

# Garden State Greed



August 3, 2009

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The next issue of  
Capitol Journal will be  
available on August 10th.

## Top Story

*NEW JERSEY has long lived with the reputation as a state rife with political corruption. But a recent FBI sting that stretched from the Garden State all the way to Switzerland is shocking even by that standard.*

## SNCJ Spotlight

### Garden State cultivates corruption

Corruption is so commonplace in American politics that it usually comes as no great surprise when some new misdeed is uncovered. That may be especially true in states with a reputation for ethical lapses. But the scandal that broke last month in NEW JERSEY was shocking even by that low standard.

One thing that made it so unusual was its scale. The trail of corruption stretched from the NEW JERSEY shore and Brooklyn, NEW YORK to Israel and Switzerland. And on July 23, the FBI arrested 44 people, so many the agency had to rent a bus to transport them all.



“This is so massive,” said Joseph Marbach, a political scientist at Seton Hall University. “It’s going to just reinforce the stereotype of NEW JERSEY politics and corruption.”

The fact that dozens of public officials, including three NEW JERSEY mayors and two state Assemblyman, were among the accused — or even that one of those state lawmakers, L. Harvey Smith (D), ran for office on an anti-corruption platform — wasn’t nearly as surprising as the fact that five rabbis were too.

And the crimes the 44 suspects were accused of committing included not only the expected bribery and money laundering, but also the trafficking of human organs.

The allegations stem from a federal investigation that began three years ago with the arrest of Solomon Dwek, a failed real estate developer and philanthropist, who tried to pass a bad \$25 million check at a NEW JERSEY bank. Dwek agreed to become a federal informant, posing as a crooked real estate developer willing to pay bribes for government approvals.

A prominent member of NEW JERSEY’s Syrian Jewish community whose parents founded a yeshiva in the seaside town of Deal, Dwek first helped investigators penetrate a money laundering network extending from Deal to Brooklyn that included the five arrested rabbis. The rabbis reportedly accepted bank checks Dwek made out to charities

**“This is so massive. It’s going to just reinforce the stereotype of NEW JERSEY politics and corruption.”**

they oversaw, keeping a portion and returning the rest to him in cash. Much of that cash — \$3 million in total — came from Israel and a Swiss banker, according to prosecutors.

The focus of the investigation shifted to public corruption after one of the accused, a NEW YORK real estate developer, introduced Dwek to John Guarini, a Jersey City building inspector, who allegedly accepted \$40,000 in bribes from Dwek. Guarini, in turn, introduced Dwek to Maher Khalil, deputy director of the Jersey City Department of Health and Human Services and a former member of the city’s Zoning Board of Adjustment, who allegedly accepted \$30,000 in cash from Dwek. The bribery investigation eventually branched to NEW JERSEY Mayors Peter J. Cammarano III of Hoboken, Dennis Elwell of Secaucus, Anthony R. Suarez of Ridgefield, and state Assemblymen L. Harvey Smith (D) and Daniel M. Van Pelt (R).

A member of Gov. Jon Corzine’s (D) administration, Department of Community Affairs Commissioner Joseph V. Doria Jr., was also caught up in the corruption

**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: 19**

**Number of Intros last week: 327**

**Number of Enacted/Adopted last week: 439**

**Number of Prefiles to date: 32,911**

**Number of Intros to date: 147,767**

**Number of 2009 Session Enacted/Adopted overall to date: 36,002**

— Compiled By JAMES ROSS  
(measures current as of 7/30/2009)  
Source: State Net database





What's worse is that the deal itself relies on what some say are accounting gimmicks and unrealistic economic projections. For instance, it achieves \$1.2 billion in savings by bumping payroll expenses from June 30 to July 1, making them a fiscal year 2011 expense.

"How are you going to make up for that unless you do it every year?" asked Jessica Levinson, director of political reform for the Center for Governmental Studies.

Jean Ross, executive director of the CALIFORNIA Budget Project, likewise, called many of the deal's budget revenue and savings measures "illusory," such as the \$1 billion in revenue projected from privatization of the state's troubled workers compensation fund, which buyers haven't exactly been lining up for.

