

June 2, 2008

States Bet Big on Racetrack Slots



Budget & taxes States criticize anti-terrorism funding	3
Politics & leadership Minority influence growing in CA legislature	5
Governors Will divorce torpedo NV gov's career?	6
Bird's eye view	2
Hot issues	9
Once around the statehouse lightly	12

The next issue of Capitol Journal will be available on June 9th.

Top Story

States across the country are increasingly turning to gambling revenues to bolster their coffers. With the economic downturn creating another fiscal pinch, states are now betting big on racetrack casinos to help pump up their bottom line.

SNCJ Spotlight

'Racinos' may be best bet for cash-strapped states

Gambling, in some form or another, is legal in virtually every state in the country. One of the main reasons for that is it's an easy way for states to generate revenue without raising taxes. In past years, states have turned to commercial casinos, lotteries and tribal gaming to boost their coffers. But in the current economic slump, another gaming alternative is emerging as the new revenue-generating frontrunner: horse racetracks with slot machines.

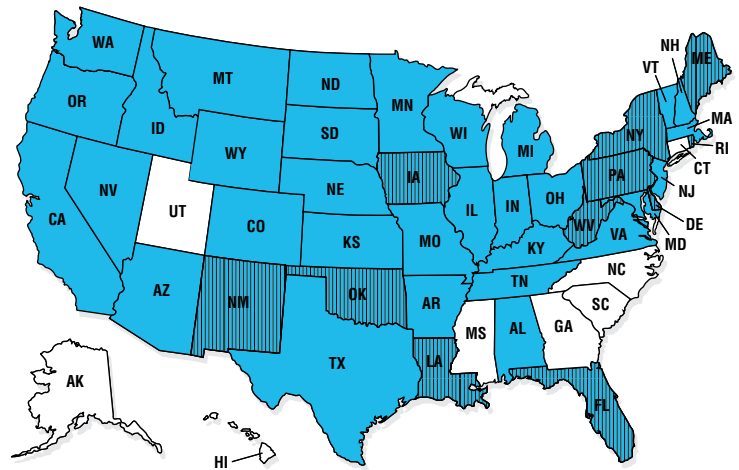
Since 2001, five states — FLORIDA, MAINE, NEW YORK, OKLAHOMA and PENNSYLVANIA — have opened racetrack casinos, or “racinos,” while only PENNSYLVANIA has opened a commercial casino like those in Las Vegas and Atlantic City (bringing the total number of states with racinos to 11 and those with commercial casinos to 12). And more racinos are on the way. INDIANA is planning to open two new facilities this summer, and NEW YORK and PENNSYLVANIA intend to expand their existing offerings. Meanwhile, MARYLAND voters will decide in November whether to allow racinos in the Old Line State.

One of the main reasons for the racinos’ growing popularity is that most states already have lotteries, and racinos, though prone to the same controversy as other forms of gambling, are easier to sell to voters than casinos, because they don’t require sanctioning and building new facilities. They can be created simply by adding slot machines to venues where gambling is already permitted.

Another principal reason for the racinos’ growth is that, although they generate less total revenue than casinos, they’re more lucrative for states because they get a bigger cut of the business. Indian gaming generated seven times more in revenue than racinos in 2006. But while state and local governments took in about \$1 billion that year from tribal casinos in the nearly 30 states that had them, states’ and localities’ share of the racino business in just 11 states was about \$1.4 billion.

Racinos also help states avoid losing millions in gambling revenue to casinos and racetracks in neighboring states. MARYLAND officials, for instance, estimate their state’s residents spend up to \$650 million gambling in DELAWARE, PENNSYLVANIA and WEST VIRGINIA each year.

Bird’s eye view



Source: USA Today, American Association of Motor Vehicle Administrators. Blue square: States with pari-mutuel wagering. Vertical line square: States with racetrack casinos.

Racetrack casinos outpacing other forms of gaming

Gambling is big business in every state except HAWAII and UTAH. All but eight states have lotteries, 29 have Indian casinos and a dozen have commercial casinos. The real growth area, however, is in bringing slot machines and table games to horse racetracks. Racetrack casinos, or “racinos,” grew 1.7 times more than Indian gaming and 2.5 times more than commercial casinos in 2006, according to Alan Meister, vice president of the economic consulting firm Analysis Group. And with casino gaming currently available in only 11 of the 43 states where pari-mutuel wagering is allowed, that growth rate appears likely to continue.





