

March 15, 2004

How much is enough?



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Now on the State Net Web site
 2003 State Session Recaps showcasing legislative statistics for each state.

Top Story

Five years in the works, amid deep divisions between hospitals and nursing groups, CALIFORNIA's new nurse-patient staffing ratios are the nation's first. But are they workable, and can they be enforced?

SNCJ Spotlight

California's new nurse staffing ratios lead nation

Maureen Barry is a registered nurse who has worked for the past 14 years at the University of CALIFORNIA Medical Center in Irvine — the only “level one” trauma center in Orange County. It is also a burn and liver transplant center, a teaching facility, a children’s hospital and a nationally recognized cancer center.

During testimony at a hearing in Los Angeles on proposed nurse-

voters in November. And Ehrlich would be powerless to stop it, because a referendum does not require the governor's signature. (BALTIMORE SUN, WASHINGTON POST)

BLANCO'S TAX PLANS ADVANCE, THEN STALL: A trio of measures that form the core of LOUISIANA Gov. Kathleen Blanco's (D) budget sailed through a House committee last week — and then promptly stalled on the House floor. The House Ways & Means Committee voted unanimously to approve the three proposals without amendments last Monday, after hearing testimony in support of the measures from Blanco and the Louisiana Association of Business and Industry, the Pelican State's most powerful business group. The measures, HB 1, HB 2 and HB 3, would make permanent the 2.8% sales tax businesses pay on utilities and other items, phase out over eight years the 4% sales tax manufacturers pay on the purchase of machinery and other equipment and phase out over the same eight-year period the corporate franchise tax on borrowing, respectively. The first of the three bills ran into trouble shortly after being taken up for debate last Wednesday, when it became clear Blanco lacked the votes needed for passage. Many lawmakers opposed the measure on the grounds that it was unnecessary to make the taxes permanent when they could simply be renewed temporarily, as they had been doing for almost twenty years. Blanco's spokeswoman said the governor was planning to use the phase-out proposals as leverage to try to force the passage of HB 1. However, the governor may face opposition on those two measures as well, with some lawmakers questioning the lengthy phase-out period of the proposals. (NEW ORLEANS TIMES-PICAYUNE)

CA DEMS LAUNCH NEW TAX STRATEGY: With Propositions 57 and 58 now out of the way, CALIFORNIA Gov. Arnold Schwarzenegger (R) and the Democrats who control the Legislature must now focus on what to do about the \$14 billion budget gap the state faces for the fiscal year that begins July 1. While Schwarzenegger has proposed cuts and said repeatedly that he will not raise taxes, Dems initiated a new strategy last week to try to convince

The Week in Session

States in Regular Session:

AK, AL, AZ, CA, CO, CT, FL, GA, HI, IA, ID, IL, IN, KS, KY, MA, MD, MI, MN, MO, MS, NE, NH, NJ, NY, OK, PA, RI, SC, TN, US, VA, VT, WA, WI, WV, WY

States in Special Session:

AR "b", AZ "c", CA "d", CA "e", LA "a", ME "b", WI "d"

States in Recess:

AR "b", CA "d", CA "e", SD, VT

Currently Prefiling:

LA, MT (Drafts for 2005)

States Adjourned:

AZ "b", CA "a", CA "b", CA "c", CT "a", CT "b", DE "a", FL "e", MD "2003 session", ME, NC "a", NC "b", NJ "2002 session", NM, NM "a", UT "c", UT, WA "a", WA "b", WA "c"

Letters indicate special/extraordinary sessions

Source: State Net, 3/8/04



the governor to change his mind. Recognizing that their usual tactic of merely arguing taxes are necessary to assist the needy is not likely to work this time, Democrats are taking a cue from the governor and adopting a strategy that makes cutting waste the first priority. The Dems are planning a series of “effi-