More generally, critics say lawmakers have pinned their hopes on a recovering state economy, even though many economists don't expect that to happen any time soon. They say lawmakers did much the same thing in February, when they relied on the assumption that voters would pass several budget initiatives to close the state's then-\$46 billion gap. (The measures were defeated by wide margins.)

"It didn't matter at the time that it was unknown whether voters would approve these," says Philip Romero, dean of business and economics at CALIFORNIA State University, Los Angeles. "At that point, the legislators were at wits end and needed to sign a 'get out of town' budget."

With the state's economy showing no signs of improvement, lawmakers could find themselves in the same situation as early as next month. (CHRISTIAN SCIENCE MONITOR, NEW YORK TIMES, POLITICS DAILY)

**BUDGETS IN BRIEF:** Fresh off his victory on the state budget, **CALIFORNIA** Gov. Arnold Schwarzenegger (R) announced last Wednesday that he intends to call the Legislature into special session in September to reform the state's tax system. Schwarzenegger wants lawmakers to consider the recommendations that come from a 14-member commission he and Assembly Speaker Karen Bass (D) created last fall (SACRAMENTO BEE). • The U.S. House voted last week to pump more than \$14 billion into federal highway and unemployment trust funds to help states make it through August while lawmakers are on break. Conservative Senate Republicans were grumbling at the cost of the move but not expecting to block its passage (POLITICO). • Fitch Ratings lowered **ILLINOIS'** credit rating two notches — from "AA-" to "A" — last week, saying the state failed to address all of its spending needs and structural deficit in its recently passed budget. Moody's Investor Service said it was considering a similar downgrade for the same reasons (STATE JOURNAL REGISTER [SPRINGFIELD]). • Facing its worst financial crisis in a generation, **ARIZONA** is considering selling the House and Senate buildings where state business has been conducted for over 50 years. The sales wouldn't be permanent. Officials are hoping instead to lease the properties and then buy them back in several years (ARIZONA REPUBLIC [PHOENIX]).

— Compiled by KOREY CLARK

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# Politics & leadership

**B**ICOASTAL CONFLICTS OF INTEREST: During the recent legislative session, a small group of FLORIDA lawmakers traveled to and from Tallahassee on private charter flights rather than flying commercial or driving. The 19 Democratic and Republican legislators billed taxpayers over \$37,000 for the privilege, according to state records.

In some cases, the flights were equivalent to or even cheaper than flying commercial. But that wasn't always the case. Rep. Tom Grady (R), whose net worth exceeds \$10 million, racked up \$7,850 in charges.

More of a concern to some is how such swanky travel looks to taxpayers. And more troubling still is that some of the private flights were made possible by lobbyists and companies with a stake in the legislative process. For example, the private plane Rep. Grady regularly flew on was provided by the technology firm InfiNetwork, one of whose executives was a contributor to Grady's political campaign.

"I believe you need to do everything you can to save taxpayer dollars," said Sen. Mike Fasano, (R), who only flies commercial. "At the same time, you should be showing taxpayers you aren't being accommodated in a special way. Any government official should do their best to take a commercial flight with no lobbyists or lobbyist clients connected to it."

Not to be outdone by their East-Coast counterparts, state officials leading CALIFORNIA's war on global warming have been jetting all over the world the last few years on trips paid for by the greenhouse gas polluters they regulate, the Sacramento Bee reported last week. Bound for destinations including a climate change policy tour in Europe and a safari in South Africa, the regulators have logged over 700,000 air miles since 2006, flights that emitted 275,000 pounds of carbon dioxide into the atmosphere. The bill for these excursions was foot by energy and utility industry giants like Chevron, Southern California Edison, Shell Oil and British Petroleum through nonprofit groups not subject to the state's gift limits and public disclosure requirements.

Some of the officials who have gone on the trips said they now feel uneasy about them because of the mingling with company executives that usually takes place.