For states looking primarily to boost revenue rather than create jobs, racetrack casinos “are the best way to go,” says Clyde W. Barrow, director of the Center for Policy Analysis at the University of Massachusetts Dartmouth.

Racino revenues have been growing more rapidly than those from commercial casinos. Between 2001 and 2007, revenues from commercial casinos grew 47 percent, from \$3.5 billion to \$5.15 billion, while racino revenues grew 284 percent, from \$578 million to \$2.22 billion. The downturn in the economy and increasing competition has slowed growth for both racinos and casinos in some states. Still, experts say there’s plenty of room for growth.

“In very few places have we reached the saturation point,” said Barrow. He estimates that there is about \$2 billion in untapped demand in the New England gaming market alone. (STATELINE.ORG)

— *Compiled by Korey Clark*

Budget & taxes

STATES CRITICIZE ANTI-TERRORISM FUNDING: State law enforcement officials received some surprising news from the U.S. Department of Homeland Security earlier this year: To qualify for their full share of federal funding, they would have to develop a plan to protect their

“IEDs? As in Iraq IEDs? There was no new intelligence about this. It just came out of nowhere.”

state against improvised explosive devices and devote a quarter of the grant money they received toward implementing it.

“IEDs? As in Iraq IEDs?” said Juliette N. Kayyem,

MASSACHUSETTS’ homeland security adviser, when she learned of the grant requirement. “There was no new intelligence about this,” she said. “It just came out of nowhere.”

Her reaction was hardly unique. CALIFORNIA’s homeland security director, Matthew Bettenhausen, said, “IED detection, protection, and prevention is an important issue, and we all need to be looking at that,” but he added: “It’s another thing to be so prescriptive; that came as a surprise to many of us states.” And the homeland security director for KANSAS, Maj. Gen. Tod M. Bunting, said by devoting such a large portion of funding to bomb prevention, Washington risked creating undue public alarm.

For some, the IED issue only underscores the vastly divergent views of the federal government and states about what constitutes the greatest threat to domestic security.



“I have a healthy respect for the federal government and the importance of keeping this nation safe,” said Col. Dean Esserman, the chief of police in Providence, RHODE ISLAND. “But I also live every day as a police chief in an American city where violence every day is not foreign and is not anonymous but is right out there in the neighborhoods.”

Homeland Security officials said the focus on roadside bombs stems from a classified strategy President Bush approved last year to help keep IEDs from

“If we drop the barrier and start to lose focus we will make it easier to have successful attacks here.”

becoming the problem here that they are in Iraq. And Homeland Security Secretary Michael Chertoff said the department had tried to accommodate local needs. “We have not been highly restrictive,” he said. But he

also expressed concern about money being shifted from counterterrorism to other law enforcement concerns. “If we drop the barrier and start to lose focus,” he said, “we will make it easier to have successful attacks here.”

The MASSACHUSETTS response to the IED requirement may be instructive. State officials wrote a grant proposal — which has been approved — pledging, among other things, to upgrade bomb squads and purchase new hazardous-material suits, measures that would be useful for more than just dealing with IEDs. (NEW YORK TIMES)

FEDERAL COURT STAYS MEDICAID CUTS: A federal judge suspended a new Bush administration regulation cutting \$5 billion over five years from Medicaid reimbursements to public hospitals last month, days before a congressional moratorium blocking the cuts expired. Congress passed legislation last year prohibiting “any action” limiting hospital reimbursements, but the Department of

“In this case, the court is asked to decide whether a maneuver by the executive branch deliberately designed to outfox a clear directive of Congress was successful. The answer is no.”

Health and Human Services rushed through its rule before Congress signed its prohibition into law. Three associations representing most of the nation’s hospitals filed suit against the regulation in March. In his ruling issued on May 23, U.S. District Court Judge James Robertson stated: “In this case, the court is asked to decide whether a maneuver by the executive

branch deliberately designed to outfox a clear directive of Congress was successful. The answer is no.”

