

December 15, 2008

Looking Ahead

2009

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The next issue of
Capitol Journal will be
available on December 22th.

Top Story

In the second of a two-part series, the State Net staff examines some of the key issues we see lawmakers considering in the coming year.

SNCJ Spotlight

More key issues for 2009

In our last issue, we took a look at several of the issues we believe lawmakers will focus on in the coming year — when they're not busy trying to hold their state budgets together — including federal pre-emption, data privacy and medical errors. This week, we preview a few more issues we expect to figure prominently on states' 2009 legislative agendas.



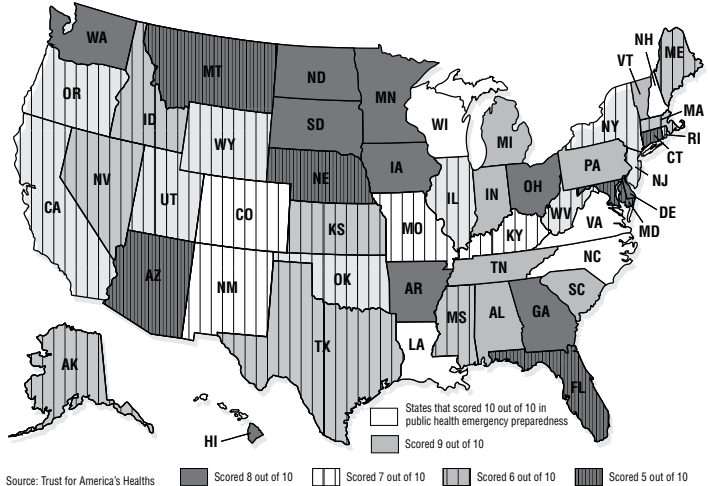
legislation this year prohibiting health insurers from rescinding policies unless they could prove policyholders intentionally misrepresented information on their applications (AB 1945). The governor, however, did sign a narrower bill (AB 1150) banning insurers from rewarding employees based on their rescission numbers. Next year, a number of states are likely to consider variations of both measures, as well as “good faith” bill enacted by MINNESOTA permitting consumers to sue their insurers when they believe claims have been improperly denied or delayed, but with caps for damages and attorneys’ fees. Some states may also call for third-party reviews.

LONG-TERM CARE:

In 2008, 15 states promoted long-term care under marketing partnerships with the insurance industry, in an effort to limit the high costs of such care under Medicaid. Total Medicaid expenditures for older adults’ long-term care hit \$100 billion last year. Some lawmakers question the benefits since “customers” qualify for free care under Medicaid. But others have expressed concerns that it’s becoming increasingly difficult to collect on benefits and fees are rising because insurers underestimated how long policyholders would live after entering nursing homes.

NO CHILD LEFT BEHIND: NCLB mandates that all children meet proficiency standards on multiple-choice tests by 2014, with increasingly severe penalties if their students don’t meet achievement goals. The act needs to be reauthorized by Congress in 2009, and any changes to either programs or the amount of federal dollars states currently receive will force state lawmakers to pay for revisions like teacher training and improved testing. But at least 16 states have cut funding to public schools, and economic think tanks believe states may be forced to ask for more federal funds just to help their school districts maintain existing programs.

Bird’s eye view



Economy imperiling state disaster preparedness

This month, the non-profit, non-partisan organization Trust for America’s Health, together with the Robert Wood Johnson Foundation, released its annual report on public health emergency preparedness: *Ready or Not? Protecting the Public’s Health from Diseases, Disasters, and Bioterrorism*. For the past six years, the report has documented the nation’s steady progress toward improved public health preparedness. But this year TFAH found that cuts in federal funding, combined with state budget cuts, precipitated by the current economic crisis, are threatening to undermine that progress. More than half of the states achieved a score of seven or less out of 10 key preparedness indicators, including disease surveillance, food safety and funding commitment. Only five states scored 10 out of 10.





REAL ID: Sixteen states introduced bills refusing to comply with the Real ID Act in 2008, and as a consequence the Department of Homeland Security (DHS) has granted extensions to all 50 states and U.S. territories, which will be valid until Dec 31, 2009. Cost of implementation is at the heart of the matter, with states estimating it will run over \$11 billion. DHS, however, calculates that costs will not exceed \$3.9 million. Congress has so far appropriated only \$90 million to help the states with implementation, making it likely there will be another round of “non comply” bills introduced by state lawmakers in 2009.

