

Diving into the deep end



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2003 State Session Recaps showcasing the legislative wrap-up in each state.

Top Story

Legislative sessions have started all over the country, and with them has also come the first salvos in what is sure to be another year of bitter, partisan-fueled budget battles.

SNCJ Budget Spotlight

Lawmakers dig in for 2004 budget battles

Despite a gradually improving economy, fiscal challenges still dominate most statehouse agendas, a fact significantly confounded by impending Legislative elections in every state except ALABAMA, LOUISIANA, MARYLAND, MISSISSIPPI, NEW JERSEY and VIRGINIA. Many lawmakers are under the gun to consider taking what promise to be wildly



unpopular actions in their efforts to bring in a balanced budget, efforts that could include new or additional tax increases as well as severe cuts to “safety net” social programs. Although the final budget tallies are several months off, the battles have already begun in earnest. Here are just a few of the states currently addressing those issues.

ARNOLD’S MODEST BUDGET STILL SPARKS CONFLICT:

Despite his campaign promise to “clean house” and eliminate waste in Sacramento, CALIFORNIA Gov. Arnold

Schwarzenegger’s (R) 2004-05 budget proposal released on Jan. 8 calls for mostly modest changes to the state’s bureaucracy. But Democratic lawmakers still found plenty not to like about the governor’s spending plan. Senate President Pro Tem John Burton (D) criticized it for failing to address the state’s core budget imbalance with any new taxes and for providing car owners a tax break on the backs of the poor and disabled. Schwarzenegger’s \$99.1 billion budget includes \$4 billion in cuts to state government, nearly half of which would come from public health and welfare programs, and another \$1.3 billion in cuts to local governments, which would also likely hit social service programs hard. Burton promised to fight the plan, but said serious negotiations would probably not begin before the March election.

Schwarzenegger has also promised to seek repeal of more than a dozen new laws written by Democrats and approved in 2003, citing a lack of money to pay for them. All were supposed to take effect Jan 1, but none of the bills, which address a wide range of social issues, has yet been implemented. Burton

Quote ...

“At a time when we are trying to close a \$14 billion budget gap...it is counterintuitive to start new state program expansions.”

—**CALIFORNIA Finance Dept. spokesperson H.D. Palmer explaining why Gov. Arnold Schwarzenegger (R) wants to repeal 14 laws passed by Democrats in 2003.**

... unquote

“It costs money if you appropriate money, but we’re not, so why repeal them?”

—**CALIFORNIA State Senate Pro Tem John Burton (D) questioning the governor’s reasoning for wanting to repeal the laws. (THE SACRAMENTO BEE)**

contested the governor’s assertion that the proposed reversals would save the state money, calling Schwarzenegger’s plan a “dumb idea.” Burton said the bills in question have almost no immediate fiscal impact, and could actually save the state money in the long run. He also reiterated that any repeals would have to come from the Legislature, which he said was not likely to occur. (ASSOCIATED PRESS, SAN DIEGO UNION-TRIBUNE, THE SACRAMENTO BEE)

GOV'S ANNUAL ADDRESS MET WITH SILENCE: In his annual Condition of the State address last week, IOWA Gov. Tom Vilsack (D) called for a 60 cents-per-pack increase in the cigarette tax and expansion of the state sales tax to fund education and health-care programs suffering after three years of budget cuts. The near silence his tax proposals met in the House chamber spoke volumes about the difficulty the second-term Democratic governor will have in selling them to lawmakers. While educators had much to cheer about Vilsack's recommendations, the majority Republicans in the Legislature are opposed to any tax increases, believing they could hinder an economy on the verge of recovery. But even Vilsack's Democratic allies in the Statehouse are unwilling to back the tax proposals, given the Republicans' position on the issue. They said they would look at other solutions, like tapping the state's cash reserves. (DES MOINES REGISTER, QUAD-CITY TIMES)

The Week in Session

States in Regular Session:
AK, AZ, CA, CO, GA, IA, ID, IN, KS, KY,
MA, ME, MO, MS, NE, NH, NJ, NY, OH,
RI, VT, WA

States in Special Session: WI "d"

State in Perfunctory Session: IL

States in Recess:
AR "b", CA "c", CA "d", CA "e", DE "a",
PA

Currently Prefiling:
AL, DE, FL, MD, MN, MT (Drafts for 2005),
OK, SC, SD, TN, UT, VA, WY

States Adjourned:
AZ "b", CA "a", CA "b", FL "e", MI, NC "a",
NC "b", NM "a", UT "c", WA "a", WA "b",
WA "c", WI