But the ruling only grants hospitals temporary relief. “Basically the court is saying that the Bush administration and CMS acted improperly,” said Amy Weitz, spokeswoman for the California Association of Public Hospitals and Health Systems.



“But it doesn’t stop them from implementing the rule two months from now.” In fact, Jeff Nelligan, a spokesman for the Centers for Medicare & Medicaid Services, said, “We remain convinced that the rule will ultimately be upheld on its merits.” Consequently, the hospital groups are urging Congress to act quickly to extend its moratorium, which Weitz pointed out was passed last year with strong bipartisan support. (SAN JOSE MERCURY NEWS)

BUDGETS IN BRIEF: Last week, ALASKA Gov. Sarah Palin (R) slashed \$268 million — about 10 percent — from the budget approved by state lawmakers last month. Palin said there were items in the spending plan “like dealing with killer shrubs and Zamboni blades that are not the state’s highest priority” (ANCHORAGE DAILY NEWS). • The SOUTH CAROLINA House failed to override Gov. Mark Sanford’s (R) veto of a 50-cent-per-pack cigarette tax increase to expand healthcare coverage for low-income residents. The governor vetoed the measure last week saying the cigarette tax would not generate enough money to cover the rising cost of medical care (STATE [COLUMBIA]).

— *Compiled by KOREY CLARK*

The week in session

States in Regular Session: AZ, CA, DC, DE, IL, LA, MA, MI, NC, NH, NJ, NY, OH, RI, SC, US

States in Recess: PA

States in Special Session: AL “a”, CA “c”, MS “a”

Special Sessions in Recess: CA “a”, CA “b”, PA “a”

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

States in Veto Session: WI

States Currently Prefiling or Drafting for 2009: MT, ND

States Projected to Adjourn: AZ, IL, SC

States Adjourned in 2008: AK, AL, CO, CT, FL, GA, HI, IA, ID, IN, KS, KY, MD, ME, MN, MO, MS, NE, NM, OK, SD, TN, UT, VA, VT, WA, WV, WY

State Special Sessions Adjourned in 2008: AR “a”, CT “a”, DE “a”, LA “a”, LA “b”, ME “a”, NC “b”, OR “a”, VA “a”, WI “c”, WI “d”, WI “e”, WV “a”

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS
(session information current as of 05/30/2008)
Source: State Net database

Politics & leadership

MINORITY INFLUENCE GROWING IN CA LEGISLATURE:
CALIFORNIA’s new Assembly speaker Karen Bass (D) drew all the attention last month when she became the first African-American woman in the nation to hold such a leadership position. But she’s actually part of a growing crowd of African-Americans, Latinos and Asian-Americans who’ve gained influence in the Golden State Legislature. Five of the Assembly’s last six speakers have either been African-American or, like her predecessor Fabian Nuñez, Latino. And more than a third of the Legislature’s current members are minorities, making it the second-most diverse statehouse in the country, after NEW MEXICO’s.



“Suddenly and finally, legislative leadership is looking more like the state’s population,” said Sherry Bebitch Jeffe, a senior scholar at the University of Southern California’s School of Policy.

Observers say several factors have contributed to the minorities’ rise, including the opportunities created when term limits dislodged white incumbents and a reapportionment that established favorable legislative districts. But minorities’ gains weren’t just handed to them. A deliberate effort by the Latino caucus helped make Cruz Bustamante CALIFORNIA’s first Mexican-American speaker in 1996. And the African-American, Latino and Asian-American caucuses invest heavily in up-and-coming candidates.

A minority has yet to claim the highest post in the Senate, but Sen. Liz Figueroa (D) said “the day will come.” Meanwhile, minorities will enjoy the say they now have in the state’s major policy decisions.