continued on page 5

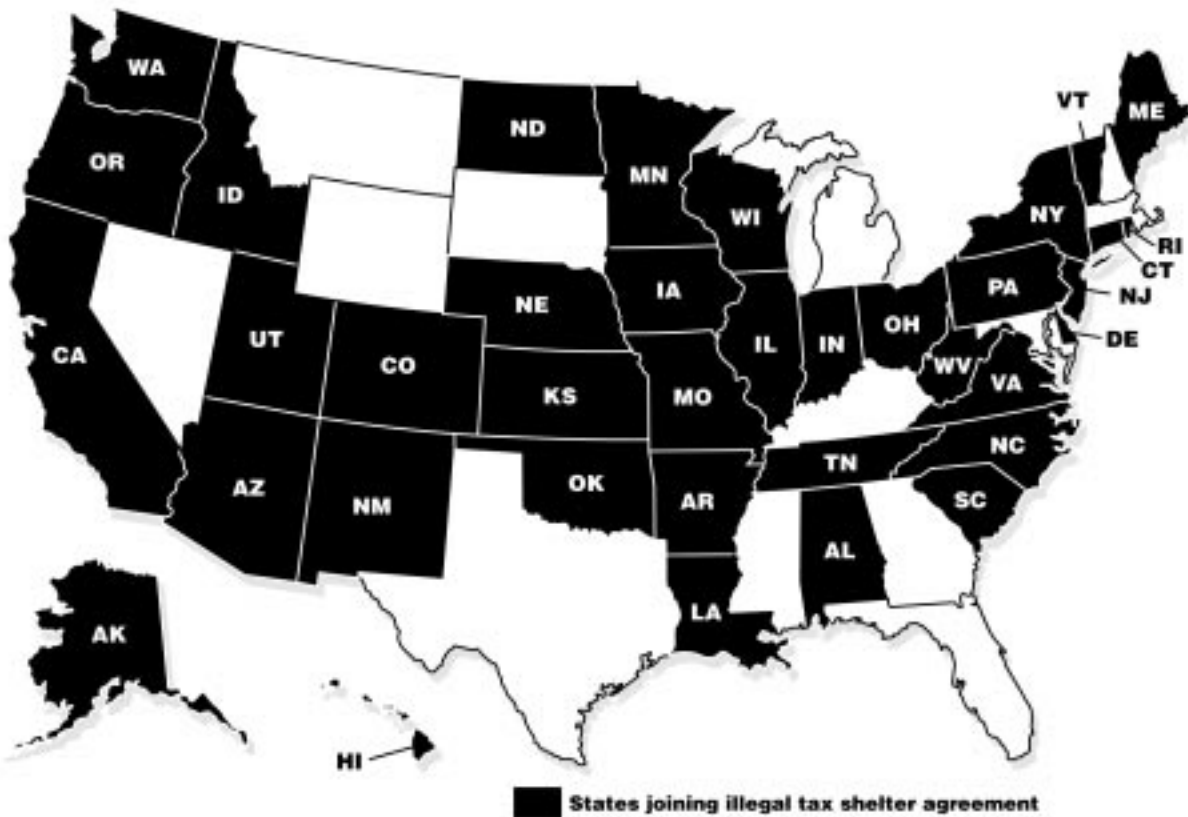
Bird’s-eye view

Boarding up illegal tax shelters

Illegal tax shelters cost states millions of dollars in tax revenue every year, according to the Federation of Tax Administrators (FTA), a Washington D.C.-based association of all state tax agencies. To counter this, 37 states recently signed a joint agreement to share information among themselves about abusive tax shelters and illegal transactions, most of which are designed to bury taxable income under layers of transactions scattered among many states. The agreement provides a formal structure for states to notify one another when they discover illegal activity, and for pointing out potential directions for audits. Most of the targeted transactions involve corporations, partnerships and pass-through entities. The map below shows the states which joined into the agreement.



Source: Federation of Tax Administrators



State Net Capitol Journal



ciency” hearings over the next few months to publicly root out waste, hoping that will enable them to make a stronger case that cuts alone won’t be enough to fill the budget hole. The Democrats will also hold a separate set of public hearings to demonstrate the human impact of the governor’s proposed cuts to education and social services programs, focusing in particular on how those cuts will affect middle-class families. Lastly, Democrats will try to convince voters that deep cuts in higher education and infrastructure would be harmful to the state’s economy, which is just what Schwarzenegger claims would be the result of a tax hike. With the strong mandate the governor received from the election two weeks ago, some observers say the Democrats are just wasting their time. (LOS ANGELES TIMES)

