATE: It looks as though **NEW HAMPSHIRE** will retain its first-in-the-nation presidential-primary status next year. At least its secretary of state, Bill Gardner, thinks so.



On Nov. 21, Gardner formally set the Granite State's primary for Jan. 8, which will make it the earliest leadoff primary ever, besting the previous date — Jan. 27, which Gardner set in 2004 — by three weeks. And he said he was “absolutely certain” no other state would try to sneak in and challenge NEW HAMPSHIRE's primacy at this point.

Gardner had been a little less certain of that until the day of his announcement. The date MICHIGAN set for its primary — Jan. 15 — had been struck down by two state courts, leaving open the prospect that Democrats there would follow through on a long standing threat to hold their caucus on the same date as the NEW HAMPSHIRE primary. But on the morning of the 21st, the MICHIGAN Supreme Court overturned the lower court rulings, allowing the Jan. 15 primary date to stand and ending the possibility of a Jan. 8 MICHIGAN Democratic caucus in Gardner's mind.

“I can't imagine that happening under any circumstance,” he said.

But NEW HAMPSHIRE state Democratic Party Chairman Raymond Buckley isn't so sure his state's skirmish with MICHIGAN is over, based on his take on how MICHIGAN Democrats like Democratic Chair Mark Brewer, U.S. Sen. Carl Levin and Democratic National Committeeman Debbie Dingell feel about NEW HAMPSHIRE.

“Having known Mark Brewer for over a decade, and having experienced Senator Levin first hand, and Mrs. Dingell, I'm never confident that their animosity toward NEW HAMPSHIRE has been set aside,” he said. “I would hope that it would be over now for the sake of the candidates, for the sake of the voters in all the states. And I hope they realize that.” (UNION LEADER [MANCHESTER])

'08 ELECTION WATCHERS LOOK TO THE WEST: FLORIDA was the state to watch in the 2000 presidential race. OHIO was the key battleground state in 2004. And next year, all eyes will be on...ARIZONA?

Not generally considered a bellwether, ARIZONA, along with three other western states — COLORADO, NEVADA and NEW MEXICO — is emerging as an important swing state in 2008.

Together the four states comprise 29 electoral votes — more than FLORIDA (27) or OHIO (20) — and strategists of both major parties say they could go either way.

Upcoming elections

11/29/2007 - 12/20/2007

12/04/2007

South Carolina Special Election
House District 94

12/08/2007

Delaware Special Election
House District 28

12/11/2007

California Special Primary
Assembly District 55

Massachusetts Special Election
Senate 4th Middlesex District

Ohio Special Election
US House (Congressional District 05)

12/18/2007

Georgia Special Election
House District 072

New Hampshire Special Primary
House Rockingham County District 01
(Candia, Deerfield, Northwood,
Nottingham)

Rhode Island Special Election
House District 75

Texas Runoff
House District 97

President Clinton won three of the four states in 1992 and 1996, but President Bush swept all of them in 2004. And while ARIZONA has two Republican U.S. senators, the other three states have one Democratic and one Republican senator each, and all four have mixed congressional delegations.

Still, recent developments suggest things may have shifted in the Democrats' favor. The governors of all four states were Republicans five years ago. Now only NEVADA's is. And the GOP suffered losses in congressional and statewide races throughout the region last year. Voter registration statistics bear out those results, showing registrations of Democrats and independents cutting into the Republicans' dominance.

Bruce Merrill, a political scientist at ARIZONA State University, said opposition to the war in Iraq among independents is leading them to break for Democrats, making the party more competitive in his state.

"I really think we're going to see a continuation of '06," he said.

National Democrats are making an aggressive effort to achieve that. Presidential candidates have incorporated issues likely to appeal to voters in the region, such

as water and health care, and the Democratic National Convention is going to be held in Denver.

But Republicans think the Democrats' bid for the West will ultimately fall short.

"Democrats are counting on momentum from 2006," said Sean

McCaffrey, executive director of ARIZONA's Republican Party. "We're so far out from the elections, it's a lot of momentum to continue building."

And while some Republicans concede that the unpopularity of the Bush administration's strategy in Iraq helped the Democrats in 2006, they say the situation will be different in '08.

