

December 24, 2007

# New Year, New Issues



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The next issue of Capitol Journal will be available on January 14th.

## Top Story

*Last week, we examined several of the issues we believe lawmakers will focus on in 2008. This week, we continue our preview of issues that we expect to figure prominently among states' legislative agendas in the coming year.*

## SNCJ Spotlight

### More key issues for 2008

In the last issue of *SNCJ* (Dec. 17), we took a look at several of the issues we believe lawmakers will focus on in the coming year, including subprime lending, illegal immigration and universal healthcare. This week, we preview more than a dozen additional issues we expect to figure prominently among states' 2008 legislative agendas.



## **PRIVATIZATION/MONETIZATION OF STATE ASSETS**

The highway privatization fever that several governors caught last year after Gov. Mitch Daniels (R) leased the INDIANA Toll Road to a private firm for \$3.8 billion cooled a bit this year. TEXAS legislators threw a roadblock in front of Gov. Rick Perry's (R) plan to build a 4,000-mile toll-road network by imposing a partial ban on toll-road privatization (SB 792), and Daniels abandoned a pair of toll-road projects in March after Indiana residents turned out in the thousands to oppose them at public hearings. But with budgetary demands for health care and road and infrastructure repairs, among many other things, and revenues slumping along with the housing market, there aren't a lot of other options. At least a dozen states, including CALIFORNIA, FLORIDA, ILLINOIS, INDIANA, MASSACHUSETTS, NEW YORK and TEXAS are considering plans to sell or lease their lotteries. And other state assets, such as utilities, parking garages, water systems and airports, may be headed for the auction block too.

## **RETAIL HEALTH CLINICS**

Billed as a means of reducing healthcare costs while at the same time catering to time-pressed consumers with garden variety ailments, hundreds of health clinics have sprung up in retail stores like CVS and Wal-Mart. Since the clinics are generally staffed by nurse practitioners who can write prescriptions, numerous oversight measures have been proposed, focusing on doctor supervision of the nurses and possible conflicts of interest between the clinics and their host retailers.

## **DATA PRIVACY**

The privacy of personal, financial and health-related data continues to be a major subject of legislation. With most states already having enacted measures requiring data holders to notify consumers when a security breach occurs, the focus has shifted to providing consumers greater discretion over freezing access to their credit reports and scores and protection against discrimination from insurers and employers, in light of new testing technologies that indicate susceptibility to disease.

## **VOTER ID**

Seven states currently require photo ID to vote, while 17 others require identification that doesn't have to include a photo. But with the 2008 presidential election less than a year away, the political hot potato voter ID will figure prominently on legislative agendas, as the two major parties angle for every vote they can muster. Twenty one states have over 150 bills pertaining to the issue that will carry over into the 2008 session.

**FOOD AND DRUG LABELING/COOL**

The large scale food and product recalls this year, splintered federal food and product safety oversight and consumer/voter concern about where their food is coming from have prompted state legislatures to muscle in on this issue. Despite federal country-of-origin labeling (COOL) mandates — or because of their limited implementation — COOL bills were considered by a number of states in 2007. And despite the prospect of federal preemption, even more are likely next year.

