

February 16, 2009

# Keeping Score

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The next issue of Capitol Journal will be available on February 23rd.



## Top Story

*The use of credit scoring for things other than setting loan rates continues to be a major issue for lawmakers across the states.*

## SNCJ Spotlight

### Credit scoring again on legislative dockets

Dismal budgets continue to be the elephant in the room in most statehouses, but lawmakers are still making time to address other issues as well. This includes one of the most persistent legislative matters of recent years: the use by insurance companies of a consumer's credit score in setting that person's automotive policy rates.

Consumer advocates have long criticized the use of credit scores for such reasons, arguing that a person's driving record should be the only thing that

impacts what they pay for insurance. They also allege that credit scoring models negatively impact minorities and individuals with low incomes.

Insurers naturally disagree, pointing to studies like the one by the actuarial firm Tillinghast, which contends there is a 99 percent correlation between insurance industry credit scores and the industry's loss ratio, or the cost of claims filed in relation to dollars paid in premiums. Additionally, the Insurance Information Institute (III) says that over half of policyholders actually pay lower premiums for having good credit than they would if their credit information were not considered at all. The III also denies that credit scoring adversely impacts low-income and minority populations because insurers don't collect information about applicants' race or income.

Credit scoring was invented in the late 1950s by the then-CALIFORNIA-based firm Fair Isaac & Company. These days, over 90 percent of credit card lenders and more than 75 percent of mortgage lenders use credit scoring to make lending decisions. Employers have also got into the act, using credit scoring to screen job applicants, while utility service providers use it to qualify potential customers.

That expansion has led to a proliferation of scoring models. While Fair Isaac's model, the FICO score, which is based on such factors as an individual's payment history and amount of debt, is the most widely used, many companies have developed their own models tailored to their specific businesses, which they tend to regard as company secrets.

States have been examining the use of credit scores for years, but when it comes to laying down the law, they have generally adopted a cautious approach. According to the III, 48 states have adopted laws restricting the use of credit scoring by insurers, about half of which are based on model legislation developed in 2002 by the National Conference of Insurance Legislators (NCOIL). Under that model law, insurers may use credit scoring as long as they do not base rate and other decisions on credit scores alone. Insurers are also prohibited from including income or ethnicity in their scoring models and are required to notify consumers in "clear and specific language" of the reason for any adverse action, such as denial of coverage or nonrenewal.

To date, only four states have completely banned insurers from using credit scoring: CALIFORNIA prohibits its use for setting auto insurance rates; MARYLAND bars the practice in connection with homeowners premiums; HAWAII and DELAWARE ban use of credit scores in both types of insurance.

Although credit scoring legislation has slowed in recent years, it has certainly not disappeared as an issue. According to the State Net database, 44 credit scoring bills have been introduced in 20 states so far this year. Of those measures, 22 would prohibit or severely restrict the use of credit scoring to set or increase insurance rates. At least four of those measures — NORTH DAKOTA HB 1405 and SB 2330 and MISSISSIPPI HB 1032 and SB 2823 — have already gone down to defeat. Another half dozen pending measures would bar employers from using credit reports as a basis for hiring new employees.



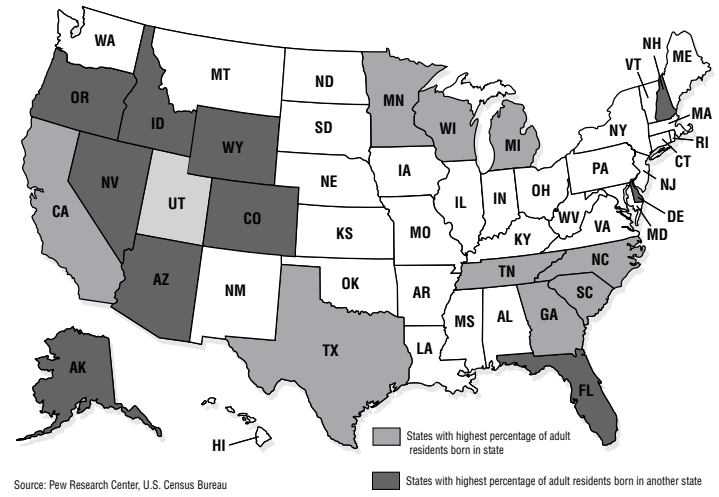
Recent industry changes could also potentially impact further legislation. Experian announced last week that it will no longer offer FICO credit scores directly to the public. Lenders will still have access to Experian credit data to formulate the FICO score, but consumers won't be able to know in advance what their scores are. Fair Isaac is also planning to introduce an updated credit score model, FICO 08, that is purported to do a better job of predicting borrower defaults, is more forgiving of one-time slipups and tougher on repeat offenders. The new model is also designed to do a deeper analysis of subprime borrowers — those whose score is in the 600 range — and those with “thin” or young credit histories. Some observers believe the new system could result in most consumers seeing a 20 point fluctuation in their credit score.