"The choice next year is going to be between our nominee and their nominee," said COLORADO GOP Chairman Dick Wadhams. "George W. Bush is not going to be on the ballot — as much as Democrats will try to put him there." (ARIZONA DAILY STAR [TUCSON])

POLITICS IN BRIEF: Proponents of statewide referendums in MASSACHUSETTS to decriminalize marijuana, ban greyhound racing, repeal the state income tax, and strip out major portions of a state development law have submitted the 66,593 signatures required to qualify the issues for the ballot next year. The signatures still have to be certified by the state's town and city clerks and counted by the secretary of state, and then the proposals must be made into law by the Legislature by the first Wednesday in May, or, alternately, supporters must gather

“Democrats are counting on momentum from 2006. We’re so far out from the elections, it’s a lot of momentum to continue building.”



another 11,099 signatures by June 18 (BOSTON GLOBE). • A NEW HAMPSHIRE judge has struck down a law that went into effect in July allowing the state to sell detailed statewide voter data only to major political parties, which the law defined as those having received 4 percent of the vote in a statewide election. The legal challenge had been brought by the state’s Libertarian Party (CONCORD MONITOR)

– *Compiled by KOREY CLARK*

Governors

S **PITZER ASKS DEMS FOR A SECOND CHANCE:** NEW YORK Gov. Eliot Spitzer (D) reached out to Assembly Democrats last week in an attempt to soften some of the hard feelings that have developed between him and state lawmakers. Acknowledging that his often combative personality has alienated even some of his closest allies, an unusually contrite Spitzer asked Dems to give him a second chance to work more collaboratively with them on his agenda for 2008. Spitzer emphasized his request with an equally atypical bit of self deprecation, noting

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that his wife didn’t like him very much when she first met him either.

Spitzer made his comments at an annual retreat for Assembly Democrats, who seemed to respond favorably to what the governor had to say. “That set the tone for the whole meeting,” said Assemblyman Rory Lancman (D). “People didn’t feel the

need to stand up and harangue him for being a bad partner.”

That they could justifiably have done so was clearly the issue for Spitzer, who spent much of the year tangled up in messy imbroglios with lawmakers of both parties. Legislative Democrats were particularly incensed that Spitzer often failed to consult with them on key policy issues, most notably during a recent attempt to use his executive power to grant driver’s licenses to illegal immigrants. That action infuriated many lawmakers, who believed that the matter should have been handled in the Legislature. The matter only got worse when Spitzer bailed on the plan under pressure from the Bush administration, which prompted some key Democrats that had publicly backed the plan to complain they had been betrayed.

Assembly Speaker Sheldon Silver (D) praised Spitzer’s newfound humility, saying the governor had already been working hard to be more inclusive previous to his mass mea culpa. “He’s been in closer touch the last few weeks and months,” Silver said. “I think he’s turned that corner.” But Silver also cautioned that Spitzer has



Kaine (D) said he wants the Old Dominion to change a state law that allows gun sellers at gun shows to sell weapons without running a background check on the potential buyer. Kaine did not reveal if he would make the issue a priority during the next legislative session (VIRGINIAN-PILOT [NORFOLK]). • **KENTUCKY** Gov. Ernie Fletcher (R) defended his decision to pardon everyone in his administration during the height of an investigation into his administration’s hiring practices, calling it “absolutely” the right thing to do. Fletcher, who said the investigation was “destroying lives,” lost his bid for re-election last month (LOUISVILLE COURIER-JOURNAL). • **PENNSYLVANIA** Gov. Ed Rendell (D) said his administration would drop a request that could have added a penny per gallon to the cost of gas in the Keystone State as a means to pay for cleaning up damage from leaking underground fuel tanks. Rendell called the request “ill-advised” (PITTSBURGH TRIBUNE-REVIEW). • **NEW MEXICO** Gov. Bill Richardson (D) said his administration plans to require new residents to apply for a driver’s license within 30 days of moving to the state or face penalties. Richardson said the policy is aimed at new residents with drunken driving convictions who try to avoid a recently enacted state law requiring people convicted of a DUI to use ignition interlocks on their vehicles (ALBUQUERQUE TRIBUNE).