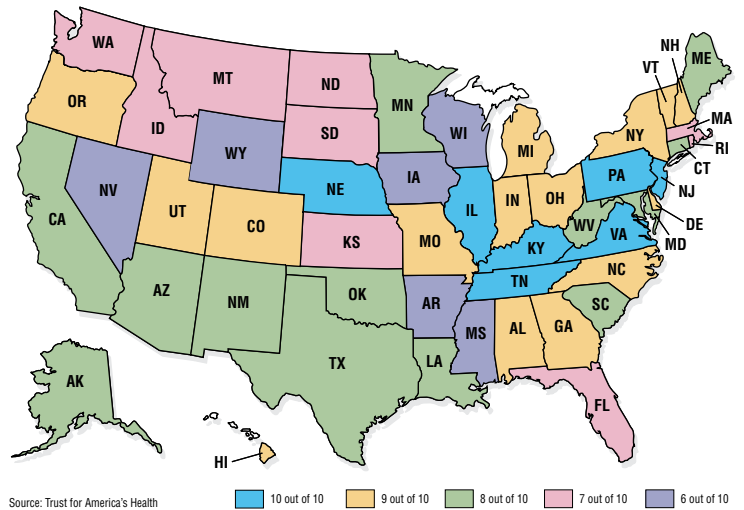
**E-WASTE/ROHS AND WEEE**

In 2003, the European Community adopted the Restriction of Hazardous Substances (ROHS) Directive, restricting the use of lead, mercury, cadmium, chromium VI, PBB and PBDE in the manufacture of electrical equipment, and the Waste Electrical and Electronic Equipment (WEEE) Directive, making manufacturers responsible for the recovery and recycling of all types of electrical equipment and components. An increasing number of states are considering legislation referring specifically to the tough new standards.

**REAL ID**

The Bush administration has given states until May 11, 2008 to develop driver's licenses that meet the new federal standard. The problem is that the feds have yet to actually finalize those standards, so nobody knows exactly what states will be asked to do. What is certain is that 44 states considered more than 130 bills and resolutions related to Real ID this year, and six states passed laws barring compliance with the measure. Three states — VERMONT, WASHINGTON and ARIZONA — have

**Bird's eye view**



**Are states ready for a health emergency?**

States have made significant improvements in their ability to deal with a massive public health emergency, but many critical areas of emergency preparedness still need attention, according to a new report from the Trust for America's Health (TFAH), a Washington D.C.-based non-partisan, non-profit health advocacy organization. Using data from publicly available sources or public officials, the study rated states based on 10 key emergency preparedness indicators, such as having an adequate supply of emergency vaccines, antidotes, and medical supplies from the Strategic National Stockpile or the ability to test for biological threats. Although 35 states scored eight or higher, only seven — ILLINOIS, KENTUCKY, NEBRASKA, NEW JERSEY, PENNSYLVANIA, TENNESSEE and VIRGINIA — were deemed sufficient in all 10 categories. No state scored less than six.





already adopted “enhanced” licenses with radio-identification chips next year that would be used in lieu of a passport at the U.S. border. States are almost certain to see another flood of bills when the federal Real ID standards are finally released.

### NIETC

Federal law authorizes the U.S. Energy Secretary to designate National Interest Electric Transmission Corridors in geographic areas experiencing electric energy transmission capacity constraints or congestion that adversely affects consumers. The federal government has already started identifying areas where large scale congestion problems exist or may be emerging. But three or more contiguous states can enter into an interstate compact to carry out siting responsibilities within those states rather than leaving it to the feds. Some “corridor” states are beginning to do so (WA H 1038) and others are likely to in 2008.

### ABORTION

This is a standard issue, but one likely to get lots of play in 2008 as many activists move to qualify ballot measures that would grant “personhood” to embryos (see *Abortion Foes Push “Personhood” Initiatives* in the Dec. 10 *SNCJ*).

### CAPITAL PUNISHMENT

Last week, NEW JERSEY became the first state in decades to ban the death penalty. With the Supreme Court currently deliberating what exactly constitutes cruel and unusual punishment, several states have also enacted official or de facto moratoriums on executions. Expect several more to take up the issue in 2008.

### INSURANCE

This is a “pick your poison” topic, with numerous issues under the big umbrella. The use of credit scoring in setting insurance rates, for instance, has long been an issue of serious contention between consumers and the insurance industry. Over 40 bills are still pending in 18 states and will carry over into 2008, with many new bills expected as well.

## The week in session

**States in Regular Session:** DC, NJ, WI

**States in Informal Session:** MA

**States in Skeleton Session:** OH

**States in Veto Session:** IL

**States in Special Session:** IL Special Sessions “a”-“r”, PA “a”

**States in Recess:** IN(2008), MI, NH, NY, PA

**Special Sessions in Recess:** CA “a”, CA “b”, DE “a”, WI “c”

**States Currently Prefiling or Drafting for 2008:** AL, AZ, CO, DE, FL, GA, IA, IN, KS, KY, ME, MO, NH, NM, OK, SC, TN, UT, VA, VT, WA, WY