— *By STATE NET STAFF*

Budget & taxes

RECESSION CLAIMS PROSPEROUS STATES: Over the past year, as most states have slid into the growing sinkhole the U.S. economy has become, several have remained on solid financial ground. A few months ago, states like ALASKA, IOWA, INDIANA, MONTANA, NEBRASKA, NORTH DAKOTA, OKLAHOMA, SOUTH DAKOTA, TEXAS, WEST VIRGINIA and WYOMING, untouched by the subprime mortgage crisis and with economies based on commodities whose prices were soaring, seemed immune from the economic collapse. But the supposed bedrock beneath these booming states is finally giving way.

Since the summer, commodities prices have declined — or in some cases plummeted — with tax revenues in many of the states right along with them. Public employee pension funds and other investments have also dropped in value, and tourism is down too. Meanwhile, unemployment is rising, although not as sharply as in other states.

IOWA and NEBRASKA officials are now projecting budget deficits for the coming fiscal year. SOUTH DAKOTA may face a shortfall too if lawmakers don't approve Gov. Mike Rounds' (R) request to raise property taxes, hike some fees and tap the state's reserves. And although INDIANA ended last fiscal year with a surplus, Gov. Mitch Daniels (R) has ordered a 7 percent across-the-board spending cut to help balance the budget this year.

Many of the other states are still in good fiscal shape right now, but officials in even the most prosperous ones aren't overly optimistic about the future. Economists in NORTH DAKOTA, which has been riding high most of this year on oil and grain prices, expect the downturn to hit their state next year. And WEST VIRGINIA, which has been doing well thanks to a severance tax it collects on coal and natural gas, is forecasting a big enough bump in its unemployment rate in 2009 to push it into a recession.



But things aren't likely to be as bad in these states as they've been in others.

"We are clearly in stiff drink territory," said WEST VIRGINIA University economist George Hammond. "But just one stiff drink. The national economy is in the two or three stiff drinks stage."

One of the one-drink states that could be headed for two-or-three-drink territory, however, is ALASKA. In July, with oil prices hovering around \$145 a barrel, the state

approved a \$6 billion spending plan. A couple of months later it mailed out \$3,269 dividend checks to all eligible residents from a \$40 billion oil royalty savings account. Then oil prices plunged \$100 a barrel, and the oil royalty account lost \$11.4 billion in value.

With nearly all of the state's General Fund revenue coming from taxes and fees on oil, Gov. Sarah Palin (R) announced this month that for the

first time in many years, the budget for the coming fiscal year would show a decline in spending. Still Palin claimed, "there is no need for panic."

"A few short years ago, \$40 per barrel oil prices would have been great news for the state of ALASKA. We need to keep this in perspective," Palin said. (STATELINE, CAPITAL CITY WEEKLY [JUNEAU])

"We are clearly in stiff drink territory. But just one stiff drink. The national economy is in the two or three stiff drinks stage."

OBAMA INTRODUCES PUBLIC WORKS PLAN: Last weekend, President-elect Barack Obama offered a first look at his plan to lift the country out of recession. The plan, which will be part of a broader economic stimulus effort that will include tax cuts for middle-class Americans and aid to states, will encompass such tasks as rebuilding the nation's crumbling highways, renovating aging schools, modernizing hospitals and expanding high-speed Internet service into underserved areas. Although Obama offered few specifics about the plan and no cost estimate for the investment in public infrastructure, it will presumably constitute the largest public works program since President Dwight D. Eisenhower created the federal interstate highway system in the 1950s. "We need to act with the urgency this moment demands to save or create at least 2 1/2 million jobs so that the nearly 2 million Americans who've lost them know that they have a future," Obama said in his weekly radio/Internet address. (WASHINGTON POST)

SIZE OF FEDERAL STIMULUS PACKAGE MAY GROW: Congressional leaders recently pegged the price for the economic stimulus package they are now considering at between \$400 billion and \$500 billion. Last week, however, their aides were cautioning that the higher figure was more likely, while others were calling for even more spending.