— *Compiled by RICH EHISEN*

Hot issues

B **USINESS:** Four major subprime lenders cut a deal with Gov. Arnold Schwarzenegger (R) to maintain the initial, lower interest rate for some **CALIFORNIA** subprime borrowers whose rates are scheduled to jump significantly higher in the near future. Those lenders — Countrywide, GMAC, Litton and HomeEq — collectively service more than a quarter of the Golden State’s subprime loans. To qualify, borrowers must live in their homes, be current on their payments and prove they cannot afford the higher interest rate (SAN FRANCISCO CHRONICLE). • The **MICHIGAN** Senate approves legislation that would allow the state to ban the manufacture or sale of children’s toys and other items that contain more than 0.06 percent of lead. The measure moves to the House (DETROIT FREE PRESS). • **PENNSYLVANIA** Gov. Ed Rendell (D) orders a delay in implementing a new state policy barring dairies from advertising their milk as being from cows not injected with artificial growth hormones. Keystone State agriculture officials announced last month that they would ban such labels because they were misleading (PITTSBURGH POST-GAZETTE). • A joint **WEST VIRGINIA** Legislative committee approves a proposal to bar employers from staging mandatory talks in the workplace to discuss political and



religious matters under the threat of retaliation against workers who boycott them. The measure will next be heard in the full Legislature (REGISTER-HERALD [BECKLEY]).

CRIME & PUNISHMENT: A

PENNSYLVANIA House committee endorses a measure that would enact a 20-year mandatory minimum jail sentence for anyone who fires a weapon at a police officer (PHILADELPHIA INQUIRER). • The **GEORGIA** Supreme Court unanimously rules that a Peach State law limiting where registered sex offenders can live is so restrictive it unconstitutionally deprives offenders of their property rights. The law bars offenders from living within 1,000 feet of anywhere children might congregate, even if a school or other similar facility opens in an area where an offender is already living (NEW YORK TIMES). • The **CALIFORNIA** Supreme Court rules that spouses of murder victims are eligible to receive restitution from convicted killers based on the lost earning potential of the person slain (SAN DIEGO UNION-TRIBUNE).

EDUCATION: The **NORTH CAROLINA** community college system orders

the Tar Heel State's 58 campuses to admit illegal immigrants. The order overturns a policy of letting the heavily enrolled schools set their own rules for handling undocumented applicants. System officials determined that state regulations require the schools to admit illegal immigrants who meet the schools' basic requirements of being either a high school graduate or an adult in need of skills training (CHARLOTTE OBSERVER).

ENVIRONMENT: **ARIZONA** environmental regulators announce the formal

start of a process to set new state rules to reduce passenger automobiles' emissions. Those regulations would be based on rules already approved in **CALIFORNIA**. Eleven states have adopted similar measures (TUCSON CITIZEN).

HEALTH & SCIENCE: Federal health officials grant approval to a

WISCONSIN healthcare plan that will provide health insurance to all children, regardless of family income. Under the new BadgerCare Plus plan, a family of four earning \$35,000 could get coverage for less than \$70 a month. Families earning less would pay lower premiums (APPLETON POST-CRESCENT).

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: 237

Number of Intros last week: 322

Number of bills enacted/adopted last week: 52

Number of prefiles to date: 42,344

Number of Intros to date: 165,522

Number of enacted/adopted overall to date: 41,725

— Compiled By JAMES ROSS
(measures current as of 11/29/2007)
Source: State Net database



SOCIAL POLICY: The **NEW JERSEY** Supreme Court rejects a request to reconsider its Sept. 12 ruling that doctors do not have to tell a woman seeking an abortion the procedure would kill a human being (**STAR-LEDGER [NEWARK]**). • A **WISCONSIN** court rules it will allow a legal challenge to a voter-approved state constitutional amendment banning gay marriage and state-sanctioned civil unions to move forward. Opponents of that law claim it is unconstitutional because voters were asked to consider more than one question (**WISCONSIN STATE JOURNAL [MADISON]**).

POTPOURRI: In spite of intense lobbying from Gov. Ed Rendell, (D), a **PENNSYLVANIA** House committee rejects two bills aimed at strengthening gun control laws in the Keystone State: a proposal to limit residents to one handgun purchase per month and another to empower local governments to enact gun control laws. The committee also tabled a bill that would have required owners to report lost or stolen guns promptly (**PHILADELPHIA INQUIRER**). • Still in **PENNSYLVANIA**, the Senate endorses SB 1, a measure that requires lawmakers to provide the public with access to 17 different kinds of records, including all financial records, committee meeting minutes, recorded votes and audits of the Legislature. The bill moves to the House (**PITTSBURGH POST-GAZETTE**). • **MASSACHUSETTS** Gov. Deval Patrick (D) signs legislation that creates the Commonwealth Corps, a program encouraging Bay State residents to volunteer for a year as tutors, assistants to the elderly, park cleaners, and other jobs in their communities. The program is expected to start early next year (**BOSTON GLOBE**).