**States Projected to Adjourn:** US(Senate)

**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, US(Senate), 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”, WA “a”, WI “a”, WI “b”, WV “a”, WV “b”

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS  
(session information current as of 12/21/2007)  
Source: State Net database

Other significant insurance issues that should play out in statehouses in 2008 include:

### **STOLI/SPIN-LIFE INSURANCE**

A booming “secondary” life insurance market, fueled by money from hedge funds, pensions and other institutional investors — and currently estimated at more than \$13 billion — is expected to easily triple as aging baby boomers sell their policies to third parties (with no “insurable interest” in their lives), who can offer them more than the policies’ cash surrender value. Various state legislatures, along with the insurance industry, will be seeking to clarify laws that facilitate “stranger-originated” or “speculator-initiated” life insurance.

### **BAD FAITH PRACTICES**

The passage of Referendum 67 in WASHINGTON, which makes it unlawful for insurers to unreasonably deny claims and entitles claimants to actual damages, attorney fees, and in some cases up to triple damages, has spooked insurers. At the same time, states may jump in if nothing develops at the federal level regarding the claim denial practices of LTC insurers who are being questioned about the doubling of claims denials over the past five years and a 70 percent overturn rate in favor of the policyholder upon appeal. Insurers fear a general resurgence in state “anti-insurer activism” over what the industry believes are accurate well-established underwriting criteria.

### **WELLNESS PROGRAMS/LIFE STYLES**

A recent survey by a leading national insurer found that nearly half of companies with 500 or more employees offered some form of “wellness program.” Twenty percent said they impose financial penalties on employees for not following wellness guidelines. Future employer-employee reactions to such program trends are likely, in one form or another, to involve state lawmakers. For example, a new bill in PENNSYLVANIA (HB 2027) provides an income tax exemption for wellness services and healthy living products and also exempts those products and services from sales taxes. On the other hand, the “tough love” approach is likely to cause employee push-back in the form of legal and legislative counter-measures.

### **MANDATED BENEFITS**

Despite health care cost inflation outpacing national inflation, legislators are expected to continue to respond to policyholders/voters efforts to require additional medical treatment benefits from insurers. Two categories of benefits expected to lead the coverage list are bariatric/gastric (weight-loss) surgery and “medically necessary rehabilitative services” such as autism, Asperger’s Disorder and attention-deficit hyperactivity disorder (ADHD), the latter for persons younger than 19 and for services not provided through the individual’s school. A bill providing such benefits was recently introduced in VA (HB 83).

— *Compiled by State Net staff*

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# Budget & taxes

**S TATES STILL SHORT ON RETIREE BENEFITS:** States are socking away billions of dollars to cover the costs of their current and future retirees, but they're still quite a bit short, according to the results of a study released last week. The study, conducted by the Pew Center on the States, showed that states have set aside a combined \$2 trillion to pay for public employee pensions and benefits, but those retirement plans are still underfunded by about \$731 billion, nearly half of which is needed for health care and other benefits separate from pensions.

Only six states — ARIZONA, NORTH DAKOTA, OHIO, OREGON, UTAH and WISCONSIN — were on track at the end of last year to fully fund their non-pension benefits for the next 30 years, according to Pew's research, compiled in a report entitled "Promises with a Price." None of the nation's biggest states — CALIFORNIA, FLORIDA, ILLINOIS, NEW YORK and TEXAS — had set aside enough money to cover those benefits. NEW YORK was \$50 billion short, followed by CALIFORNIA, at \$48 billion.

The report says some states got themselves into trouble when they increased their defined benefit levels — the amounts they guarantee to pay out — during the economic boom of the '90s and then couldn't afford to pay them after the recession hit in 2001.

"While funding levels may rise and fall with the economy, once given, a defined benefit is very difficult to take away," the report states.

The fact that workers in the private sector increasingly have to cover at least some of the cost of their retirement benefits — as well as foot the bill for their public-sector counterparts — is breeding what the report calls "pension envy," which, in turn, is spurring calls for reform.

"The gap between public and private sector benefits fuels the political debate, as taxpayers notice that they are contributing to government employee retirement benefits that are increasingly unavailable in the private sector," the report says.