Whether that leads to more legislation to restrict credit score use remains to be seen. It is worth noting, however, that with two of the three major credit reporting bureaus, Equifax and TransUnion, soon ready to begin using the new FICO score formula, Fair Isaacs is advising consumers to pay even greater attention to their credit.

(WALL STREET JOURNAL, INSURANCE JOURNAL, PITTSBURGH POST GAZETTE, MSNBC.COM, STATE NET, BUSINESS WEEK)

— *Compiled by STATE NET STAFF*

## Bird's eye view



### Interstate migration down

According to the U.S. Census Bureau's most recent Population Survey, Americans are settling down. Only 34 million (11.9 percent) changed residences between 2007 and 2008, the smallest number since the government began tracking the statistic in the late 1940s. The annual migration rate hovered around 20 percent through the mid-1960s but has been declining since. Analysts attribute the downward trend to the aging of the U.S. population and the rise of dual-career couples, complicating relocation. The current economic downturn is placing a further drag on migration, because employment is one of the main reasons people move. Analysis of the Census Bureau data by the Pew Research Center indicates that TEXAS is the “stickiest” state in the nation; nearly 76 percent of its adult population was born in the state. NEVADA, meanwhile, is the most “magnetic;” 86 percent of its adult residents were born in another state.



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# Budget & taxes

**S** TIMULUS PLAN GOES FORTH: After months of tumultuous negotiations, Congress endorsed a \$789 billion stimulus package last week that includes billions of dollars being funneled directly into state coffers.

Although the final legislative language was not available as of this writing, lawmakers said the bill contained more than \$150 billion in public works projects for transportation, energy and technology, and \$87 billion to help states meet their skyrocketing Medicaid costs. The plan also includes a smaller version of President Barack Obama's middle-class tax cut proposal, which would give credits of up to \$400 for individuals and \$800 for families within certain income limits. It will also provide a one-time payment of \$250 to Social Security recipients and others on government disability support.

In addition, the package contains \$8 billion in direct discretionary aid to states to help offset potential budget cuts, as well as \$4 billion in grants to state and local law enforcement to hire officers and purchase equipment. It further adds \$47 billion in state fiscal relief to prevent cuts in state aid to school districts, with great flexibility to use the funds for school modernization and repair; \$26 billion to school districts to

fund special education and the No Child Left Behind law for students in K-12; \$17 billion to boost the maximum Pell Grant by \$500 to \$5,350, and \$2 billion for the Head Start program.

Those figures differ dramatically from

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previously passed versions in the two chambers. The House bill provided \$39 billion for state education budgets, \$15 billion for incentive grants and innovation, and \$25 billion that governors could use at their discretion. The Senate cut the education aid to \$31.3 billion and the incentive money to \$7.5 billion, and it eliminated the \$25 billion in discretionary funding.

That last cut caused an outcry from several governors, including OHIO Gov. Ted Strickland (D), who said they needed the infusion of federal dollars to forestall making drastic cuts in many state services, particularly to children and the elderly.

“We’re talking about immunizing our kids. We’re talking about providing health care for our children, services to our elderly, respite care for Alzheimer’s victims, correctional officers to keep our correctional facilities safe,” Strickland said.



But Sen. George Voinovich (R-OHIO), a former two-term Buckeye State governor who opposed the stimulus package, blasted state chief executives across the country for expecting Washington to provide a “slush fund” to bail them out of financial problems.

“Have all the states done all that they can do to deal with their problems?” Voinovich asked. “The federal government is not in a position to bail out states.”