House Democrats held a closed-door forum last Tuesday at which an array of economists stressed the bleakness of the economy and the need for a stimulus

package of historic proportion, according to attendees. One of the economists, James K. Galbraith, said recent discussions had assumed the recession would be about the size of the one in 1982, but because the current slump might turn out to be bigger, the recovery plan might have to be scaled upward. Another economist, Mark Zandi, said the package might have to be \$600 billion or more.

The session had lawmakers struggling with the warring impulses in their heads: the need for fiscal restraint and the need to get the economy going. But the momentum appeared to be on the side of spending more.

“The idea is to do triage now, and bring the budget into balance later,” said Rep. Diana DeGette (D-COLORADO).

She said once tax rebates are figured in, the recovery plan could reach \$700 billion. Other lawmakers placed the price tag a bit lower, between \$600 billion and \$650 billion. But clearly the session had them thinking bigger.

“There are few people here who remember the Great Depression,” said Rep. Sander Levin (D-MICHIGAN). “But it’s clear this is the worst crisis since then, by a lot. This is really, really a major challenge.” (WALL STREET JOURNAL)

BUDGETS IN BRIEF: A surge in jobless claims has depleted **NEW JERSEY**’s unemployment fund, including a \$260 million emergency infusion approved by state lawmakers five months ago. The state’s unemployment rate has surged from 4.2 percent to 6 percent this year (STAR-LEDGER [NEWARK]). • **CALIFORNIA** officials said last week the state’s two-year budget hole has grown to \$40 billion. Gov. Arnold Schwarzenegger (R), meanwhile, accused lawmakers of “playing chicken” in

“The idea is to do triage now, and bring the budget into balance later.”

negotiations while the state heads toward “financial Armageddon” (SACRAMENTO BEE). • **NEVADA** Gov. Jim Gibbons (R) signed legislation approved in special session cutting \$11 million in funding for mental health services, \$25 million for indigent patient accident care and \$5 million from the Millennium Scholarship Fund (KRNV [RENO]). • **MASSACHUSETTS** House Speaker Salvatore DiMasi (D) warned cities and towns last week to brace for cuts of up to 10 percent in state aid

The week in session

States in Regular Session: CA, DC, IL, MI, NJ, OH, US

States in Recess: IN 2009, NY

States in Special Session: CA 2009 “a”, CA 2009 “b”

Special Sessions in Recess: DE “b”

States in Informal Session: MA

States in Perfunctory Session: IL
Special Sessions “a”-“z”

States Currently Prefiling or Drafting for 2009: AL, AR, AZ, CT, FL, GA, IA, KY, MO, MT, ND, NH, NV, OK, SC, TN, TX, VA, WA, WY,

States Adjourned in 2008: AK, AL, AZ, CA, CO, CT, DE, FL, GA, HI, IA, ID, IN, KS, KY, LA, MD, ME, MN, MO, MS, NC, NE, NH, NM, OK, PA, RI, SC, SD, TN, UT, VA, VT, WA, WI, WV, WY

State Special Sessions Adjourned in 2008: AK “c”, AK “d”, AL “a”, AR “a”, CA “a”, CA “c”, CT “a”, CT “b”, CT “c”, CT “d”, CT “e”, DE “a”, KY “a”, LA “a”, LA “b”, ME “a”, MS “a”, NC “b”, NE “a”, NH “a”, NM “a”, NV “a”, NY “a”, NY “b”, OR “a”, PA “a”, UT “a”, VA “a”, VA “b”, WI “c”, WI “d”, WI “e”, WV “a”, WV “b”

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS
(session information current as of 12/11/2008)
Source: State Net database



next year (BOSTON GLOBE). • **ILLINOIS** Secretary of State Jesse White has been receiving 10 to 15 calls a day the past month asking if an Obama commemorative license plate is in the works. Such a plate, which could generate \$12.5 million for the state, would have to be approved by the General Assembly (CHICAGO SUN-TIMES). • The **PENNSYLVANIA** Department of Labor and Industry plans to hire 72 people this month — on top of the 81 people it hired last month — to help manage unemployment benefit-related calls at its eight call centers (PITTSBURGH TRIBUNE-REVIEW). • **FLORIDA** lawmakers learned last week that the state’s budget deficit has jumped \$150 million — to \$2.3 billion — due mostly to soaring Medicaid costs (MIAMI HERALD).