Pew says restructuring benefits is one approach states are taking to address the issue. ALASKA and MICHIGAN, for instance, have switched state employees from traditional defined benefit plans to 401(k)-style defined contribution plans.

Other "promising approaches" highlighted in the report include: adopting hybrid pension plans that combine elements of traditional pension plans and 401(k)s (like OHIO, OREGON and WASHINGTON have done); closing loopholes in pension systems (NEW JERSEY); raising medical premiums (PENNSYLVANIA) and requiring co-pays (WEST VIRGINIA); increasing the number of years required to qualify for benefits (NORTH CAROLINA); and setting



up “irrevocable” trusts to ensure that retirement funds don’t get diverted to other purposes (at least 13 states). (STATELINE.ORG)

**INSURERS PITCH EXPANDED**

**COVERAGE:** Last week, the insurance industry’s main trade group, America’s Health Insurance Plans, did something most people probably wouldn’t have expected it to do: it proposed making it harder for insurers to cancel policies or deny coverage to people with pre-existing medical conditions and limiting the premiums companies could charge those individuals.

The proposals are aimed at addressing the problem of America’s 47 million uninsured. And although they come as dozens of states are considering health reform and insurers are being attacked by presidential candidates like Democrat John Edwards, who has said, “the American health care system is broken because wealthy insurance corporations and their lobbyists have rigged the system against

**“The health insurance industry is coming to grips with the fact that practices that are clearly driven by market forces are giving the industry a black eye.”**

the American people,” they signal a willingness on the part of insurers to move toward universal coverage.

“We are taking responsibility for ensuring that no one falls through the cracks,” said Karen Ignagni, chief executive of AHIP. While the group maintains states should cover those likely to incur the highest

medical bills, it says private insurers should cover everyone else. “We are providing essentially a coverage safety net,” she said.

Some appeared hard pressed to see a lot of altruism in the proposals.

“The health insurance industry is coming to grips with the fact that practices that are clearly driven by market forces are giving the industry a black eye,” said Paul B. Ginsburg, president of the Center for Studying Health System Change, a Washington-based research group.

Observers say the industry is also seeking to shape state policy, informed by the lessons learned from MASSACHUSETTS’ experiment with universal coverage, which many insurers consider an overly regulated approach.

“This is advice to the states on how they can create functioning and viable marketplaces,” said George C. Halvorson, chief executive of CALIFORNIA-based insurer Kaiser Permanente and the chair of AHIP. (NEW YORK TIMES)

<p><b>Upcoming elections</b> 12/20/2007 - 01/10/2008</p> <p>12/22/2007 <b>Virginia Special Election</b> House District 001</p> <p>01/03/2008 <b>Minnesota Special Election</b> Senate District 25</p> <p>01/08/2008 <b>Kentucky Special Election</b> House Districts 63 and 72</p>
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CALIFORNIA Gov. Arnold Schwarzenegger (R) was none too pleased with the news, accusing the agency of defying the will of the citizens of his state and the 16 others set to adopt CALIFORNIA's standards and vowing to fight the decision.

"It is disappointing that the federal government is standing in our way and ignoring the will of tens of millions of people across the nation," he said in a statement. "We will continue to fight this battle.... We will sue to overturn today's decision."

EPA administrator Stephen Johnson defended his action with the argument that the federal energy bill signed last week by President Bush was "a clear national solution" to the issue, which was preferable to "a confusing patchwork of state rules."

Mary Nichols, chairwoman of CALIFORNIA's Air Resources Board, disputed that contention.

"There's no patchwork of programs here, Nichols said. "There's the CALIFORNIA standard, which has now been adopted by 17 states, and then there's no standard, which is what the federal government has."

**"It is disappointing that the federal government is standing in our way and ignoring the will of tens of millions of people across the nation."**

U.S. Sen. Barbara Boxer suggested Johnson was just using the energy bill as cover for the Bush administration to continue its longstanding refusal to allow mandatory limits on greenhouse gas emissions, a position that was going to bring a national fight.

"This is outrageous on its face, and it's going to be an issue in the presidential election," she said. "The administration is using an excuse to stop environmental progress."