“Think about this,” Voinovich added. “For the next three years, we are going to spend \$1 trillion more than we are taking in. We are going to increase the national debt 100 percent.”

Overall, the bill contains \$507 billion in spending programs and \$282 billion in tax relief, a significant reduction from what the Senate (\$838 billion) and House (\$819 billion) approved individually in recent weeks. President Obama is expected to sign the bill as early as this week. (WASHINGTON POST, NEW YORK TIMES, LOS ANGELES TIMES, CLEVELAND PLAIN DEALER, SAN JOSE MERCURY NEWS)

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where approval is anything but certain. Senate pro Tempore Darrell Steinberg (D), one of the deal’s chief architects, said he expects every Legislative Democrat to support the measure, while Sen. Minority Leader Dave Cogdill (R), said he was

package Congress approved last week. The agreement came days after Schwarzenegger threatened to issue layoff notices to 20,000 state employees unless he could reach a deal with legislative leaders that precluded the need for the cuts.

The proposal now goes before the rest of the state’s lawmakers,

## The week in session

**States in Regular Session:** AK, AL, AR, AZ, CA, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, OH, OK, OR, SC, SD, TN, TX, US, UT, VA, VT, WA, WV, WY

**States in Recess:** NY, PA, RI, WI

**States in Special Session:** CA “b”, CA “c”

**States in Budget Hearings:** DE

**States in Committee Hearings:** OH

**States Currently Prefiling or Drafting for 2009:** FL, LA

**States Adjourned in 2009:** DC 2007-08, IL 2007-08, MA 2007-08, MI 2007-08, NY 2007-08, OH 2007-08.

**State Special Sessions Adjourned in 2009:** AZ “a”, CA “a”, CT “a”, DE “b”, FL “a” IL 2007-08 Special Sessions “a”-“z”

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS  
(session information current as of 2/06/2009)  
Source: State Net database

**CA REACHES TENTATIVE BUDGET AGREEMENT:** Legislative leaders reached a tentative budget deal with CALIFORNIA Gov. Arnold Schwarzenegger (R), coming to terms on a plan that addresses the state’s \$41 billion shortfall with \$15 billion in cuts; \$14.4 billion in new and increased taxes; \$12 billion in borrowing against future profits from the lottery; short-term loans; and various accounting maneuvers. Some cuts and borrowing could potentially be offset by billions of dollars in federal aid the Golden State may receive in the federal economic stimulus



unsure of how many Republicans would vote for it. “I’ve negotiated it to the point where I think it doesn’t get any better,” Cogdill said. “We’re waiting to see all the language and all of that, so I’m not ready to commit who the votes will be at this point.” CALIFORNIA is one of only three states that require budget bills to be approved with a two-thirds majority. ARKANSAS and RHODE ISLAND are the others. (SACRAMENTO BEE, LOS ANGELES TIMES, STATE NET)

**BUDGETS IN BRIEF:** The **INDIANA** Senate voted last week to set up a 2010 referendum allowing voters to decide whether to place new property tax caps in the state Constitution. The resolution (IN SJR 1) would let voters decide whether the Hoosier State should constitutionally limit property tax bills to 1 percent of assessed value for homeowners, 2 percent for rental property and 3 percent for businesses. The caps were adopted last year, but they conflict with a constitutional provision calling for equal taxation of business and residential property. The proposal now goes to the House for review (NORTHWEST INDIANA TIMES [MUNSTER]).

- A large drop in revenues has increased **NEW YORK’s** budget deficit for the fiscal year that begins April 1 from \$13 billion to just over \$14 billion. Empire State lawmakers recently closed a \$1.6 billion budget hole for this fiscal year by cutting spending, raising insurance taxes and implementing or raising a wide range of taxes. Gov. David Paterson (D) threatened last week to kill recently-introduced legislation raising taxes on the wealthy unless lawmakers first cut more than \$11 billion in spending from next year’s budget (NEWSDAY, DEMOCRAT & CHRONICLE [ROCHESTER]).
- The **MICHIGAN** Senate approved a Native American gambling casino compact (MI SR 11) negotiated by Gov. Jennifer Granholm (D) with the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians, also known as the Gun Lake Tribe, in 2007. The House has already endorsed the deal, which gives the Wolverine State 8 percent of the casino’s take from slot machines for the first \$150 million, and 10 percent or more from slot revenue above that amount (HOLLAND SENTINEL).
- The **NEVADA** Assembly refused to consider a proposal to legalize prostitution in the Silver State’s largest counties. The prostitution industry had proposed allowing the expansion of legal brothels into the state’s urban counties in exchange for volunteering them to be taxed by the state. Prostitution is currently only legal in counties with populations under 400,000 (LAS VEGAS SUN).