Letters indicate special/extraordinary sessions
Source: State Net, 1/12/04

STATE TO HOST NATIONAL REFERENDUM ON TAXES: Measure 30, OREGON's upcoming referendum on the \$800 million tax increase passed by lawmakers last year is being viewed by national anti-tax groups and progressive groups alike as a referendum on the anti-tax movement. With tax increases off the table at the federal level, the battle has shifted to the states, where the anti-tax camp has already scored a decisive victory, helping convince voters in ALABAMA to overwhelmingly reject \$1.2 billion in new taxes proposed by Gov. Bob Riley (R). Anti-tax advocates believe a similar result in Oregon would send a strong message to politicians in other states that raising taxes is not an option for dealing with budget deficits. National progressive groups, on the other hand, see the Oregon referendum as an opportunity to call the anti-tax movement's bluff, pointing out that Oregonians have first-hand experience over the past two years of the impact of significant budget cuts — the only alternative to a tax increase — on the quality of state services like education and healthcare. Measure 30 goes before voters February 3. (OREGONIAN [PORTLAND])



(R) and House Republicans on key budget and policy issues last year, which badly strained DFL party unity. While the governor doesn't plan on letting the change in leadership alter his agenda, House Speaker Steve Sviggum (R) worries that it will mean less willingness on the part of Senate Democrats to compromise. (MINNESOTA PUBLIC RADIO)

SESSION ENDS IN NJ: The lame-duck session of NEW JERSEY's 210th Legislature ended last week with a flurry of activity. Lawmakers passed bills banning drivers from using hand-held cell phones, which Gov. James E. McGreevey (D) intends to sign; lowering the state's standard for drunk driving from .10 to .08, which will enable the state to collect \$72 million in federal highway funding over the next four years; and adopting tougher auto emissions standards like those in California. Both houses also passed ethics legislation with strong bipartisan support, although some Republicans criticized Democrats for failing to address the problem of "pay to play" in state contracting. A "pay to play" reform bill passed the Senate in 2002 but stalled in the Assembly after McGreevey announced he would veto it unless it was expanded to cover local government. The GOP intends to continue pushing to end the practice, despite the fact that they are losing their shared control of the Senate to the Democrats this year. (STAR-LEDGER [NEWARK])

—Compiled by KOREY CLARK

Governors

RYAN'S GHOST HAUNTS BLAGOJEVICH: Twenty-five former state employees have filed suit against ILLINOIS Gov. Rod Blagojevich (D), saying the Democratic governor fired them last year without benefit of an official hearing and despite the fact they had done nothing to earn their dismissals. The suit also alleges Blagojevich damaged the employees' professional reputations through a series of public comments and press releases, specifically by referring to them as "henchmen" of former Gov. George Ryan (R). Ryan and several of his staff have since been accused by federal authorities of racketeering, mail fraud, tax fraud and various other illegal activities. Blagojevich denies firing them without reason, saying the group was terminated for illegally manipulating state personnel rules to hold onto their jobs after Ryan left office. The fired employees appealed their termination last September to the Prairie State's Civil Service Commission, but while the Commission ruled in their favor, they were blocked from returning to work when the

Real per pupil expenditures for public elementary and secondary schools

State	1999-2000		1989-1990		1979-1980	
	per pupil	state rank	per pupil	state rank	per pupil	state rank
Alabama	\$4,946	47	\$4,341	48	\$3,912	47
Alaska	8,834	4	10,386	2	10,906	1
Arizona	4,505	50	5,135	40	4,703	36
Arkansas	5,540	42	4,456	47	4,325	42
California	5,967	33	6,213	24	5,898	17
Colorado	5,282	46	6,013	26	6,285	11
Connecticut	9,792	2	9,992	4	5,940	14
Delaware	8,022	9	7,220	12	6,299	9
Florida	5,872	35	6,327	20	5,315	24
Georgia	5,953	34	5,407	35	3,927	46
Hawaii	6,257	24	5,699	31	3,994	44
Idaho	5,411	43	4,031	50	4,048	44
Illinois	6,149	27	6,239	23	5,281	25
Indiana	6,674	19	5,820	29	4,393	41
Iowa	6,008	31	5,782	30	6,132	13
Kansas	6,386	23	5,920	27	5,754	18
Kentucky	6,425	22	4,582	44	3,347	51
Louisiana	5,701	39	4,940	41	4,528	39
Maine	7,619	12	6,767	16	4,762	32
Maryland	7,174	16	7,593	10	5,469	22
Massachusetts	8,750	5	7,957	8	6,295	10
Michigan	7,451	13	7,024	13	5,686	20
Minnesota	7,435	14	6,483	18	5,913	16
Mississippi	4,605	48	4,051	49	3,636	49
Missouri	5,846	37	5,617	32	4,408	40
Montana	6,131	28	5,851	28	6,427	8
Nebraska	6,000	32	6,283	22	4,798	31
Nevada	5,568	41	5,266	38	5,608	21
New Hampshire	6,202	25	6,604	17	4,747	33
New Jersey	9,775	3	10,223	3	6,515	6
New Mexico	5,861	36	4,760	43	5,740	19
New York	9,797	1	9,730	4	7,635	2
North Carolina	5,724	38	5,476	34	4,804	30
North Dakota	4,512	49	5,381	36	5,269	26
Ohio	6,479	21	6,302	21	4,739	34
Oklahoma	5,634	40	4,549	46	4,727	35
Oregon	8,605	6	6,771	15	6,225	12
Pennsylvania	7,243	15	7,704	9	6,716	4
Rhode Island	7,990	10	8,001	6	5,380	23
South Carolina	6,113	29	5,210	39	3,751	48
South Dakota	5,369	45	4,847	42	5,239	27
Tennessee	5,387	44	4,699	44	3,466	50
Texas	6,092	30	5,292	37	4,574	37
Utah	4,036	51	3,521	51	4,992	28
Vermont	6,981	17	7,963	6	4,536	38
Virginia	6,149	26	6,389	19	4,891	29
Washington	6,528	20	6,020	25	7,426	3
W Virginia	8,488	7	5,545	33	4,054	43
Wisconsin	7,886	11	6,927	14	5,929	15
Wyoming	6,911	18	7,230	11	7,149	4