Boxer, who chairs the Senate Environment Committee, also said she would support a states' rights challenge to the EPA action in Congress. (SAN JOSE MERCURY NEWS)

**FEDERAL COURT BLOCKS FL VOTER FRAUD LAW:** A federal judge blocked implementation of a new FLORIDA law barring people from registering to vote unless election officials are able to match their Social Security or driver's license numbers to government databases. U.S. District Judge Stephan Mickle sided with the three civil rights organizations that had challenged the law on the grounds that it violated the Constitution and federal voting laws because the databases are unreliable and the matching process is subject to error. Secretary of State Kurt Browning (R) said he would appeal the temporary injunction. (SOUTH FLORIDA SUN SENTINEL)

**POLITICS IN BRIEF: KANSAS** Attorney General Paul Morrison (D) resigned last week over allegations that he had an affair with a former employee of the Johnson County district attorney's office and harassed her into meddling with its



affairs. There was no timeframe for when Gov. Kathleen Sebelius (D) would choose his successor (WICHITA EAGLE). • **COLORADO** Secretary of State Mike Coffman has decertified thousands of electronic voting machines after identifying “obvious problems,” such as their inability to count votes accurately or properly trace security breaches. The move has left election officials scrambling to come up with viable replacements before local and Congressional primary elections scheduled for August and the presidential election in November (NEW YORK TIMES). • The top lawyer for the **PENNSYLVANIA** Republican caucus recently received a raise that bumped his pay to \$197,000 — about \$27,000 more than the state’s Democratic Gov. Ed Rendell makes. Republican officials maintain their counsel’s salary is a bargain, given his experience (MORNING CALL [ALLENTOWN]).

— *Compiled by KOREY CLARK*

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# Governors

**G**OVNS SHELVE WATER DEAL: The governors of FLORIDA, GEORGIA and ALABAMA struck a tentative deal to temporarily shelve a plan by the U.S. Army Corps of Engineers to bolster Atlanta’s water supply by reducing the flow to the Sunshine State. The deal was struck after five hours of what ALABAMA Gov. Bob Riley (R) called “brutally candid” negotiations. The governors said that all three states will send teams of river experts to Washington D.C. in January to work out a new plan for sharing water. The plan is expected to be completed by February and approved by federal officials by March 15.

The three states have been brawling in court over water since 1990, primarily over access to the water in GEORGIA’s Lake Lanier as well as the Chattahoochee, Apalachicola and Flint rivers. Each state has different needs: GEORGIA wants it because Atlanta uses water flowing out of Lake Lanier for drinking water, while ALABAMA uses Lanier runoff into the rivers to cool a nuclear plant that supplies power to most of the state. Water from those rivers also is the lifeblood of FLORIDA’s \$200 million fishing industry. Adding another complication to the mix, water flowing into the Apalachicola also affects several endangered species.

The Republican governors — Riley, GEORGIA Gov. Sonny Perdue and FLORIDA Gov. Charlie Crist — were joined by U.S. Secretary of Interior Dirk Kempthorne, who was sent by the Bush administration to help mediate the issue. Kempthorne was cautiously optimistic afterward, acknowledging that several key issues remain unsettled. But he also praised the governors’ efforts, noting “These governors are serious and intent about finding a solution.” (ATLANTA JOURNAL-CONSTITUTION, ST. PETERSBURG TIMES)



**EXECUTIVE ORDERS: NEW YORK** Gov. Eliot Spitzer (D) issues EO 20, which creates a Smart Growth Cabinet that will “oversee a comprehensive review of state statutes, regulations, policies, practices and capital programs that impact economic development and land use” (STATE NET).

• **IDAHO** Gov. Butch Otter (R) issues EO 2007-20, which creates the 25X25 Renewable Energy Council, “a joint effort between local, tribal, state, and federal governments, for profit and not-for-profit private sectors...to foster coordinated approaches that support the 25 x ‘25 initiative for IDAHO’s agricultural and forestry sectors to produce 25 percent of the state’s energy requirements from renewable sources by the year 2025” (STATE NET).