"You have repeated interactions with the top management of the companies we are charged with regulating, in private, nonpublic settings," said Dian Grueneich, a member of CALIFORNIA's Public Utilities Commission. (ST. PETERSBURG TIMES, SACRAMENTO BEE)

**CT DEMS WIN HEALTH CARE FIGHT:** The Democrat-controlled CONNECTICUT Legislature last week overrode seven of Gov. M. Jodi Rell's (R) 20



vetoed, the most overrides in the Constitution State since 1974. Among them was HB 6600, which establishes an unelected nine-member board to set up a framework for a universal health care plan. The group’s report is due by January 1, 2011, with the program, deemed Sustinet, effective by July 2012.

In her veto message, Rell said she rejected the measure because it will cost a billion dollars per year, far too much when the state is working to close an \$8.85 billion shortfall over the next two years. Legislative Republicans also argued that it would be unwise to spend that kind of money with Congress already working on its own universal health care bill. Democrats disagreed with Rell’s contention, arguing that Sustinet will cost nothing over the next two years and that the \$1 billion figure was an unofficial projection made by Rell’s budget office.

But Rell also won a significant victory, however, when Democrats failed to override her veto of HB 6582, the so-called “insurance pooling” measure that would have opened the state employee health insurance program to employees of municipalities, non-profit organizations and small businesses. Although the bill had overwhelming support in the House, where 23 of the 24 Senate Democrats favored it, a two-thirds majority is needed in both chambers — 101 votes in the House and 24 in the Senate — to override a veto.

That effort failed by one vote there when Sen. Joan Hartley (D) — whose support was key to an override — was absent for the vote. “I wasn’t aware that she was leaving the chamber,” said Senate President Pro Tem Donald Williams, the highest-ranking senator. While Hartley could not be reached for comment, Williams noted that her presence may not have made much difference. “She was not a fan of this bill. If she had been in the chamber and voted against it, it would not have been a surprise.” (HARTFORD COURANT)

**POLITICS IN BRIEF: ILLINOIS** state Treasurer Alexi Giannoulias officially launched his bid last week for the U.S. Senate seat currently held by Roland Burris, who has opted not to seek voter sanction of his appointment by impeached Gov. Rod Blagojevich (CHICAGO SUN-TIMES). • **TEXAS** Sen. Kay Bailey Hutchison (R) announced last week that she will resign her seat in the fall to focus on challenging incumbent Gov. Rick Perry (R) next March (WASHINGTON POST). • **TENNESSEE** Sen. Paul Stanley (R) resigned from the Senate last Tuesday after an extortion investigation he initiated revealed he had an extramarital affair with a 22-year-old intern. The intern’s boyfriend was evidently the one blackmailing Stanley (ASSOCIATED PRESS).

— *Compiled by KOREY CLARK, RICH EHISEN & DINA MORCOS*

## Upcoming stories

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

- **Social networking for lawmakers**
- **Alternative energy**
- **State budgets**

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# Governors

## **K** AINE SAYS NO NEW VA TECH SHOOTING PANEL:

VIRGINIA Gov. Tim Kaine (D) said he will not reconvene the panel he commissioned to investigate a 2007 shooting rampage at VIRGINIA Tech University that claimed 33 lives, including the shooter. Kaine said he would re-open “the factual narrative” portion of the report.

Kaine’s decision came in response to recent calls from victims’ families to re-open the investigation after the discovery of missing mental health records of the shooter, Seung-Hui Cho, at the home of Robert C. Miller, the former director of the university’s counseling center, where Cho had undergone psychiatric care. Miller claimed he inadvertently took the files home when he left his position with the school in 2006. Kaine said he believes that removing the records was illegal, noting that VIRGINIA state police are looking into Miller’s story.

Kaine said he intends to have Cho’s records — which are thought to contain a full accounting of his interaction with the counseling staff — added to the archive of documents related to the tragedy. He said state officials are also working with Cho’s family to release the records publicly.

Many family members, however, say that is not enough. In a statement, a group of more than 60 surviving victims and family members of those killed in the attack said they believe only re-convening the panel will produce the answers they are looking for.

“While we appreciate the hard work of the VIRGINIA Tech Review Panel, the report issued by the panel contains grave errors, misinformation and glaring omissions,” the statement said.

**“The only good that can come of the tragedy is learning what went wrong.”**

Andrew Goddard, whose son, Colin, survived gunshot wounds in the rampage, was among those pushing for the new panel.