“A lot of us were brought up poor,” said Assembly Majority Leader Alberto Torrico (D), who is both Asian-American and Latino, “and it manifests itself in the kinds of bills we introduce, support and oppose.” (SAN JOSE MERCURY NEWS)

BUDGETS IN BRIEF: Nancy Hardin Rogers, dean of Ohio State University’s Moritz College of Law, was named interim **OHIO** attorney general by Gov. Ted Strickland (D) last week. Rogers will serve until voters choose a successor to recent resignee Marc Dann on Nov. 4 (see **OHIO AG DANN DONE** in May 19 issue of *SN CJ*) (COLUMBUS DISPATCH). • An effort to recall **MICHIGAN** House Speaker Andy Dillon (D) for his lead role in pushing through tax increases last year suffered a major setback last month, when Secretary of State Terri Lynn Land announced that too few valid signatures were collected to bring the issue before voters in August. Backers of the recall are expected to appeal Land’s decision (DETROIT FREE PRESS).

— *Compiled by KOREY CLARK*

Governors

WILL DIVORCE TORPEDO NV GOV’S CAREER? NEVADA Gov. Jim Gibbons says he plans to run for re-election in 2010, but a host of prominent Silver State Republicans say the governor’s increasingly nasty — and very public — divorce may ultimately cost him a chance to seek a second term. Some party activists are already seeking out candidates to run against Gibbons in the next GOP primary.

“Is he viable? Who’s going to prop him up? Not the party.”

“Is he viable? Who’s going to prop him up? Not the party,” said

Steve Wark, a longtime GOP activist. "Does he have the money to be a viable candidate? Certainly not." Wark and others contend that Gibbons has seriously mishandled the situation, specifically by trying to have first lady Dawn Gibbons evicted from the governor's mansion and not settling the matter outside of the public eye. The divorce has been front page news for weeks, with much of the coverage less than favorable toward the governor, including allegations that he has been having an affair. Gibbons has responded angrily to newspaper reports of the alleged dalliance, claiming the woman is just a friend.

But this latest marital strife is far from the first time that Gibbons has angered the GOP faithful. Many have found fault with his political appointments, while others say he has been politically unresponsive to severe problems like the ongoing foreclosure crisis. Gibbons is also the target of an ongoing FBI investigation into his relationship with a defense contractor while he was a member of Congress.

It is not likely to get better for Gibbons any time soon. His estranged wife filed a court petition last week seeking to have the couple's divorce papers unsealed, which would make the situation even more public than it has already been.

But even with his struggles, Gibbons has managed to keep a semblance of support among his fellow GOP lawmakers. One notable Republican lawmaker, Sen. Warren Hardy, admits to being approached about a possible run against Gibbons in 2010 but says he supports the governor and will not consider the proposition. Another Republican, state Sen. Bob Beers, also intimated that Dawn Gibbons' efforts to open the divorce files may force the governor to publicly fight back as well. "All I see so far is that he has wanted to keep this out of public discussion, which is the normal reaction given they have a son and family members potentially embarrassed by whatever 'he said/she said' is involved. That kind of discretion takes two, and it appears Mrs. Gibbons has no interest in that. I imagine sometime in the next

Upcoming elections

05/28/2008 - 06/16/2008

06/03/2008

Alabama Primary Election

US House (All)

US Senate (Jeff Sessions)

California Primary Election

Assembly (All)

Senate (Odd)

US House (All)

California Special Election

US House (Congressional District 12)

California Special Recall

Senate 12th District, Senator Jeff

Denham

Iowa Primary Election

House (All)

Senate (Even)

US House (All)

US Senate (Harkin)

Montana Primary Election

House (All)

Senate 2, 3, 6, 7, 9, 10, 16, 18, 19, 21, 22, 24, 26, 27, 33, 34, 36, 37, 38, 41, 43, 45, 46, 47, 50

Constitutional Officers: Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor,

Superintendent of Public Instruction

US House (Rehberg)

US Senate (Baucus)

New Jersey Primary Election

US House (All)

US Senate (Lautenberg)

New Mexico Primary Election

House (All)

Senate (All)

US House (All)

US Senate (Domenici)

South Dakota Primary Election

House (All)

Senate (All)

US House (Sandlin)

US Senate (Johnson)

06/10/2008

Georgia Special Election Runoff

House District 093 (Sailor)

(cont. on next page)

couple of days, we'll see the 'he said' portion of it."
(LAS VEGAS SUN)

EXECUTIVE ORDERS: KENTUCKY Gov. Steve Beshear (D) issues EO 2008-44, which among other things, forbids employees from negotiating for a future job with a person or company with which they are directly involved as part of their official duties. The EO also detaches the Executive Branch Ethics Commission from the governor's office and changes how its members are chosen (LEXINGTON HERALD-LEADER). • OHIO Gov. Ted Strickland (D) issues Executive Order 2008 - 11S, creating the OHIO Anti-Poverty Task Force. The group is tasked with developing "strategic recommendations...aimed at reducing the percentage of Ohioans living at or below 200% of the Federal Poverty Level (STATE NET).