– Compiled by RICH EHISEN

## Upcoming elections

2/12/2009 - 3/05/2009

02/17/2009

### **Pennsylvania Pre-election**

Senate District 029

### **Wisconsin Primary Election**

Constitutional Officers:

Superintendent of Public Instruction

03/03/2009

### **California Special Election**

Senate District 26 (Ridley-Thomas)

### **Illinois Special Primary**

US House (Congressional District 05 (Rahm Emanuel))

### **Pennsylvania Special Election**

Senate District 029

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# Politics & leadership

**A** **K TROOPERGATE FALLOUT CONTINUES:** The fallout from the “Troopergate” scandal continued last week, as the ALASKA Senate voted to find Gov. Sarah Palin’s (R) husband, Todd, and nine of the governor’s aides in contempt for failing to show up when ordered by subpoena to testify in the matter. The resolution (AK SR 5) called for no punishment, however, because Todd Palin and the others did eventually submit written statements to the investigator.

The resolution passed on a vote of 16 to 1, with six Republicans and 10 Democrats voting for it. Last fall, Attorney General Talis Colberg sued in an effort to kill the subpoenas on behalf of seven of the Palin aides. When that suit was rejected, all 10 of those subpoenaed submitted written statements, including Todd Palin, who was not part of the court fight.

Colberg offered no comment after the Senate resolution passed, but then abruptly resigned his position just days later. Gov. Palin blamed “a harsh political environment” for Colberg quitting, saying “a couple of the lawmakers wanted to continue to grill him, a couple of the lawmakers not believing, it seems, what he had to say...I just hope this political environment doesn’t deter others who want to make a positive difference.”

State Senate Majority Leader Johnny Ellis (D) disputed Palin’s assessment, arguing that it was Palin’s actions after being tabbed as John McCain’s vice-

**“He took a bullet for the governor.”**

presidential running mate that created the bad blood between her and lawmakers. “We were not the creators of any harsh political environment,”

Ellis said. “That happened because of other people’s personal choices and political ambitions at the national level that politicized things to a degree that I’d never seen in Alaska political history.”

Republican Rep. Jay Ramras, who led the Legislature’s questioning of Colberg, also accused Palin of being the catalyst for Colberg’s resignation, blaming the McCain/Palin campaign for pushing itself into state business last fall in an attempt to discredit the Legislature’s investigation. “He took a bullet for the governor,” Ramras said. (ANCHORAGE DAILY NEWS)

**POLITICS IN BRIEF:** The chairman of the ARIZONA Democratic Party abruptly resigned last Friday, just weeks after taking the job. Paul Eckerstrom said he stepped aside after realizing he couldn’t live and work in Tucson when the party was headquartered in Phoenix. Democratic Vice Chairwoman Harriet Young will replace him until the Democrats choose a new leader at the next committee meeting in March or April. The resignation came just days before Executive Director Maria



Weeg, who led the state party’s day-to-day operations for nearly two years, also announced she was stepping down (ARIZONA REPUBLIC [PHOENIX]). • The TENNESSEE Republican Party stripped House Speaker Kent Williams of his GOP affiliation last Monday as punishment for Williams joining all 49 House Democrats to elect himself as speaker. Williams, however, refused to go along, saying “I remain a Carter County Republican with the same principles that brought me to the General Assembly in the 2006 elections” (TENNESSEAN [NASHVILLE]). • The MISSISSIPPI House endorsed HB 1533, a measure that would require voters to show identification before casting their ballot. The bill, which exempts voters 65 and older, would also allow voting up to 15 days before an election. It moves to the Senate (HATTIESBURG AMERICAN).