Goddard said he has lingering questions as to why school officials had not caught warning signs about Cho’s fragile mental health.

“The only good that can come of the tragedy is learning what went wrong, and that is only possible with a thorough investigation,” Goddard said.

But Kaine said during a recent radio broadcast that because the original panel was all volunteer, he cannot automatically order them to return for more service. He also noted that not all victims’ families want another investigation. Many, he says, have told him that going through the process again would be too painful.

Bryan Cloyd, a VIRGINIA Tech professor who lost a daughter in the attack, is among those who don’t want the panel reconvened. “It’s not going to change anything,” Cloyd said. “People want to know every last detail, but sometimes you can’t.”



Still, supporters like William O’Neil, whose son was also killed, are likely to keep the pressure on to bring the panel back together. “The report was shoddy,” O’Neil said. “Its timeline has gaps and inaccuracies. We know of plenty of people who were never interviewed. We want it done right.” (NEW YORK TIMES, ASSOCIATED PRESS, ROANOKE TIMES)

**KULONGOSKI SIGNS MAJOR TRANSPORTATION PACKAGE: OREGON Gov**

Ted Kulongoski (D) signed HB 2001, a measure that will raise \$300 million in new annual revenue dedicated to upgrading the state’s transportation infrastructure. The funds will come primarily from higher vehicle registration fees that go into effect this October and a 6-cent-per-gallon gas tax that will be implemented in January 2011. Kulongoski hailed the measure, which lawmakers passed with strong bipartisan support. “In addition to [being] the largest, greenest and most comprehensive and strategic investment in our transportation infrastructure in the state’s history, this bill is a great job creator with 40,000 jobs created over the next ten years in every corner of the state.” (FORBES.COM, OREGON GOVERNOR’S OFFICE, STATESMAN JOURNAL [SALEM])

**SCHWARZENEGGER PUSHES DEATH ROW UPGRADE: CALIFORNIA Gov.** Arnold Schwarzenegger (R) rejected language in the state budget agreement that would have delayed the construction of a new 768-cell housing unit for condemned prisoners at San Quentin State Prison. The \$356 million facility, tentatively scheduled to open in late 2011, will replace a section of the 150-year-old prison that now holds nearly 670 inmates, the nation’s largest Death Row. The budget deal would have delayed the addition until the state determined, in a court ruling or a formal opinion from the attorney general, that it would be allowed to double-cell Death Row inmates. OKLAHOMA is currently the only state to place more than one inmate in each Death Row cell. (SAN FRANCISCO CHRONICLE)

**GOVERNORS IN BRIEF:** Eight Midwestern governors held a one-day summit last week to work on establishing a group that will coordinate their collective bid for a share of \$8 billion in federal stimulus cash for an eight-state, high-speed rail network. Governors from **ILLINOIS, IOWA, WISCONSIN, INDIANA, MINNESOTA, MISSOURI, MICHIGAN** and **OHIO** participated in the meeting (CHICAGO TRIBUNE). • **LOUISIANA** lawmakers canceled a scheduled five-day session to address overrides from Gov. Bobby Jindal (R). The Pelican State constitution allows for an automatic special session to override gubernatorial vetoes, but one

**Upcoming elections**

7/30/2009 - 8/20/2009

08/01/2009

**Louisiana Special Primary**

House District 40  
Senate District 020

08/04/2009

**Michigan Special Primary**

Senate District 19

08/18/2009

**Alabama Special Election**

Senate District 19



has never been held (TIMES-PICAYUNE [NEW ORLEANS]). • A new poll indicates that just 28 percent of CALIFORNIA residents approve of the job Gov. Arnold Schwarzenegger (R) is doing. The survey from the Public Policy Institute of CALIFORNIA showed that voters think even less of the Golden State Legislature, granting it a record-low 17 percent approval rating (SACRAMENTO BEE). • The polls were also unkind to MASSACHUSETTS Gov. Deval Patrick (D), as a new *Boston Globe* poll shows him with a 35 percent approval rating. The survey showed that 52 percent of respondents viewed him unfavorably (BOSTON GLOBE). • ALASKA Gov. Sarah Palin (R) officially stepped down from office last week. She is replaced by former Lt. Gov. Sean Parnell, also a Republican (CONGRESSIONAL QUARTERLY). • VERMONT Gov. Jim Douglas (R) officially took over as chairman of the National Governor’s Association. Douglas, who said he will make health care reform his prime focus, replaces PENNSYLVANIA Gov. Ed Rendell (D) (BURLINGTON FREE PRESS).