BUDGETS IN BRIEF: A report released last week by the National Conference of State Legislatures claims states will face \$29 billion in unfunded federal mandates this year. Most of that tab is the result of education mandates like No Child Left Behind and the Medicare prescription drug plan passed by Congress last year, according to the report (STATELINE.ORG). • Big tobacco companies are pushing legislation in FLORIDA to impose a 50-cent tax on packs of off-brand cigarettes, which account for 13% of cigarette sales in the Sunshine State. The companies say small cigarette makers should be taxed because they are not required to pay anything under Florida’s multibillion-dollar tobacco settlement, while the big companies must pay hundreds of millions per year (ST. PETERSBURG TIMES). • WASHINGTON tax-activist Tim Eyman has proposed an initiative to cut state property taxes by \$400 million through the expansion of electronic slot machine gambling to non-tribal facilities, such as bowling alleys, restaurants and taverns. Eyman is simultaneously pushing another initiative to reduce local property taxes by \$550 million (SPOKESMAN-REVIEW, SEATTLE POST-INTELLIGENCER, SEATTLE TIMES)

— *Compiled by KOREY CLARK*

Governors

ROUNDS READY TO CHALLENGE ROE V. WADE: SOUTH DAKOTA Gov. Mike Rounds (R) is making a major push to challenge Roe v. Wade, the controversial 1973 Supreme Court ruling that legalized abortion in the United States. Rounds issued a style-and-form veto on HB 1191 last week, a bill that would ban all Coyote State abortions other than those that would save the woman’s life or health. The style-and-form veto allows



the governor to suggest changes to proposed legislation that would allow him to sign it in an amended form rather than to veto it outright. Rounds added several changes to the legislation in preparation for what he says is sure to be a lengthy court battle over its constitutional legality. Those changes were welcomed in the House, which overwhelmingly passed the bill (54-14) earlier this month. The style-and-form veto requires only 36 votes to ratify the changes as compared to the 47 votes necessary to override a normal veto. The Senate is expected to be a closer fight, as it squeaked by previously with only an 18-15 vote. Rounds has promised Rep. Mike McCaulley (R), the bill's primary sponsor, that he will help him to get the needed Senate votes. (ARGUS LEADER [SIOUX FALLS]).

CORNHUSKER CAFFEINE CUTBACK? Most of us can't get going in the morning without a cup of coffee (or two), but NEBRASKA Gov. Mike Johanns (R) wants residents of his state to at least give it a try. Johanns recently

Quote ...

"I'm not sure anybody knows what's going to happen in the next two or three years...If there's a chance to overturn Roe v. Wade, we should try it."

SOUTH DAKOTA Gov. Mike Rounds (R) explaining his support for recently passed legislation banning most abortions in the Coyote State.

proclaimed March to be Caffeine Awareness Month in the Cornhusker State as a means of fostering "awareness, detection and prevention of caffeine addiction in Nebraska." The governor says caffeine overdoses can lead to headaches, jitteriness, mood swings and irritability among many other things. While some medical folks said Johanns is overstating the scope of the problem, dietitians did note that too much of the bean can lead to spinal bone loss in women, specifically older women who ingest three cups or more a day. Other medical types note that on occasion a par-

ticularly zealous espresso hound will wind up in a hospital emergency room convinced they are having a heart attack. Apparently chest pains are one of the many side effects of too much caffeine. (THE GRAND ISLAND INDEPENDENT).

PAWLENTY DRUG WAR HEATS UP: Minnesota Gov. Tim Pawlenty (R) has asked the rest of the nation's governors to join him in seeking lower American drug prices from pharmaceutical companies. Pawlenty sent 49 other governors a letter imploring them to use the collective clout of their state boards of investment to put pressure on drug companies to ease up on their pricing to cash-strapped states. Pawlenty specifically urged his colleagues to pass shareholder resolutions through those boards that would convince drug manufacturers to cooperate. The letter is the latest round in Pawlenty's ongoing battle over rapidly escalating drug prices. The governor has also been at odds with the federal Food and Drug Administration over his state's launching of a Web site that directs



Gopher State consumers to buy cheaper prescription medications at state-approved pharmacies in Canada. Minnesota recently passed a resolution of its own, which was aimed directly at drug companies Pfizer, Bayer, Eli Lilly, Glaxo-SmithKline, Merck, Wyeth and AstraZeneca. Minnesota holds about \$476 million in Pfizer stock, only .02% of the drug giant's total stock. A Pfizer spokesperson said Minnesota missed the deadline for such resolutions, meaning the earliest the company would consider it would be April of 2005. (ASSOCIATED PRESS, ST. PAUL PIONEER PRESS)