— *Compiled by RICH EHISEN*

Corrections

In our Nov. 12 issue, we erroneously reported in Hot Issues that the **ALASKA** Assembly had voted to “to do away with the state’s auto emissions testing program, which requires Last Frontier drivers to have their vehicles tested every two years.” As our diligent readers in the Last Frontier pointed out, it was actually the Anchorage Assembly that approved this measure. Also, way back in our Sept. 17 issue, our SNCJ Spotlight mistakenly referred to **KANSAS** as the Sunshine State -- which is of course **FLORIDA** -- rather than the Sunflower State. We compounded the error by not correcting it until now. The NSCJ staff regrets both the errors and our tardiness in noting these gaffes.

Once around the statehouse lightly

AND WHO ARE YOU AGAIN? Being the governor of a bellwether state apparently just isn’t as impressive as it used to be. According to the *Palm Beach Post*, **FLORIDA** Gov. Charlie Crist submitted a video question for the candidates in last week’s CNN/YouTube Republican presidential debate. But while Crist may be something of a rising star in GOP circles, that clearly didn’t mean much to the debate organizers. They rejected his question, citing the fact that the gov already has



access to the candidates any time he likes. Crist shouldn't feel too put out. Other well known rejects included actor Kirk Douglas and Democratic presidential candidates Chris Dodd and Dennis Kucinich.

USE A PHONE, GO TO JAIL: Which is exactly what happened to 46 people in a Niagara Falls courtroom in 2005 after nobody would fess up to being the one with the annoying cell phone. As reported by the *Los Angeles Times*, Niagara Falls City Court Judge Robert M. Restaino went a tad ballistic when a cell phone rang during a hearing he was presiding over. Restaino demanded the offender hand over the phone. Nobody moved, prompting him to threaten everyone with a trip to the pokey. Still nothing, so away they went. Restaino kept everyone in jail for several hours before letting them go. Last week, a state judicial review board set Restaino free — by removing him from the bench. He plans an appeal.

DO AS I SAY, NOT AS I DO: Bay State residents might recall House Speaker Salvatore F. DiMasi giving Gov. Deval Patrick a load of grief for spending \$10,000 in public money on new drapes for the gov's office earlier this year. But now, as the *Boston Globe* reports, DiMasi is preparing to give his own office an extreme makeover. Mindful of the flack he gave Patrick, DiMasi has launched a preemptive public relations campaign to sell the job to voters. DiMasi issued a press release last week — complete with pictures of stains on his office rug — to emphasize that his digs have not been spruced up in 20 years, making the \$43,000 renovation a matter of great urgency. The speaker also pointed out that his campaign committee will be paying for around \$30,000 of the cost of new furniture, graciously leaving taxpayers to foot only the \$13,000 cost of the new carpeting. None of this, of course, went unnoticed in the governor's office. Patrick spokesman Kyle Sullivan thanked DiMasi for clearing things up for him. "Now I get it," Sullivan said last week. "Rugs good, drapes bad."

OH HOLIDAY TREE, OH HOLIDAY TREE: ARIZONA Gov. Janet Napolitano certainly knows her trees. And that giant, green thing standing in the lobby of the state Capitol these days — the one covered in shiny ornaments and colored lights — is most certainly a tree. But don't make the mistake of calling it a Christmas tree. As the *Arizona Daily Star* notes, the gov has officially dubbed it the state's "Holiday Tree." Napolitano says she did so because folks are celebrating "a number of holidays" this time of year, not just those who adhere to the Christian faith. That explanation didn't sit well with Secretary of State Jan Brewer, who has her own gubernatorial aspirations. "It's a Christmas tree. Who are you trying to kid?" Brewer said.

In case you missed it

On Nov. 6, voters in seven states weighed in on a total of 35 statewide propositions and referendums, approving 28 and rejecting only seven. But those seven rejections came on some of the most high profile and controversial issues under consideration. In our Nov. 12 issue, we wrapped up how all the state ballot measures finished.

In case you missed it, you can the article can be found on our Web site at

http://www.statenet.com/capitol_journal/11-12-2007/html



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