## 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: 830**

**Number of Intros last week: 685**

**Number of bills enacted/adopted last week: 117**

**Number of prefiles to date: 44,961**

**Number of Intros to date: 167,410**

**Number of enacted/adopted overall to date: 42,020**

— Compiled By JAMES ROSS  
(measures current as of 12/20/2007)  
Source: State Net database

**GOVERNORS IN BRIEF:** Saying he prefers to “live and let live,” **FLORIDA** Gov. Charlie Crist (R) says he will not stump for a proposed constitutional amendment banning gay marriage slated for the November ballot. “It’s not an issue that moves me,” Crist said last week after the group supporting the measure announced they had gathered enough signatures to put it before voters (ST. PETERSBURG TIMES).

• **OHIO** Gov. Ted Strickland (D) last week launched Connect **OHIO**, a \$6.8 billion public private partnership aimed at bridging the Buckeye State’s “digital divide.” Strickland said the first phase of the program will be working with local communities to determine what parts of the state have broadband Internet access that provides high speed service and what parts don’t (DAYTON DAILY NEWS).

• **SOUTH DAKOTA** Gov. Mike Rounds (R) has proposed using state, federal and private money to buy a perpetual easement to prevent commercial and residential development on the northern end of the Black Hills, land that several Native American tribes consider to be sacred. Rounds wants to prevent developers from building biker bars and other noisy businesses in the area, which, because of the growth of the annual Sturgis Motorcycle Rally in August, has seen land values skyrocket in recent years (USA TODAY).

• **ARIZONA** Gov. Janet Napolitano (D) has reached an informal agreement with some of the Grand Canyon State’s biggest subprime lenders to freeze “teaser” interest rates for homeowners who may soon face foreclosure. The agreement mirrors a similar deal recently negotiated between **CALIFORNIA** Gov. Arnold Schwarzenegger (R) and four major subprime lenders in the Golden State. Three more lenders joined into that agreement last week (ARIZONA DAILY STAR [TUCSON], SACRAMENTO BEE).

— Compiled by RICH EHISEN

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# Hot issues

**B** **BUSINESS:** The **MICHIGAN** House approves legislation that would allow counties to charge cell phone users a monthly 911 fee. Counties are currently only allowed to charge the fees to land line customers. The bill returns to the Senate, which approved it earlier this year (**SOUTH BEND TRIBUNE**).

**CRIME & PUNISHMENT:** Emergency management officials in **TEXAS** announce that anyone boarding evacuation buses during hurricanes or other emergencies must first submit to a criminal background check. Officials say the policy is intended to keep sex offenders and fugitives from boarding evacuation buses with children, the elderly and the disabled. Those offenders will be placed on different busses (**STAR-TELEGRAM [FT. WORTH]**). • **NEW JERSEY** Gov. Jon Corzine (D) signs legislation abolishing capital punishment in the Garden State. **NEW JERSEY** is the first state to ban the death penalty since **IOWA** and **WEST VIRGINIA** in 1965, and the only state to do so since the U.S. Supreme Court allowed states to reinstate it in 1976 (**USA TODAY**).

**EDUCATION:** Health officials in **NEW JERSEY** give final approval to new rules requiring Garden State pre-school children to receive immunizations against pneumonia and the flu. The policy also requires sixth-graders to receive shots for meningitis and a booster for tetanus and whooping cough. Those rules go into effect in September, 2008 (**ASBURY PARK PRESS**).

**ENVIRONMENT:** The U.S. Environmental Protection Agency rejects **CALIFORNIA**'s request to regulate greenhouse gas emissions from automobiles. The EPA said that a new federal energy bill signed into law by President Bush creates a federal standard that is a better option than allowing individual states to set their own regulations. At least 16 states have either already adopted or are considering adopting the **CALIFORNIA** standards. Gov. Arnold Schwarzenegger (R) and other Golden State officials immediately vowed to sue to overturn the decision (**LOS ANGELES TIMES**). • A **NEW JERSEY** Senate committee approves a measure that would require electric producers to bid on the amount of carbon dioxide they are allowed to release into the air. It moves on to the Senate Appropriations Committee (**ASBURY PARK PRESS**).