GOVERNORS IN BRIEF: COLORADO Gov. Bill Owens (R) said he is not interested in running for the U.S. Senate seat being vacated next year by Republican Ben Nighthorse Campbell. Owens cited family obligations and his own duties as governor for his decision not to run for Campbell's seat. The Centennial State GOP holds a 51-49 seat advantage in the Senate, likely making the Colorado race one of the most hotly contested in the country. Owens won re-election as governor in 2002, and is term-limited out in 2006 (DENVER POST). • Former INDIANA Gov. Robert Orr (R) died last week at the age of 86. Orr served 16 years in the Hoosier State's top two offices, first as Lt. governor from 1973 to 1980, then as chief executive 1981 to 1989. He also served as U.S. Ambassador to Singapore (JOURNAL AND COURIER [LAFAYETTE]). • ARKANSAS Gov. Mike Huckabee (R) began a nine-day trip to the Far East, promising he would lay the groundwork for "something big." The trip comes amid speculation Arkansas officials are negotiating with Toyota, the world's second largest automaker, to establish a truck assembly plant in the Natural State (ARKANSAS NEWS BUREAU).

... unquote

"Gov. Rounds' decision to support legislation that criminalizes abortion in South Dakota will threaten women's health and, in the end, do nothing to make abortion rare."

Kate Looby, state director of Planned Parenthood of South Dakota, expressing her dismay over Rounds' decision to support HB 1191.

— *Compiled by RICH EHISEN*

Politics & Leadership

G **GEORGIA DEMS MAKE LIKE ELEPHANTS:** It isn't easy telling Democrats from Republicans in the GEORGIA Legislature this year. Some of the more significant measures Dems have introduced this session look a lot like legislation proposed by the GOP. For example, a couple of weeks ago, House Democratic Leader Jimmy Skipper proposed a constitutional amendment to allow faith-based charities to receive state tax dollars, a measure that closely resembles a bill proposed by Republican Gov. Sonny Perdue months ago. Dems have actually offered rival plans to GOP proposals concerning everything from gay marriage to ethics reform. Lawmakers of both parties say the copycat bills are part of a strategy devised by House Democrats to avoid looking obstructionist in an election year — with Republicans now controlling both the Senate and the governor's office — while at the same time undermining the GOP's agenda. Although the Democratic measures are similar to the GOP proposals, they are not identical, some containing language that Republicans would never approve; the Dems version of Perdue's charity proposal, for instance, includes a provision banning private school vouchers. By introducing their modified GOP bills, Democrats can appear to be taking action on the Republicans' issues, while simultaneously blocking passage of the GOP versions. Some Dems, however, may not just be putting on an act. A Republican-backed constitutional amendment to ban same-sex marriage narrowly defeated in the House last month was largely supported by rural Democrats. A week after the debate on the measure, one of those conservative rural Democrats, Rep. Jeanette Jamieson introduced her own gay marriage proposal. (ASSOCIATED PRESS, MACON TELEGRAPH)

WA LAWMAKERS APPROVE PRIMARY PLAN: Both houses of the WASHINGTON Legislature have approved a controversial plan to replace the Evergreen State's "blanket" primary system advanced by the Senate two weeks ago. The proposal, dubbed the "Top-Two" plan, would send the two leading vote-getters in the primary, regardless of their party affiliation, to the general election. Before approving the Senate measure, the House tacked on an amendment requiring the state to revert to a Montana style primary system — which allows voters to choose one party's ballot without having to register with that party — if the Top-Two plan is struck down by the courts. Many believe this could happen because the plan fails to give political parties adequate control over the selection of their nominees, which is the reason the state's 69-year old blanket primary was

declared unconstitutional last month. Opponents of the plan say it could also allow two candidates from the same party to advance to the general election while shutting third-party candidates out of the process. But House members, who were up against the Legislature's March 11 adjournment deadline, called their amended version a good compromise. The Senate concurred with the House version one day before that deadline, leaving the fate of the plan — at least until the courts rule on the issue — in the hands of Gov. Gary Locke (D). The governor has indicated that he does not like the Top-Two plan, but he has stopped short of saying he would veto it. Lawmakers suggested Locke might actually opt to veto the Top-Two system out of the bill, leaving just the Montana option, which he has said he favors. (SEATTLE POST-INTELLIGENCER, SPOKESMAN-REVIEW [SPOKANE], SEATTLE TIMES)