GOVERNORS IN BRIEF: Responding to complaints from farmers, MARYLAND Gov. Martine O'Malley (D) scaled back new poultry regulations intended to curb manure runoff into state waterways.

Under the revised rules, new permitting requirements that would have applied to about 200 large Eastern Shore poultry farms will now only affect 75 to 100 farms. The O'Malley administration said the new regulations created too much bureaucracy for a limited benefit. Environmentalists, however, say the changes further weakened already inadequate regulations (CAPITAL [ANNAPOLIS]). • CALIFORNIA Gov. Arnold Schwarzenegger (R) reiterated last week that he opposes a ballot measure that would constitutionally define marriage as being only between one man and one woman. Schwarzenegger also joked that he hopes the state Supreme Court decision to legalize same-sex marriage will help boost the state's flagging economy "because everyone is going to come here and get married" (SACRAMENTO BEE). • Still in CALIFORNIA, Schwarzenegger also signaled he may be willing to approve increasing payouts to injured workers by at least 16 percent. Schwarzenegger led a major overhaul of the state's workers' compensation system in 2004, but workers say the new system dramatically underpays them for injuries incurred on the job (LOS ANGELES TIMES). • SOUTH CAROLINA Gov. Mark Sanford (R) vetoed a bill that would have doubled the guaranteed annual cost-of-living raise for retired state workers. Sanford called the measure "fundamentally flawed" because the pension system is already underfunded by billions of dollars (STATE [COLUMBIA]).

Upcoming elections (cont.) 05/28/2008 - 06/16/2008

Maine Primary Election

House (All)
Senate (All)
US House (All)
US Senate (Collins)

North Dakota Primary Election

House (Even)
Senate (Even)
Constitutional Officers: Governor,
Lieutenant Governor, Treasurer, Auditor,
Commissioner of Insurance,
Superintendent of Public Instruction,
Public Service Commissioner
US House (All)
US Senate ()

South Carolina Primary Election

House (All)
Senate (All)
US House (All)
US Senate (Graham)

Virginia Primary Election

US House (All)
US Senate (Warner)



• **MASSACHUSETTS** Gov. Deval Patrick (D) has decided against taking action to allow illegal immigrants to pay resident tuition and fees at state colleges and universities this fall. An administration source cited “significant legal impediments” to the governor’s plan (BOSTON GLOBE).

– *Compiled by RICH EHISEN*

Hot issues

B **USINESS:** The U.S. Supreme Court rules that federal civil rights law protects employees who complain about age or race discrimination in the workplace from retaliation from their employer. The court said the Civil Rights Act of 1964 and the Age Discrimination in Employment Act provide those protections even though the statutes do not explicitly say so (NEW YORK TIMES). • The **CALIFORNIA** Assembly endorses AB 2716, which would require all Golden State businesses to offer paid sick leave to their employees. Under the proposal, businesses with 10 employees or more would have to provide up to nine days of annual sick leave, while smaller companies would have to provide up to five days. It moves to the Senate (SACRAMENTO BEE). • Still in **CALIFORNIA**, the Assembly approves AB 2058, legislation that would impose a 25-cents-per-bag fee on shoppers at stores that don’t meet state plastic bag recycling quotas. The measure, which would apply only to large grocery stores and pharmacies, now moves to the Senate (VENTURA COUNTY STAR). • **FLORIDA** Gov. Charlie Crist (R) signs legislation that freezes the rates of state-run home insurer Citizens Property Insurance for another year. The bill also requires Sunshine State insurance companies to pay the undisputed portion of homeowner claims within 90 days or face being sued for bad faith (MIAMI HERALD). • Still in **FLORIDA**, Crist also signs HB 643, a bill that requires foreclosure avoidance consultants to inform their clients in writing that they have the right to cancel before any services are provided (MIAMI HERALD).