— *Compiled by KOREY CLARK*

Politics & leadership

NY SENATE UP FOR GRABS AGAIN: NEW YORK Democrats thought they’d scored a major victory in last month’s election, when they claimed 32 of the Senate’s 62 seats, giving them a majority in the chamber for the first time in over 40 years. But three Democrats — Senator-elect Pedro Espada Jr., Sen. Ruben Diaz and Sen. Carl Kruger — withheld their support from the presumptive president pro tempore, current minority leader Malcolm Smith, and threatened to back a Republican for the chamber’s top post.

A couple of weeks ago it looked as though the trio of renegade Democrats, referred to as the “Gang of Three,” had managed to finagle plum leadership posts from Smith along with a promise that no vote would be taken on legislation to legalize same-sex marriage, which Diaz, a Pentecostal minister, strongly opposes, in exchange for their allegiance. But last week that deal, worked out in typical Albany style — a closed-door meeting presided over by Gov. David Paterson (D) — collapsed, according to Espada, because Smith went back on his commitments.

“Malcolm Smith is not ready for prime time,” Espada said last Wednesday. “Right after we left the room with the governor and all the others present, he totally went about eroding the agreement.”

Smith stated his side of the incident at a news conference the same day at which he announced that the deal had collapsed and that he was breaking off negotiations with the three Democrats.

“It became clear to me over time that this was more about personal interest and not the reform that Senate Democrats ran on,” Smith said.



Smith said he and his fellow Democrats were aware that the collapse of the deal could cost the party control of the Senate. But he said the caucus was becoming increasingly exasperated with the demands of the Gang of Three.

Republicans took full advantage of the new developments.

“If Democrats want to join us, I think that would be great,” said Sen. George Winner Jr. (R). “We would certainly be engaging in a much more professional fashion than the current gang that can’t shoot straight,” he said. (NEW YORK TIMES)

POLITICS IN BRIEF: The hand recount in the one remaining unresolved race of the Nov. election — the U.S. Senate battle in MINNESOTA between Republican Sen. Norm Coleman and Democrat Al Franken — has been completed, but there is still no end to the contest in sight. A canvassing board, consisting of the secretary of state and four state judges, will begin reviewing challenged ballots this week (CQ POLITICS).

— *Compiled by KOREY CLARK*

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 2008 prefiles last week: 23

Number of 2009 prefiles last week: 2,014

Number of 2008 Intros last week: 330

Number of 2009 Intros last week: 36

Number of bills enacted/adopted last week: 186

Number of 2008 prefiles to date: 21,697

Number of 2009 prefiles to date: 6,517

Number of 2008 Intros to date: 93,134

Number of 2009 Intros to date: 156

Number of bills enacted/adopted overall to date: 28,441

— Compiled By JAMES ROSS
(measures current as of 12/11/2008)
Source: State Net database

Governors

CAN BLAGOJEVICH SURVIVE: Lawmakers from Springfield to Washington D.C. have called on ILLINOIS Gov. Rod Blagojevich (D) to step down over his stunning arrest last week on charges by federal investigators that he attempted to leverage his power to name someone to fill President-Elect Barack Obama’s vacant U.S. Senate seat for personal gain. So far, however, Blagojevich has resisted every such entreaty, including a plea from Obama himself. Given that, numerous Prairie State lawmakers are actively examining ways to force Blagojevich out of office.

While lawmakers have options at their disposal for removing Blagojevich, including impeachment, there is virtually no chance that it will happen quickly. With the Legislature scheduled to meet this week to work on legislation stripping Blagojevich of his ability to fill the vacant Senate seat, Lieutenant Gov. Pat Quinn,



does is going to be looked at through the prism of his legal troubles.” Still, amidst reports that Blagojevich also owes a half million dollars in unpaid legal fees, and with a lot more now expected to be incurred, it is even more unlikely he will voluntarily walk away from a job that pays him \$177,000 a year.