OR LAWMAKERS FED-UP: Over the past several years, most of the turnover in the OREGON Legislature has been the result of term limits or the occasional failed re-election campaign. But this year, legislators are actually leaving by choice. Seven have resigned since the start of the 2003 session, while another dozen or so say they won't be running for re-election in November. While some are planning to seek higher office or take cushy state jobs, many are leaving simply because they are tired of the partisan conflict in the Legislature and the second-guessing by voters. Last year's highly combative and grueling session — the longest in Beaver State history — seems to have precipitated the exodus. The voters' rejection last month of one of the major achievements of that session, an \$800 million tax increase to help close the state's massive budget deficit, only added insult to injury. The emigration may just make things worse for lawmakers next year. Most of the departing legislators are fiscally moderate Republicans, and some lobbyists and lawmakers fear their leaving will only further polarize the parties, making compromises on budget and tax issues even harder to come by. (OREGONIAN [PORTLAND])

POLITICS IN BRIEF: The VIRGINIA Senate approved a House bill that would allow the General Assembly to close party caucus meetings to the public. The bill, as passed by the House of Delegates, would have allowed the Joint Rules Committee to determine which meetings would be exempt from the open-meeting provisions of Virginia's Freedom of Information Act, but the Senate amended the bill to spell out exactly which gatherings would be subject to the open-meetings law, namely floor sessions and committee meetings. The amended version is expected to be approved by the House (RICHMOND TIMES-DISPATCH). • The COLORADO Senate gave preliminary approval to HB 1043, which would bar the



courts from taking party registration statistics and past election results into account when deciding redistricting cases. Democrats say the bill is the Republican majority's retribution for the Colorado Supreme Court decision striking down its 2003 congressional redistricting map (ROCKY MOUNTAIN NEWS [DENVER]). • A FLORIDA House committee endorsed a series of changes to the state's initiative process that would make it more difficult for citizens to amend the state constitution. The recommendations include raising the vote required to pass citizen initiatives from the current simple majority to a 60% majority, and mandating citizen initiatives that would require funding to implement specify a revenue source (MIAMI HERALD, ORLANDO SENTINEL).



— Compiled by KOREY CLARK

Hot Issues

A BORTION: A FLORIDA Senate panel OKs a proposed constitutional amendment that would allow Sunshine State lawmakers to write a law calling for doctors to notify parents of minor girls seeking abortions. The proposal, CS-SJR 2178, now heads to another committee (ORLANDO SENTINEL). • Meanwhile, an effort to repeal a MINNESOTA law that allows minors to receive medical testing, treatment and birth control without their parents' knowledge dies in a Gopher State Senate committee (MINNEAPOLIS STAR TRIBUNE).

BUSINESS: A NEW JERSEY Senate committee clears SB 1259, a measure that would allow doctors, lawyers and other professionals to be sued for consumer fraud for running deceptive advertisements. It moves to the full Senate (NEWARK STAR-LEDGER). • A KENTUCKY House panel approves HB 627, a bill that would ban regulation of the Bluegrass State's high-speed broadband Internet services. The Senate recently approved a similar bill, SB 215. HB 267 now moves to the full House (COURIER JOURNAL [LEXINGTON]). • The MISSOURI House endorses HB 1304, a proposal that would severely restrict personal injury lawsuits in the Show Me State. The legislation would limit non-economic damages in medical malpractice cases to \$350,000. It faces one more vote before mov-

ing to the Senate (JEFFERSON CITY NEWS TRIBUNE). • **OKLAHOMA** also tackles “pain and suffering” as the House votes 91-8 in favor of a bill that would create a \$300,000 cap on awards for non-economic damages. It moves to the Senate (THE OKLAHOMAN [OKLAHOMA CITY]). • The **IOWA** House gets into the fray as well, passing legislation that would cap damages at \$250,000. It moves to the Senate (QUAD CITY TIMES). • In **OHIO**, the House overwhelmingly approves a bill that would bar Buckeye State residents from suing fast food restaurants and food manufacturers for causing their obesity. The bill moves to the Senate (DAYTON DAILY NEWS). • The **WISCONSIN** Senate also says no to suing over obesity, sending legislation that would bar such lawsuits to Gov. Jim Doyle (D). The governor’s office has suggested Doyle would veto the measure (MILWAUKEE JOURNAL-SENTINEL).