**HEALTH & SCIENCE:** The **CALIFORNIA** Assembly approves ABX 1, a measure that would require most Golden State residents to purchase healthcare insurance by 2010. The \$14.5 billion plan, which also calls for employers to pay the equivalent of 6.5 percent of their payroll either on employee healthcare or into a state



fund, moves to the Senate. Because the plan also calls for new taxes on cigarettes and hospitals, voters would ultimately have to approve it before it could go into effect (LOS ANGELES TIMES).

**SOCIAL POLICY: MASSACHUSETTS** Gov.

Deval Patrick (D) creates the Bay State’s first Office of the Child Advocate, a watchdog agency with power to investigate allegations of child abuse and neglect and to monitor state agencies that provide services to children. The office will not, however, have the power to issue subpoenas or hold public hearings (BOSTON GLOBE).

— *Compiled by RICH EHISEN*

## Upcoming stories

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

- **The national drinking age**
- **A new Cannon Perspective**
- **Retail health clinics**

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# Once around the statehouse lightly

**THE MAN BEHIND THE DOOR:** Recently deposed KENTUCKY governor Ernie Fletcher was never one to cozy up to the scribes who covered the goings on in Frankfort. Fletcher in fact so despised dealing with the media that he had a hidden doorway installed in the Capitol room used for news conferences — a door that connected that room directly to his office. The little sneak path allowed Fletcher to get to news conferences without having to access a public hallway often infested with pesky reporters who were prone to bothering him with silly questions about, you know, public policy and all that drivel. As the *Lexington Herald-Leader* reports, he justified the hidey hole by telling reporters that he was “not here to serve all your whims.” Sadly for Fletcher, his scandal-plagued term in office left voters uninterested in serving his whims for another four years. New Gov. Steve Beshear has vowed to remove the door.

**RANGER MERMAID AT YOUR SERVICE:** For 60 years, FLORIDA has been home to Weeki Watchee Springs, a water park famous for its mermaids — a bevy of lovely young ladies (and, in recent years, hunky men) who perform underwater shows for amazed park visitors. Now, as the *Orlando Sentinel* reports, the park’s owner — the nine-person town of Weeki Watchee — is negotiating a deal to donate it to the state, which would then turn it into a state park. That sounds just fine to Gov. Charlie Crist, a bachelor, whose first response when told of the potential

deal was, “Can we keep the mermaids?” To his relief, the mermaids are part of the deal. In fact, should the deal go down, the mermaids will officially become state park rangers. Hey, Boo Boo!

**JUST AN OLD LUMP OF COAL:** That is what some UTAH residents are sending to NEVADA Gov. Jim Gibbons this Christmas. As the *Deseret Morning News* reports, their ire was sparked over Gibbons’s support of a proposed new coal-fired power plant that would set up shop near the Beehive State border. Residents in the Southwestern UTAH retirement community of St. George say the plant will undoubtedly spew pollution that will cross over into their neck of the woods. So to make their feelings known, more than a hundred Utahans have sent Gibbons envelopes stuffed with coal as a way of encouraging him to reject the coal plant’s application for an operating permit. But just to prove they aren’t all just mean old Grinches, the coal was accompanied by a nice, festive card.

**GOING FOR THE RECORD:** How do you ever top building the world’s biggest snowman? If you are the town of Bethel, MAINE, the answer is clear — you build the world’s biggest *snowwoman*. As *USA Today* reports, Bethel already holds the world record for snowman hugeness: a 113 feet, 7 inch beauty they built in 1999 and named “Angus, King of the Mountain” in honor of former Gov. Angus King. Now the Bethel Chamber wants to outdo its own record by creating an even bigger female version. The construction is slated to begin in January, but folks there are already debating a name for the giant snow mama. There has been no word yet from the former governor, but Chamber Executive Director Robin Zinchuk believes King will eventually weigh in because he is “all about doing fun things.”

— By RICH EHISEN

## In case you missed it

State legislatures in 2008 will face an ever widening spectrum of difficult problems, from healthcare woes to illegal immigration. In our Dec. 17 issue, we featured 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/12-17-2007/html](http://www.statenet.com/capitol_journal/12-17-2007/html).



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