— Compiled by RICH EHISEN

## The week in session

**States in Regular Session:** DC, MA, MI, NC, PA, US

**States in Recess:** CA, NJ, NY, PR, WI

**States in Special Session:** AZ “c”

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

**States in Skeleton Session:** OH

**States Currently Prefiling or Drafting for 2010:** AL, FL, KY

**States Projected to Adjourn:** NC

**States Adjourned in 2009:** AK, AL, AR, AZ, CO, CT, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MN, MO, MS, MT, ND, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WA, WV, WY

**State Special Sessions Adjourned in 2009:** AZ “a”, AZ “b”, CA “a”, CA “b”, CT “a”, CT “c”, FL “a”, IL “a”, IL “b”, IN “a”, KY “a”, MS “a”, MS “b”, MS “c”, NV “a”, NY “a-o”, TX “a”, UT “a”, VT “a”, WI “a”, WV “a”, WV “b”

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS  
(session information current as of 7/31/2009)  
Source: State Net database

## Hot issues

**B**USINESS: NEW HAMPSHIRE Gov. John Lynch (D) signs HB 334, legislation that requires the licensing of out-of-state branches of mortgage bankers and brokers. The measure also mandates that all mortgage bankers and brokers undergo a criminal background check before obtaining a license (FOSTER’S DAILY DEMOCRAT). • OREGON Gov. Ted Kulongoski (D) signs SB 628, a bill that requires mortgage lenders to meet with borrowers facing foreclosure to try to come up with a loan modification. Lenders would also have to certify that they have complied with procedures explaining why a borrower does not qualify for an alternate payment plan (STATESMAN JOURNAL [SALEM]).

**CRIME & PUNISHMENT:** RHODE ISLAND Gov. Don Carcieri (R) signs HB 5370, legislation that adds the family and housemates of domestic-violence victims to



those who may omit their names from public voter lists (PROVIDENCE JOURNAL). • **NEW HAMPSHIRE** Gov. John Lynch (D) signs HB 690, which will create a cold-case unit to tackle the Granite State’s roughly 100 unsolved murders. The unit will be funded with federal grants (FOSTER’S DAILY DEMOCRAT).

## In case you missed it

A universal health care bill is moving through Congress. But as SNCJ’s Lou Cannon reports, the measure, if ultimately approved, could add significant fiscal burdens on states at a time their coffers are empty.

In case you missed it, the article can be found on our Web site at

[http://www.statenet.com/capitol\\_journal/07-20-2009/html](http://www.statenet.com/capitol_journal/07-20-2009/html)

**EDUCATION:** The **TENNESSEE** attorney general announces that the Volunteer State handgun owners cannot take their firearm into an athletic or recreation facility when a school is using it. Attorney General Robert Cooper says the state statutes banning weapons during school events applies even to those with a concealed-carry permit. State lawmakers earlier this year passed a bill that allows permit-carrying residents to bring their weapons into state parks (TENNESSEAN [NASHVILLE]).

**ENVIRONMENT:** **RHODE ISLAND** Gov. Don Carcieri (R) signs HB 5461, a bill that enables those who build renewable energy projects to get credit for the energy pumped into the electric grid. The new law allows the utility to write a check to the project owner (STATE NET). • **ILLINOIS** Gov. Pat Quinn (D) signs SB 1906, a bill that authorizes the state to make available up to \$3 billion in guaranteed energy project financing for qualified renewable energy and clean coal efforts. The measure also increases state loan guarantees to \$225 million from \$75 million for agricultural businesses (DAILY HERALD [ARLINGTON HEIGHTS]). • **OREGON** Gov. Ted Kulongoski (D) signs SB 101, which requires that new electricity sources must be as least as clean as natural gas plants. The measure, which effectively blocks new coal-fired power plants in the Beaver State, was one of a series of seven climate change bills Kulongoski signed into law (OREGON.GOV).