— Compiled by RICH EHISEN

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# Governors

**H**UNTSMAN BACKS SAME-SEX CIVIL UNIONS: Much to the consternation of his GOP brethren, UTAH Gov. Jon Huntsman Jr. (R) announced his support last week for same-sex civil unions in the Beehive State. Huntsman said he also backs legislative efforts to provide some rights to gay and transgender Utahns. The governor’s revelation drew immediate criticism from some Republican lawmakers.

“The governor does not speak for all Utahns,” said Rep. Carl Wimmer (R), who noted that a recent *Salt Lake Tribune* poll shows 70 percent of UTAH residents oppose civil unions, according to. “He wants to take us down a slippery slope

**“The governor does not speak for all Utahns. He wants to take us down a slippery slope to where essentially marriage is meaningless except for the name.”**

to where essentially marriage is meaningless except for the name.”

Huntsman’s position was welcomed, however, by groups like Equality Utah, which is pushing the Common Ground Initiative, a group of bills in the Legislature this session to promote more rights for LGBT Utahans. Two of the four measures in the Initiative, however,

have already died, including a proposal (UT HJR 2) from Rep. Jackie Biskupski (D) that would have sought the Legislature’s and voters’ approval to do away with the part of Utah’s constitutional gay-marriage ban that also bars civil unions. The two measures that are still active — HB 267, which would make it illegal to fire an employee or evict a tenant for being gay or transgender, and HB160, which would



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# Hot issues

**B** **BUSINESS:** The **NORTH DAKOTA** Senate kills SB 2330, legislation that would have banned insurers from using credit information “as a factor in underwriting and rating risk,” or from cancelling or denying a policy based on that information (STATE NET). • A **NEW JERSEY** court rules that it is not employee misconduct to miss work to care for a family member. The decision overturns a decision of the state Labor Department’s Board of Review, which approved the dismissal of a worker who stayed home to care for her 4-year-old niece (RECORD OF BERGEN COUNTY). • The **MISSISSIPPI** Senate endorses SB 2230, which would bar state or local governments from using the power of eminent domain to transfer private property from one landowner to another. The measure now moves to the House, which previously approved its own similar legislation, HB 803. That bill now resides in the Senate (DAILY JOURNAL [TUPELO]). • The **WISCONSIN** Senate approves SB 1, a measure that would raise the Badger State minimum wage from \$6.50 to \$7.60 per hour. It heads to the House (MILWAUKEE JOURNAL SENTINEL). • The **SOUTH CAROLINA** House approves HB 3301, legislation that, among other things, prevents consumers from taking out more than one loan at a time and requires lenders to check a loan-tracking database before making loans. The online database, which must be up by Feb. 1, 2010, would instantly report when a loan is made. The measure moves to the Senate (CHARLESTON POST & COURIER).

**CRIME & PUNISHMENT:** The **VIRGINIA** Senate unanimously approves SB 1256, a measure that would remove the statute of limitations in murder or manslaughter cases. Current law bars prosecutions if the victim dies more than one year and a day after the fatal wound was inflicted. It moves to the House (VIRGINIAN-PILOT [NORFOLK]). • Still in **VIRGINIA**, the House approves HB 2358, legislation that would allow the death penalty for any murderer’s accomplice who shares the triggerman’s intent to kill. It moves to the Senate (RICHMOND TIMES-DISPATCH). • The **VIRGINIA** House also endorses HB 2638, which expands the death penalty to include murderers of auxiliary law-enforcement officers and fire marshals. It heads to the Senate (RICHMOND TIMES-DISPATCH). • The **NEW MEXICO** House endorses HB 285, which would abolish capital punishment and replace it with life in prison without parole. It moves to the Senate, where similar bills have died twice in recent years (SANTA FE NEW MEXICAN). • A three-judge federal panel rules that overcrowding in **CALIFORNIA** prisons has deprived inmates of their constitutional right to adequate health care. The judges said the state must reduce the population in those lockups by as many as 57,000 people. State officials said they would appeal the decision. The 33 institutions that comprise the Golden State’s prison system currently house 158,000 inmates, almost

twice the 84,000 they were built to hold (LOS ANGELES TIMES).