CRIME & PUNISHMENT: The **ILLINOIS** Senate rejects HB 5288, which would have expanded the number of local municipalities around the Prairie State that are allowed to use traffic cameras to catch drivers who run red lights. The red-light cameras are currently only allowed in Chicago and St. Louis counties (QUAD CITY TIME [DAVENPORT]). • Still in **ILLINOIS**, the Senate unanimously endorses legislation that would dramatically lengthen the jail time for an adult who gives a gun to a minor who then commits a crime with that weapon. Current law imposes only a seven-year sentence on the adult, but the measure, which now moves to Gov. Rod Blagojevich (D), would require that the adult serve the same length of sentence as the



minor receives for committing the crime (CHICAGO TRIBUNE). • **COLORADO** Gov. Bill Ritter (D) vetoes HB 1208, which would have allowed Centennial State judges to require violent teen offenders to be tried as juveniles instead of adults (DENVER POST). • **FLORIDA** Gov. Charlie Crist (R) signs SB 756, which creates a process to pay wrongfully convicted persons \$50,000 for each year they spent in prison. The new statute, however, denies payments to anyone who has previously been convicted of a felony (ORLANDO SENTINEL).

Upcoming stories

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

- **Plastic bag recycling**
- **Nuclear power**
- **Prison health care**

EDUCATION: An **ARIZONA** Senate committee tables SB 1214, which would have allowed anyone with a concealed-carry-weapons permit to bring handguns onto college campuses (ARIZONA REPUBLIC [TUCSON]). • The **CALIFORNIA** Senate approves SB 1607, a bill that would require education officials to develop reading and language arts content specifically designed for English Learner students. It moves to the Assembly (CALIFORNIA STATE SENATE). • **FLORIDA** Gov. Charlie Crist (R) signs HB 603, legislation that bars college faculty from taking money in exchange for requiring their students to use a particular textbook. It also requires course requirements to be posted online a month before the first day of class so students can shop for books online or at off-campus bookstores (NEWS HERALD [PANAMA CITY]).

ENVIRONMENT: As expected, **WISCONSIN** Gov. Jim Doyle (D) signs legislation making the Badger State the fifth to approve the interstate Great Lakes compact, which would ban most diversions of water from the lakes' basin. **WISCONSIN** joins **ILLINOIS, INDIANA, MINNESOTA** and **NEW YORK** as well as the Canadian provinces of Quebec and Ontario in approving the compact. **MICHIGAN, OHIO** and **PENNSYLVANIA** are still considering it (NEW YORK TIMES). • **MASSACHUSETTS** Gov. Deval Patrick (D) signs the Oceans Act of 2008, legislation that requires the Bay State to develop a comprehensive, science-based plan to manage development in its state waters. The Act also creates a 17-member advisory commission that will help state officials craft the management plan, expected to be completed by the end of 2009 (BOSTON GLOBE).

HEALTH & SCIENCE: In **FLORIDA**, Gov. Charlie Crist signs SB 2326, legislation that requires Sunshine State hospitals that oppose the building of rival medical facilities to state that opposition at the start of the state review process instead of after the construction has been authorized. The measure also requires hospitals that unsuccessfully challenge a regulatory decision in court to pay the applicant hospital's legal fees, up to \$1 million (TALLAHASSEE DEMOCRAT). •



MARYLAND Gov. Martin O'Malley (D) signs legislation that grants civil immunity to anyone who uses an external defibrillator in the course of providing aid to someone suffering a heart attack (BALTIMORE SUN).

- The **CALIFORNIA** Senate endorses SB 1598, which would allow landlords to ban smoking in apartment buildings they own. It moves to the Assembly (LOS ANGELES TIMES).
- Also in **CALIFORNIA**, the Senate approves SB 1420, which would require restaurant chains of 15 or more facilities to make nutritional information available to consumers for all standard menu items, including total calories, saturated fat, trans fats, carbohydrates and sodium (LOS ANGELES TIMES).