**HEALTH & SCIENCE:** **NEW YORK** Gov. David Paterson (D) signs AB 9038, legislation that allows unmarried children to stay on their parents’ health care coverage until age 29 (NEWSDAY [NEW YORK]). • Still in **NEW YORK**, Paterson also signs AB 8400, legislation that allows Empire State residents who lose their jobs to keep their health coverage under COBRA for 36 months, double the current 18-month limit (NEWSDAY [NEW YORK]).

**POTPOURRI:** The **NORTH CAROLINA** Senate endorses SB 563, legislation that says local officials may issue permits for fireworks shows only to individuals who are 21 or older, have assisted in three authorized fireworks displays, have completed minimum training and passed an exam. Operators would also have to carry at least \$500,000 in insurance. The measure moves to the House (NEWS & OBSERVER [RALEIGH]).

— Compiled by RICH EHISEN

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# Once around the statehouse lightly

**S LAMMED AND DUNKED:** Former CALIFORNIA Assembly Speaker and current Los Angeles mayor Antonio Villaraigosa may be a big Lakers fan, but the feeling is definitely not mutual, at least not from star baller Kobe Bryant. As the *Los Angeles Wave* reports, last month's parade celebrating the team's NBA championship was held up for almost an hour because Bryant refused to get on a bus with Villaraigosa, noting "I don't like the [expletive]." Hizzoner, meanwhile, wasn't about to do the parade without Kobe present. Peace was eventually restored when a few Lakers players snuck the mayor onto the bus behind Bryant's back. That got the bus rolling, but didn't stop the Lakers diva from completely ignoring Villaraigosa's handshake attempt once they made it to the parade podium. Fans apparently shared Bryant's disdain for the one-time gubernatorial hopeful. On several occasions, Villaraigosa's appearance moved cheering crowds to murmuring silence.

**A REAL SNAKE:** Reptilian behavior has shut down more than a few legislative debates over the years, but that conduct is not often of the literal variety. As Reuters reports, a snake believed to be a king cobra was spotted slithering around inside the parliament building in Bhubaneswar, capital city of the Indian state of Orissa. The Assembly speaker immediately adjourned the session until the snake could be securely removed. Alas, in spite of help from various wildlife experts and a snake-sniffing dog, the deadly visitor escaped undetected.

**THANKS BUT NO THANKS:** With UTAH Gov. Jon Huntsman's confirmation as ambassador to China all but in the books, the search is on for someone to replace the man who will replace him, current state Lt. Gov. Gary Herbert. So far, however, there has not exactly been a stampede of folks rushing to fill the position. As the *Salt Lake Tribune* reports people are, in fact, avoiding it like the plague. To date, the job has reportedly been floated past every current legislative leader as well as at least one former one, all to no avail. In a classic bit of distinction without much difference, Herbert denies being turned down by all of the alleged candidates while admitting that several people have asked to be removed from consideration. He shouldn't take it personally, however. The *Tribune* says the candidates' reluctance is centered on money and workload, not any issue with Herbert.

**ONE TOO MANY KICKS TO THE HEAD:** With state economies floundering, it seems a fairly obvious time to forgo spending public dollars to fund new sports stadiums. Obvious, that is, to everyone but Roy Terwilliger, chairman of the



MINNESOTA Sports Facilities Commission. As the *Pioneer Press* reports, Terwilliger is pushing Gopher State lawmakers to fund a new stadium to replace the 27-year-old Minneapolis Metrodome, home to the NFL's MINNESOTA Vikings. Pointing to the plethora of concerts, monster truck shows and other non-sports events held there, Terwilliger, a former state senator, is urging pols to think of a new stadium as a boon to the whole state. So far, the sales pitch is landing on deaf ears. House Minority Leader Kurt Zellers, in fact, assesses the chances of such a stadium being built as "Probably about the same as the odds of me starting at cornerback for the Vikings."

— By RICH EHISEN

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