CIVIL RIGHTS: A **MINNESOTA** House committee says “I do” to a measure that would allow Gopher State residents to decide in November if they want their state constitution to define marriage as only between a man and a woman. It has another committee to clear before it can go to the full House (MINNEAPOLIS STAR-TRIBUNE). • The **MICHIGAN** House says “I don’t” to a similar measure that would have placed a constitutional amendment banning gay marriage on the November ballot (ANN ARBOR NEWS). • The **VIRGINIA** Senate okays legislation that prohibits civil unions between same-sex couples. The bill also would bar the Old Dominion State from recognizing such unions performed in other states. It moves to Gov. Mark Warner (D), who says he will sign it (RICHMOND TIMES-DISPATCH).

CRIME & PUNISHMENT: The **KANSAS** House committee endorses HB 2552, dubbed the “Unborn Victims of Violence Act.” The bill allows for prosecution for attacking, injuring or killing a fetus. It does not apply to legal abortions. It moves to the full House (LAWRENCE JOURNAL-WORLD). • The **VIRGINIA** House passes SB 333, a measure that would allow some felons to introduce new evidence of their innocence at any time. It now goes to Gov. Mark Warner (D) for consideration (WASHINGTON POST). • The **OKLAHOMA** Senate easily

In the Hopper

State Net’s database tracks tens of thousands of bills in all 50 states at any given time. Here’s a snapshot of what’s in the legislative works:

- **Number of prefiles/intros this week:** **5,286**
- **Number of prefiles/intros overall in 2003:** **254,546**
- **Number of bills enacted/adopted this week:** **321**
- **Number enacted/adopted overall in 2003:** **46,524**

— Compiled By GINA HUMMELL
(2003 data current as of 3/8/04
Source: State Net)

The regulations were strongly opposed throughout the process by hospitals — represented by the California Healthcare Association — which said the ratios would be unworkable, compromising patient care and forcing closure of hospitals.

CHA has since gone to court to block full enforcement of the ratios, taking particular aim at three key words in the staffing standards: “at all times,” which means exactly what it says —that staffing standards will be in effect around the clock. Klutz says such language has been in DHS licensing requirements for intensive care and critical care units for nearly 30 years. “The term is not new,” she said. “It’s kind of surprising that it comes up at this point.” A hearing on the CHA lawsuit is scheduled for March 19 in Sacramento Superior Court.

“Those are three little words with huge impact,” says Jan Emerson, CHA vice president for public affairs. “If they take a short break, transport a patient to radiology or take a phone call, the hospital could be out of compliance [with the ratios].”

Emerson and other hospital officials say they are doing everything possible to be in compliance, while feverishly attempting to recruit new nurses at a time when many are retiring, working in non-acute-care settings or not actively practicing. According to the U.S. Bureau of Labor Statistics, California ranks 49th in the nation in the number of RNs per capita. It currently has 585 nurses per 100,000 population.

Intensive efforts by hospitals, nursing groups, public officials and educational institutions to expand nurse-training programs throughout the state (nurses are primarily educated in community colleges and the state university system) have been hit with the double-whammy of state budget cuts and long waiting lists for training programs. According to the California Healthcare Association, the state graduates about 5,000 nursing students a year — but needs nearly twice that number to fill existing vacancies.

“Hospitals are doing everything they can to implement the law,” says Emerson. “But with this new [staffing] requirement and the fact that we don’t have enough nurses in California, we’re between a rock and a hard place.”

But Kuehl and CNA officials note that many hospitals, including the huge Kaiser-Permanente system, which employs one of the largest numbers of nurses in California hospitals, are already in compliance with the new ratios.

“That leads me to believe the [hospital association] is raising an issue that is not of concern to all providers,” Kuehl said.

The ratios, says Kuehl, are about “nurses wanting to take adequate care of their patients. Many of them had gone part time or into the private sector because of the deplorable staffing conditions...something had to be done.”

In a compliance survey of 111 hospitals by the nurses association in early February 2004, one month after the ratios went into effect, CNA reported that “staffing conditions are improved” in 68% of the hospitals surveyed, and 59% were “generally in compliance.”

“While some significant problems remain,” said CNA President Deborah Burger, a Kaiser nurse-manager in Santa Rosa, “the progress made to date is very encouraging, and a hopeful sign.”