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: 483

Number of Intros last week: 1,764

Number of bills enacted/adopted last week: 965

Number of prefiles to date: 20,006

Number of Intros to date: 81,902

Number of bills enacted/adopted overall to date: 19,542

— Compiled By JAMES ROSS
(measures current as of 05/29/2008)
Source: State Net database

HOMELAND SECURITY: Federal officials and **NEW YORK** Gov. David Paterson (D) announce that the Empire State will begin issuing enhanced drivers licenses that double as border-crossing cards by June 1, 2009. **NEW YORK** joins **WASHINGTON**, **VERMONT** and **ARIZONA** as the only states to negotiate agreements with the federal Dept. of Homeland Security that allow them to issue a driver's license that also meets federal requirements for border crossings (NEW YORK TIMES, WASHINGTON TECHNOLOGY).

SOCIAL POLICY: A federal appeals court rules that a **VIRGINIA** law that bans late-term or so-called "partial birth" abortions is unconstitutional. The court said the law imposed "an undue burden" upon a woman's right to choose a second trimester abortion (WASHINGTON POST).

- The **MICHIGAN** Senate approves SB 776, which would bar late-term abortions in the Wolverine State. It moves to the House (BOOTH NEWSPAPERS [LANSING]).
- The **MARYLAND** Supreme Court rules that non-biological, non-adoptive parents do not have a legal right to child custody or visitation even if that person lives with and helps raise a child before the end of a relationship with the child's legal parent. The court said plaintiffs must prove "exceptional circumstances" to gain those rights against the wishes of a legal parent (WASHINGTON POST).
- Still in **MARYLAND**, Gov. Martin O'Malley (D) signs SB 566, which allows unmarried couples the right to make medical decisions for each other if they are able to show they are a committed couple. The criteria include showing proof of a joint checking account or joint property ownership. O'Malley also signs SB 597, which exempts domestic partners from paying property transfer



taxes when one of the partners dies (WASHINGTON TIMES). • The **OREGON** Court of Appeals upholds a state law that defines marriage as being only between one man and one woman. Same-sex marriage supporters say they will appeal to the state Supreme Court (OREGONIAN [PORTLAND]). • **CALIFORNIA** officials set June 17 as the first day that same-sex couples are allowed to legally marry. In November, Golden State voters will weigh in on a proposed constitutional amendment to define marriage as being only between one man and one woman (ASSOCIATED PRESS). • **NEW YORK** Gov. David Paterson (D) instructs state agencies to begin recognizing same-sex marriages conducted legally in other jurisdictions, such as **CALIFORNIA**, **MASSACHUSETTS** and Canada. The revisions are expected to involve as many as 1,300 state laws and regulations (NEW YORK TIMES).

POTPOURRI: The **OHIO** House approves a measure that would allow all legal gun owners to carry their weapons in the cab section of a car, with ammunition nearby. Current law requires weapons to be unloaded and placed in the trunk. The bill, which moves to the Senate, would also allow bar owners and special duty police officers with concealed-carry licenses to carry firearms into bars and keep landlords from barring tenants for owning guns (CLEVELAND PLAIN DEALER).

— Compiled by RICH EHISEN

Once around the statehouse lightly

WHAT WAS HE THINKING? CALIFORNIA lawmakers have come to expect and savor the perks of their job: a generous salary, plenty of juice in the Golden State’s power circles and, of course, lots of freebies. Those usually come courtesy of special interest groups’ never ending efforts to secure lawmakers’ time, attention and votes. But as the *Sacramento Bee* reports, Assemblyman Sam Blakeslee recently took a stab at ending the practice by introducing AB 2795, which would have cut off the free flow of sports tickets, expensive wine, travel and other baubles capitol residents now enjoy. Not surprisingly, the measure went over like a bottle of Ripple at a high-dollar fundraiser. The bill’s quick death didn’t exactly shock Blakeslee, who said, “In all candor, I had suspected it might meet a sad and sorry fate, but I had hoped otherwise.” So much for the audacity of hope.