Source: U.S. Department of Education, National Center for Education Statistics, Digest of Educational Statistics, 1981, 1991 and 2002; American Legislative Exchange Council.
 Note: All expenditures are adjusted to 1999-2000 dollars



BIG TECH FOR HAWAII? A collection of technology companies has expressed interest in turning the Aloha State into a technology hub for the Pacific Rim, and Gov. Linda Lingle (R) is herself more than a little interested in hearing more. Lingle has already met with officials from Sony Corp. to talk about the communications giant making Hawaii a center for broadband technology, while several Internet service providers are investigating the possibility of setting up wireless online access in Waikiki. Sony President Kunitake Ando told Lingle he believes technology could transform the state into a hub for digital movie making and other technology-fed products, including a digital hand-held data card that can be used as a train pass, ID card or for monetary transactions. Lingle plans to discuss the possibilities during her State of the State address on Jan. 26. (HONOLULU ADVERTISER)

CUBA LIBRE, KANSAS STYLE: KANSAS Gov. Kathleen Sebelius (D) signed onto a joint communique with Cuba's largest food importer in hopes of enhancing trade between Sunflower State companies and the tiny island nation. The Cuban company, Empresa Comercializadora de Alimentos, has pledged to spend \$10 million on Kansas agricultural products, while Kansas will try to promote business opportunities in the Cuban market while also encouraging normalization of trade between Cuba and the United States. Sebelius was not actually required to sign off on the deal for it to go through, but she chose to as a means of lending the weight of her office to the agreement. The governor actually signed the agreement in December, but chose not to announce it herself. Kansans learned of the agreement when it was announced on Cuba's Radio Rebelde. (WICHITA EAGLE)

GOVERNORS IN BRIEF: For then first time since taking office, **WISCONSIN** Gov. Jim Doyle (D) gave the Democratic response to President Bush's weekly national radio address. Doyle used the opportunity to reassert the wishes of various state governors to be allowed to purchase less expensive prescription drugs directly from Canada (MILWAUKEE JOURNAL-SENTINEL). • New polling numbers for **CALIFORNIA** Gov. Arnold Schwarzenegger (R) found only 30% said he is doing a good job. The poll, conducted by Southern California-based Probolsky Research, also showed 32% said he was doing a fair or poor job, with 20% undecided (ORANGE COUNTY REGISTER). • Still on polling numbers, a Fairleigh Dickinson University poll in **NEW JERSEY** shows that 29% of those surveyed viewed Gov. James E.

CRIME & PUNISHMENT: The U.S. Supreme Court refuses to hear an appeal on a lower court ruling that says **MICHIGAN** can collect payments from prisoners' pension funds to reimburse imprisonment costs. The State Supreme Court had also upheld the ruling in an earlier decision (DETROIT FREE PRESS). • **NEW JERSEY** Gov. James E. McGreevey (D) vetoes a bill that would have created a special commission to study the Garden State's death penalty law. McGreevey cited a number of previous studies already conducted for rejecting the bill (NEWARK STAR-LEDGER). • A joint legislative committee in **WEST VIRGINIA** endorses legislation that would allow bail bondsmen to deliver offenders to jails without having the necessary legal paperwork. The bill would allow paperwork to be processed the following day (CHARLESTON GAZETTE). • The U.S. Supreme Court overturns a decision by the **ILLINOIS** Supreme Court by endorsing the use of police roadblocks as an investigative tool for authorities to find witnesses to recent crimes. The Prairie State court had ruled the procedure unconstitutional (NEW YORK TIMES).