<p style="text-align: center;">Upcoming elections 12/11/2008 - 1/1/2009</p> <p>12/16/2008 Texas Special Runoff Senate District 17 (Kyle Janek)</p>
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The prospect also looms that he might still try to name someone to fill the Senate seat before lawmakers can act to stop him. Although Reid said last week that the Senate would reject any candidate Blagojevich names, there is some question as to whether they have the legal right to do so. The Constitution does not give Congress the right to deny a legally-elected candidate membership, but legal experts say the Senate does have the right to question whether an election or appointment was valid and lawful. If Blagojevich were to select someone to fill the seat, the Senate could conceivably send the matter to the Rules Committee to determine that person’s qualifications. If rejected, the appointee could then go to court and challenge the decision as unconstitutional.

That possibility is undoubtedly galling to Democrats everywhere, who believed the process of filling Obama’s spot in the Senate would be yet another slam dunk triumph in what has unquestionably been a stellar year for them. Instead, they now have what political analyst Charlie Cook called “a big mess for which there is no easy or perfect solution.” (CHICAGO TRIBUNE, BLOOMBERG.COM, NEW YORK TIMES, THE COOK REPORT, WALL STREET JOURNAL, DAILY HERALD [ARLINGTON HEIGHTS], STATE JOURNAL-REGISTER [SPRINGFIELD])

SEBELIUS STAYS IN KS: Citing a desire to work on her state’s pressing budget issues, KANSAS Gov. Kathleen Sebelius (D) removed herself from consideration for a spot in Barack Obama’s administration last week. Sebelius was thought to be in the running for numerous positions, including Secretary of Labor, Health and Human services, Secretary of Education and Secretary of Agriculture. The abrupt decision to drop out fueled speculation that she may instead run for the Senate seat currently held by Republican Sam Brownback in 2010. (TOPEKA JOURNAL)

CORZINE AIDE TO LEAD EPA: President-Elect Barack Obama nominated Lisa P. Jackson, NEW JERSEY Gov. Jon Corzine’s (D) chief of staff, to serve as the head of the federal Environmental Protection Agency. Jackson, who previously served as the Garden State’s environmental protection commissioner for nearly three years, would be the first African American to run the EPA. (PHILADELPHIA INQUIRER)

EXECUTIVE ORDERS: MARYLAND Gov. Martin O’Malley (D) issued EO 1, which creates a state Council for New Americans, tasked with promoting “full immigrant integration into the economic and civic life of Maryland” (STATE NET).



GOVERNORS IN BRIEF: At least 12 governors received envelopes containing a suspicious white powder in the mail last week. The powder was determined to not be harmful. Federal authorities are investigating the packages, which were sent to governors in **ALABAMA, ALASKA, HAWAII, MAINE, MICHIGAN, MINNESOTA, MISSISSIPPI, MISSOURI, OKLAHOMA, MONTANA, RHODE ISLAND** and **TEXAS** (ASSOCIATED PRESS). • **TEXAS** Gov. Rick Perry (R) issued a challenge to other governors to take part in a two-week fitness test to combat obesity. A private company that offers incentives-based employee health programs to businesses and governments will provide pedometers to each governor and their team members, with participants uploading their fitness results to a Web site to track their progress. At the end of the two weeks, the winning team will garner a \$50,000 donation for their state’s childhood obesity program. To date, 10 states — **ALABAMA, ALASKA, FLORIDA, IDAHO, INDIANA, KENTUCKY, VERMONT, VIRGINIA, WEST VIRGINIA** and **WISCONSIN** — have signed on to participate (IDAHO STATESMAN [BOISE]). • **KENTUCKY** Gov. Steve Beshear (D) and a half-dozen members of his administration announced they will take a voluntary 10 percent pay cut in 2009. The cuts are expected to save the state \$100,000 (LEXINGTON NEWS). • **FLORIDA** Gov. Charlie Crist (R) asked a panel that gives him Supreme Court recommendations to send him the names of more finalists so he can consider a more diverse pool for his upcoming pick to the high court. Four justices announced their resignations earlier this year. Crist has filled two of those seats so far, but neither is a minority (MIAMI HERALD). • **GEORGIA** Gov. Sonny Perdue (R) proposed an “aggressive” state stimulus package of new infrastructure projects to help the Peach State out of its economic malaise. Perdue didn’t name specific projects or their potential cost, but he said the emphasis of the package would be on education and infrastructure efforts (MACON TELEGRAPH). • **IOWA** Gov. Chet Culver (D) instituted a state government hiring freeze, adding that he is still pondering a pay cut for himself and other state employees should the state’s budget crisis worsen (QUAD-CITY TIMES [DAVENPORT]).