**EDUCATION:** The **MISSISSIPPI** House approves HB 1142, legislation that would allow state education officials to take over failing school districts and remove administrators or others deemed insufficient at their jobs. The measure, which would also bar students with less than a 2.0 grade point average from participating in extra-curricular activities, moves to the Senate. The Senate is considering a similar measure, SB 2628 (CLARION LEDGER [JACKSON], STATE NET).

- The **GEORGIA** Senate unanimously approves SB 14, legislation that would bar convicted sex offenders from serving on school boards. It moves to the House (ATHENS BANNER-HERALD).
- The **KENTUCKY** Senate approves SB 1, a bill that would remove open-response questions from the Bluegrass State's end-of-year student assessments. The test would instead use a national norm-referenced exam augmented by additional multiple-choice tests to cover the state's core content.

It graduates to the House (KENTUCKY POST [COVINGTON]). • The **OREGON** Senate approves Senate Bill 46, which would require the state to fingerprint all newly hired educators, contractors and coaches who have direct contact with students. It moves to the House (STATESMAN JOURNAL [SALEM]).

**ENVIRONMENT:** U.S. Interior Secretary Ken Salazar rejects a Bush administration plan to open the country's Outer Continental Shelf to new oil and gas development. Salazar did not completely rule out expanded offshore drilling at some future date, but criticized "the enormous sweep" of the Bush proposal, which envisioned energy development from New England to **ALASKA**, including lease sales in areas off **CALIFORNIA** and in the North Atlantic that have been off-limits for a quarter century (ASSOCIATED PRESS).

**HEALTH & SCIENCE:** The **VIRGINIA** House endorses SB 1105, which would ban smoking in all Old Dominion restaurants except for private clubs and eateries with separately ventilated smoking sections. The measure, which was amended to also allow restaurants to use a door instead of a separate ventilation system for their smoking rooms, returns to the Senate (ROANOKE TIMES). • Still in

## 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:** 753

**Number of Intros last week:** 12,898

**Number of 2008 Session Enacted/Adopted last week:** 1

**Number of 2009 Session Enacted/Adopted last week:** 730

**Number of Prefiles to date:** 24,208

**Number of Intros to date:** 64,722

**Number of 2008 Session Enacted/Adopted overall to date:** 29,235

**Number of 2009 Session Enacted/Adopted overall to date:** 2,461

— Compiled By JAMES ROSS  
(measures current as of 2/12/2009)  
Source: State Net database



**VIRGINIA**, the Senate rejects SB 1260, which would have forced health insurers to cover autism treatment in children (RICHMOND TIMES-DISPATCH). • The **OREGON** House approves HB 2420, legislation to establish some forms of cancer in firefighters as job-related, and require those ailments to be covered as occupational diseases. It moves to the Senate (STATESMAN JOURNAL [SALEM]).

## In case you missed it

With state budgets bleeding historic levels of red ink, most — but far from all — governors are pushing Congress hard to approve President Obama's economic stimulus package.

In case you missed it, the article can be found on our Web site at [http://www.statenet.com/capitol\\_journal/02-09-2009/html](http://www.statenet.com/capitol_journal/02-09-2009/html).

**IMMIGRATION:** The **MISSISSIPPI** Senate endorses SB 2144, which would make it a crime to transport or shelter an illegal immigrant. The measure would also impose up to 10 years in prison and a \$10,000 fine on illegal immigrants who create or use false identification to obtain employment. It moves to the House (SUN HERALD [BILOXI]). • The **UTAH** House approves SB 40, legislation that requires people seeking a driver license or state identification card to show they are U.S. citizen. The measure moves to Gov. Jon Huntsman Jr. (R), who is expected to sign it into law (SALT LAKE TRIBUNE).

**SOCIAL POLICY:** The **ARKANSAS** House endorses HB 1237, which would allow people with concealed weapons permits to bring guns into a church. It moves to the Senate (ARKANSAS NEWS [LITTLE ROCK]).