WHAT WERE THEY THINKING? During a March news conference, MASSACHUSETTS Gov. Deval Patrick, Senate President Therese Murray and House Speaker Salvatore F. DiMasi crowed over their plan to replace police officers who work traffic control at low-risk Bay State construction sites with much less expensive civilian flaggers. Doing so, they said, would save the state \$100 million a year. But as the *Boston Globe* reports, a lobbying blitz by police unions has the alleged power trio eating crow instead. It seems police don't want to give up the thousands of extra dollars in income the construction details provide, so union leaders flooded the Capitol halls and phone lines, and even showed up unannounced at lawmakers' homes to plead their case. Patrick was the first to blink, saying later that he had become "less certain" the plan would work. The others soon followed, and the proposal now being finalized makes the changes only a suggestion.

In case you missed it

Many people believe that politicians always break their promises. But as Lou Cannon notes in the May 19 SNCJ, it may be more accurate to say that many top leaders simply fail to calculate the real costs of keeping them.

In case you missed it, the article can be found on our Web site at http://www.statenet.com/capitol_journal/05-19-2008/html

A LACK OF THINKING: All Vaughn Newman wanted was to come up with a catchy marketing gimmick for his microbrews. The Northern CALIFORNIA resident settled on a bottle cap that says, "Try Legal Weed" a moniker surrounded by another slogan that reads, "A Friend in Weed is a Friend Indeed." The references are to Newman's locale, the 3000-person town of Weed, which sits high in the Cascade Mountain range near the OREGON border. And no, Weed is not named in honor of the hippie lettuce, but after its founder, 19th Century lumber baron and state Senator Abner Weed. But as the *Los Angeles Times* reports, federal authorities don't much care for puns. They have ordered Newman to stop using the caps, saying it is both a drug reference and misleading to consumers, who might believe the beer contains more than just hops and grains. Newman has appealed.

NOW THAT'S REALLY THINKING! Face it, we all know people who just never learn from their mistakes. Do not, however, count NEW JERSEY Gov. Jon Corzine in that group. After nearly being killed in a horrific car accident a little more than a year ago, Corzine has pretty much left the roadways to others. Oh, he's still getting around, but much more often these days it is via the airways, specifically by helicopter. As the *Newark Star Ledger* reports, Between October 2007 and March 2008, Corzine traveled 28 times on the State Police chopper. That is exactly four times more than the seven trips he took during the same period the year before. Corzine also regularly uses a private helicopter service for his personal business, which the multi-millionaire former CEO of Goldman Sachs pays for out of his own pocket.



CAN YOU TELL ME WHAT I'M THINKING? If you are MINNESOTA Gov. Tim Pawlenty (R), the answer is probably "no." Last week, Pawlenty (R) nixed his 32nd, 33rd, and 34th bills of the session, officially becoming the Gopher State's all-time single-season veto leader. As the Minneapolis Star-Tribune reports, that easily surpassed the former record of 29, set by Gov. Arne Carlson in 1993. The 34 nays also were the most since 1939, when the state began keeping official records of gubernatorial rejections. A Pawlenty spokesperson defended the high number of vetoes, saying the governor felt compelled to "aggressively use his taxpayer protection pen" to keep government spending in line. Frustrated DFLers, however, groused that he simply doesn't know how to compromise.

— RICH EHISEN

Editor: Rich Ehsen — capj@statenet.com

Associate Editor: Korey Clark — capj@statenet.com

Editorial Advisor: Lou Cannon

Correspondents: Richard Cox (CA), Steve Karas (CA), Bruce McKeeman (CA), Jeff Kinnison (CA), Chelsea Wolfe (CA), Linda Mendenhall (IL), Lauren King (MA) and Ben Livingood (PA)

Graphic Design: Vanessa Perez

©2007 State Net ISSN: 1521-8449



You've just read **State Net Capitol Journal**, the insider's source for political and legislative news in the 50 states.

State Net Capitol Journal is published 40 times annually and delivered over the Web or e-mail.

For a FREE subscription, visit our Website at www.statenet.com and click on the "Register Now" icon. Or call us at 916.444.0840

A publication of State Net — *the leader in legislative and regulatory intelligence.*

Who relies on State Net?

- Five of the nation's ten largest companies
- Major information services including Lexis-Nexis and WestLaw
- Companies representing every major industry in the U.S.

State Net: the service you can trust when you need to be right.

Learn more about our issue-based reporting solutions today:
info@statenet.com or www.statenet.com • (800) 726-4566