— *Compiled by RICH EHISEN*

Hot issues

BUSINESS: The Bush administration enacts rules that, among other things, allow U.S. employers to self-attest that they are meeting federal requirements for hiring domestic workers before turning to temporary foreign workers with H-2A agricultural work visas. The new regulations also relieve employers from paying for many expenses related to importing foreign workers.



Employers will still be required to provide H-2A workers with free housing, but that shelter will no longer have to be inspected by state or federal officials ahead of time if an employer cites an “emergency” need to bring in workers. The new rules are expected to take effect in January (SACRAMENTO BEE). • The **MICHIGAN** Senate endorses a pair of bills designed to stop people from bringing in large numbers of cans and bottles from out of state to collect the redemption fee. The measures would collectively increase fines and jail time for redeeming large amounts of non-**MICHIGAN** containers while also requiring stores in border areas to retrofit their reverse vending machines to ensure only locally-sold containers get a refund. The measures — House Bills 5147 and 6441-42 — move to Gov. Jennifer Granholm (D) for review (DETROIT FREE PRESS).

In case you missed it

State lawmakers and governors in 2009 will face a plethora of major challenges as they struggle to guide their states through an historic economic downturn. Last week, the State Net staff offered the first of a two-part look at some of the key issues we see lawmakers considering in the coming year.

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

http://www.statenet.com/capitol_journal/12-08-2008/html

CRIME & PUNISHMENT: In an effort to save money, the **NEW HAMPSHIRE** court system suspends all jury trials for a month this winter. The bulk of the trials delayed will be civil cases because criminal defendants are constitutionally guaranteed a speedy trial. Most counties are expected to enact the suspension in February 2009 (CONCORD MONITOR). • A federal court in **OHIO** says that the use of traffic-enforcement cameras to catch drivers who run red lights does not violate the U.S. Constitution. The plaintiff in the case vowed to appeal to the U.S. Circuit Court of Appeals (CLEVELAND PLAIN DEALER).

ENVIRONMENT: The federal Environmental Protection Agency drops efforts to enact rules that would have made it easier for energy companies to expand existing facilities and change how existing coal-fired power plants calculate emissions increases to determine whether they need to install pollution control equipment. The Bush administration wanted to base the calculation on an hourly rate rather than an annual average, a proposal opposed by both environmental groups and governors of Northeastern states, who said the proposed changes would have resulted in more of the pollution that causes acid rain and smog problems in the region. EPA officials said they did not have enough time to complete the rule changes before the Bush administration leaves office next January (ASSOCIATED PRESS). • The **CALIFORNIA** Air Resources Board gives final approval to 31 new rules aimed at curbing greenhouse gas emissions that cause global warming. The regulations include emissions-reduction targets for a wide range of industries, an elaborate cap-and-trade program to limit emissions and a mandate for local governments to reduce sprawling development (SAN FRANCISCO CHRONICLE).



HEALTH & SCIENCE: FLORIDA Gov. Charlie Crist (R) signs a series of contracts that enact Cover Florida Health Care, a program designed to provide the Sunshine State’s 3.8 million uninsured residents with low-cost, basic health coverage. Residents will be able to access the program, which allows consumers to choose from approximately 25 low-cost health plans offered by six private health insurance providers, in January (ORLANDO SENTINEL).

SOCIAL POLICY: The **IOWA** Supreme Court hears a challenge to the Hawkeye State’s ban on same-sex marriage. The high court’s ruling is not expected until next year (DES MOINES REGISTER). • A **NEW JERSEY** commission created to evaluate the impact of a Garden State law that allows same-sex couples to enter into civil unions says that statute not only fails to provide the same protections as marriage, but has also has created economic, medical and emotional hardships for gay couples. The report from the New Jersey Civil Union Review Commission goes now to Gov. Jon Corzine (D) and the state Legislature for review (STAR-LEDGER [NEWARK]). • A **MONTANA** judge rules that mentally competent people with terminal illnesses have a right to obtain medications that can be self-administered to bring about a peaceful death if they find their suffering to be unbearable. The ruling makes the Treasure State the third in the nation — **OREGON** and **WASHINGTON** are the others — to legalize doctor-assisted suicide. State Attorney General Mike McGrath, who argued that only the Legislature has the right to determine whether it is legal for doctors to help patients take their own life, said the state will appeal the decision (BILLINGS GAZETTE, NEW YORK TIMES).