**POTPOURRI:** A **UTAH** Senate committee endorses SB 149, a measure that would bar motorists from text messaging or e-mailing while driving. It moves to the full Senate (SALT LAKE TRIBUNE). • The **VIRGINIA** House approves HB 1876, which bans text messaging and reading a text message while driving. It moves to the Senate (RICHMOND TIMES-DISPATCH). • The **ARKANSAS** Senate approves HB 1119, which bars cell phone use by drivers under 18 and limits drivers 18 to 20 to using only hand-free cell phone devices. It returns to the House for consideration of amendments made in the Senate (ARKANSAS NEWS [LITTLE ROCK]). • Still in **ARKANSAS**, the House concurs on Senate changes to HB 1013, which would prohibit drivers from texting while behind the wheel. It moves to Gov. Mike Beebe (D) for review (STATE NET). • The **WYOMING** House rejects HB 170, a proposal to create an independent lottery in the Cowboy State. The rejection kills the proposal for the year (CASPER STAR-TRIBUNE).

— Compiled by RICH EHISEN

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# Once around the statehouse lightly

**A**GE OLD QUESTION: Don't look now, but candidates are already jockeying hard for the inside position in the 2010 CALIFORNIA gubernatorial race. As the *San Francisco Chronicle* reports, one of the more interesting primary duels may be between 41-year-old San Francisco Mayor Gavin Newsom and 71-year-old Attorney General Jerry Brown, both Democrats. Support for Newsom, whose grandfather was a friend of Brown's father Pat when the elder Brown was governor, tends toward the tech-savvy under-35 demographic. Brown, already a former two-term governor himself and arguably the most recognizable name in Golden State politics, has far more traction with the Dems' mainstream. While Brown's camp is quick to dispel the age issue, Newsom adviser Garry South couldn't help noting the gap last week, saying the campaign "will no doubt be the first governor's race in California history...where one candidate sat on the other candidate's lap as a little kid."

**R.E.S.P.E.C.T.:** Things are apparently getting a little too casual around the COLORADO House of Representatives. As the *Pueblo Chieftain* reports, House Speaker Terrence Carroll sent a memo around last week asking lobbyists, Gov. Bill Ritter's staff, visitors, Capitol workers and even the press to use lawmakers' proper titles when addressing them. Carroll said he sent his request after having fielded numerous complaints from legislators concerned over their interactions with the non-elected denizens of the Capitol community. While some lawmakers took offense, Rep. Cory Gardner found the whole thing just a tad humorous, asking, "Does this mean the governor has to stop calling me a jerk?"

**JUST SAY AH:** Some folks may doubt that the little things matter in politics, but not MISSOURI Gov. Jay Nixon. As the *St. Louis Post Dispatch* reports, Nixon is a master of mixing his pronunciation of the Show Me State name: "Missour-ah" when speaking to rural audiences and "Missour-ee" when addressing an urban crowd. During his recent inaugural oath and address, in fact, the totals were almost dead even, with 13 "Missour-ahs" and 10 "Missour-ee" mentions. And why does such a thing matter? According to MISSOURI State University political science professor George Connor, the "ah" version is popular among lawmakers working the rural centers because "they think that makes them sound less urban, less slick, and both Democrats and Republicans know they can't win statewide office without outstate voters." Nixon spokesman Jack Cardetti, however, says the matter is far more easily explained. "The governor takes pride in being oratorically ambidextrous," Cardetti says.



**HELL HATH NO FURY** like that of a football fan scorned. Case in point comes from UTAH, where the Associated Press reports the Senate has adopted SJR 11, a resolution urging the National Collegiate Athletic Association to do away with the Bowl Championship Series as a means for determining college football's national champion. Beehive State Senators, still chapped over the University of Utah's exclusion from the BCS title game despite finishing 13-0 last season, want such matters henceforth decided via a playoff system. They sent their request to President Barack Obama, who has also urged the NCAA to go to a playoff, but it doesn't end there. State Attorney General Mark Shurtleff is investigating whether the BCS violates federal anti-trust laws and Gov. Jon Huntsman has challenged the BCS champion University of Florida to a game with the Utes on a neutral field. So far, no response from Obama or the BCS.

**BILL OF THE WEEK** comes from MARYLAND, where Sen. George Della Jr. introduced SB 233, legislation to ban frat house-style drinking games such as "beer pong" in Old Line State bars. According to the *Baltimore Sun*, Della later withdrew the measure after being swamped with gobs of angry e-mails from pong enthusiasts. Della seemed surprised by the deluge, saying "We're getting inundated with so many e-mails that I don't have the time to fool with it."

— *By RICH EHISEN*



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