EDUCATION: Gov. Mike Huckabee (R) of **ARKANSAS** vetoes HB 1010, a bill that would have created an advisory commission on math excellence for the Razorback State. Huckabee said the bill duplicates tasks already performed by the state's Dept. of Education (ARKANSAS NEW BUREAU). • **ILLINOIS** Gov. Rod Blagojevich (D) announces a plan to allow every child born in the state to receive a free book monthly until the age of 5. The books will be chosen and delivered by Dolly Parton's Imagination Libraries, a non-profit literary organization that runs similar programs in other states (CHICAGO TRIBUNE).

ENVIRONMENT: The **NEW JERSEY** Legislature approves a proposal to adopt **CALIFORNIA**'s strict auto-emissions standards. Seventeen Garden State counties rank among the 100 worst in the nation for airborne toxic substances. New Jersey Gov. James E. McGreevey (D) has indicated he will sign the bill into law (PHILADELPHIA INQUIRER). • Citing a lack of state money, **CALIFORNIA** Gov. Arnold Schwarzenegger (R) halts a landmark plan to create a network of marine reserves off of the Golden State coast that were once touted as a national model for preserving declining fish species. Fish and Game officials say the process will restart if and when the revenue is there to support it (SAN JOSE MERCURY NEWS). • The battle over snowmobiles in Yellowstone National Park took another turn as a federal court rejects efforts by

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Once around the statehouse lightly

SPEND SOME TO MAKE SOME? Some folks in ILLINOIS are scratching their heads over a contract given to Illinois Property Asset Management last month. According to the *Chicago Sun-Times*, the Blagojevich administration hired IPAM for a cool \$25 million over three years – not as much as Sammy Sosa makes, to be sure, but hopefully this contract will be paid back many times over. That’s because IPAM is supposed to make a detailed assessment of the state’s property holdings and space needs, with the idea of saving The Land of Lincoln as much as \$100 million a year. Some are skeptical. Says one lawmaker: “It doesn’t make much sense to spend too much on the people you’re trying to hire for the purpose of saving money. It’s kind of an oxymoron.”

INFLATION FACTOR. Maybe it’s the rugged terrain. Or the inaccessibility of some communities. Whatever the reason, a recent study by the National Drug Intelligence Center revealed that residents of WEST VIRGINIA pay more for powder cocaine than anywhere else in the county. According to *The Charleston Gazette*, experts think drug dealers are trying to dupe West Virginians. Maybe the Legislature ought to pass a law to protect them from unscrupulous felons.

WHAT WOULD DOROTHY SAY? The KANSAS State Fair has a problem. It’s passé. Tired. Out of date. Dull. And it so desperately wants to be hip. So, *The Wichita Eagle* reports, the fair has hired a Wichita advertising group to design an entirely new image for the mid-September confab of musical acts, carnival rides, bake-offs and 4-H contests. And it has paid Greteman Group \$175,000 to come up with the new identity. Something fresh. An image that appeals to a younger audience. Something hip. A sunflower-seed spitting contest?

UNLIKELY ALLY. Talk-show host Rush Limbaugh got help from an unexpected ally last week in his battle with FLORIDA officials over seizure of his medical records. Palm Beach County prosecutors took the records as part of an investigation into Limbaugh’s prescription drug use, but the radio host sued to stop them, claiming a violation of his privacy. Lo and behold, the American Civil Liberties Union filed a friend of the court brief last week, reports the *South Florida Sun-Sentinel*, siding with Limbaugh. As the nation’s premier conservative radio personality, Limbaugh fre-

quently bashes all things liberal — among them, the American Civil Liberties Union. Perhaps now, Limbaugh will be more civil. Nah.

OUTSOURCING. The state of MONTANA is trying hard to collect back taxes from delinquent taxpayers, but at least one Great Falls scofflaw was more than a little miffed when he received notice from a private company hired by the state to track down and collect its due. According to the *Billings Gazette*, the Montana Revenue Dept. had turned the case over to a collection agency – from TEXAS. The company, headquartered in Houston, is trying to collect some \$29 million in past-due accounts. In the first five weeks of the contract, however, it had brought in a measly \$93,000.

STRUTTIN’ HER STUFF. Lawmakers love publicity, especially in an election year. But some folks around the CALIFORNIA Capitol were amused by a recent cover story in *San Jose Magazine*. There, in all her glory, was Democratic Assm. Rebecca Cohn. Inside, the magazine ran a fluffy valentine of a story, letting readers know “50 things they never knew about Rebecca Cohn,” such as what she does for fun (dancing with her husband). But never mind the text. As *California Journal* reports, Capitol insiders were mostly focused on the cheesecake photos that accompanied the piece, especially the one with fishnet stockings. Hey, ya got it – flaunt it.

— *Compiled by A.G. BLOCK*



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