POTPOURRI: The **OHIO** House endorses HB 648, legislation that would mandate the firing of any state employee who knowingly violates state privacy policy by using state databases to search for information on Buckeye State residents. The measure was introduced after an investigation revealed that the director of the **OHIO** Department of Job and Family Services improperly approved the mining of public assistance, unemployment, and child support databases for potential information on Samuel “Joe the Plumber” Wurzelbacher, a state resident who achieved worldwide notoriety after he challenged Barack Obama on his tax policies while the Democratic presidential candidate campaigned in his neighborhood. The bill moves to the Senate (TOLEDO BLADE).

— *Compiled by RICH EHISEN*

Once around the statehouse lightly

ONE-MAN FILIBUSTER: Given the success Barack Obama had using technology to reach out to young voters, it was only a matter of time until more political aspirants followed suit. Take San Francisco Mayor Gavin Newsom, for instance. As the *San Francisco Chronicle* reports, Newsom, a Democrat with designs on the CALIFORNIA governor's office, recently posted his entire State-of-the-City speech on the Internet video-sharing site YouTube. Not a bad idea, but you have to wonder if Hizzoner had ever actually been to the site before. While the vast majority of the video clips people post there run less than five minutes, Newsom's collection, complete with graphs and charts, goes on for over seven hours! The lengthy presentation did not sit well with Aaron Peskin, outgoing president of the Board of Supervisors, who grumped, "Just what I wanted: Somebody imitating Al Gore for 7 1/2 hours. The guy did a Fidel Castro."

BITTER BIDDERS: Although most folks were understandably upset last week when ILLINOIS Gov. Rod Blagojevich was arrested for allegedly trying to peddle Obama's now-vacant Senate seat for personal gain, at least a few were able to find some humor in the whole sordid situation. As the Associated Press reports, at least a dozen people have placed the seat up for bid on eBay. A few noted that the posting is "for entertainment purposes only," while another used the opportunity to vilify Blagojevich as "an asinine, greedy vindictive pol." And yes, some people are actually bidding on the seat. As the AP notes, the posting, "Used Illinois Senate seat, all wood and leather, willing to deal on this one! Please be advised I will be away from my office for a while..." had received almost 80 bids, including one for a paltry \$99,999,999.00.

CORRUPTION CAPITAL? It might seem reasonable to presume — given the fact that three of its recent governors have been sentenced to jail, with one more possibly to join them — that ILLINOIS possesses the most corrupt state government in the country. But according to the *USA Today*, that presumption would be very wrong. Based on analysis of Department of Justice statistics, the Prairie State's rate of 3.9 corruption convictions-per-100,000 residents from 1998 through 2007 ranks it as only the 18th most corrupt. The top slot instead goes to NORTH DAKOTA, which has suffered through an 8.3/100,000 conviction rate during that time, followed by stalwarts LOUISIANA (7.7), ALASKA (7.5) and MISSISSIPPI (7.3). On the flip side, NEBRASKA and its unicameral Legislature saw only a .7/100,000 ratio.

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WHAT'S IN A NAME? Plenty, if you ask FLORIDA Rep. Mark Pafford. As reported by the *Tallahassee Democrat*, the state's Department of Elderly Affairs has been a sore spot for decades. Not the agency, mind you, just the name. Former Gov. Lawton Chiles thought the word "elderly" was disrespectful, so he ordered the Sunshine State to use the term "elder" instead. No problem...except that now, 17 years after Chiles' order, the Florida Handbook, the official encyclopedia of state government, still uses "Elderly Affairs" in some places. Although Chiles is no longer with us, Rep. Pafford has picked up the torch for him by introducing a constitutional amendment last week (HJR 65) to require the state to make all official references to the agency uniform. Nixing those two letters won't come easy, however. The measure requires a three-fifths vote in the 2009 Legislature and 60 percent approval in a statewide referendum in 2010.

— By *RICH EHISEN*

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