Among “problems” reported by CNA, some hospitals reportedly were guilty of “inappropriate” use of licensed vocational nurses (LVNs), who are included in the complex regulatory scheme but must be supervised by a registered nurse.

LVNs are represented by a rival union, the Service Employees International Union (SEIU), which historically has been at odds with CNA, which represents only registered nurses. CNA and SEIU managed to patch up their differences to ensure passage — and implementation — of the ratios, but tensions remain.

Noting that new RN licenses are “up significantly” in California in recent years, Beth Capell, a longtime health care lobbyist who represents SEIU, said a major impact of the ratios is an expected increase in the number of nurses coming into the educational pipeline, as well as those entering - or returning -to California from other states and other countries.

Anita Zuniga, executive director of patient care services for Kaiser in Northern California, says the new staffing ratios are “operationally a challenge,” but Kaiser is complying. While Kaiser has been the target of intensive labor actions, the health care giant is widely praised for improving working conditions for nurses as well as encouraging lower-level staff to advance educationally up the nursing ladder with a system of scholarships, forgivable loans and grants.

“Education is a key benefit,” she said of nurse recruitment and retention at Kaiser, which last year spent \$3.6 million statewide to support nursing education programs.

Former Assemblywoman Helen Thomson (D) was the only registered nurse in the state Legislature when the Kuehl bill was being debated in 1999. Now a Yolo County supervisor, she is a former psychiatric nurse, married to a psychiatrist, whose daughter is a nurse. She was initially “ambivalent” about the bill.

“I could see what a challenge this would be for the hospitals,” Thomson recalls. “It wasn’t that [hospitals] didn’t believe it should be done, but they were concerned about finding the nurses and possibly being liable for fines. Patients today are very sick; you don’t get into a hospital today if you aren’t very sick.”

In the end, she voted for the bill.

“While I recognize the challenges involved in getting to this point, I also recognize that nurses are hard to come by.”

— By *SIGRID BATHEN*

Sigrid Bathen is an award-winning health care writer and a former California Journal senior editor. A Longer version of this story originally appeared in the March edition of our sister publication, California Journal.

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Once around the statehouse lightly

REQUIEM FOR A HEAVYWEIGHT. An overflow crowd turned out last Thursday for the funeral service for Mike O’Callaghan, former two-term governor of NEVADA, that was carried live on television. O’Callaghan, a former boxer, high school teacher and highly decorated soldier who lost his left leg in combat during the Korean War, died of a heart attack March 5 while attending mass. He was a popular governor from 1971 to 1979 who sponsored open-housing legislation, aid for the disabled, and educational and environmental initiatives. He also urged businesses to hire ex-convicts, who he said deserved a “second chance.” After his governorship, he served 25 years as a columnist and executive at the *Las Vegas Sun*, where he was a frequent advocate for progressive causes.

THE WAR INSIDE. A full scale war is raging these days in Atlanta. The combatants: The GEORGIA Building Authority on one side and an army of mice on the other. Seems the state Capitol is being overrun with rodents — a situation exacerbated during the legislative session when special interests host special events such as Peanut Butter and Jelly Day (the state’s peanut farmers). According to *The Atlanta Journal-Constitution*, the GBA is keeping a body count (currently at 7) to measure how well its traps are working. Who is winning the war? Likely the mice. What is the solution? Lock lawmakers out of the Capitol. Says one staffer: “We don’t have much of a problem until the Legislature arrives every year.”

THE WAR UP NORTH. Marshal the forces. Prepare for invasion. The two sides have crossed ... uh ... shotguns over a form of discrimination not usually seen. But NORTH DAKOTA and MINNESOTA are at each other’s throats over duck and pheasant hunting. As the *Minneapolis Star Tribune* reports, the confrontation began when North Dakota passed a law that gave resident hunters a week head start on duck and pheasant season. That outraged the Gopher State, which sends 15,000 of its residents into North Dakota each year to hunt waterfowl. As a result, Minnesota sued in federal court, claiming that Nord-akota’s one-week ban on non-resident hunters was a violation of interstate commerce laws. Never mind that Minnesota itself bans North Dakotans from hunting moose or elk., or that South Dakota has the same law. “We’ll sue South Dakota another day,” says a Minnesota spokesman.



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