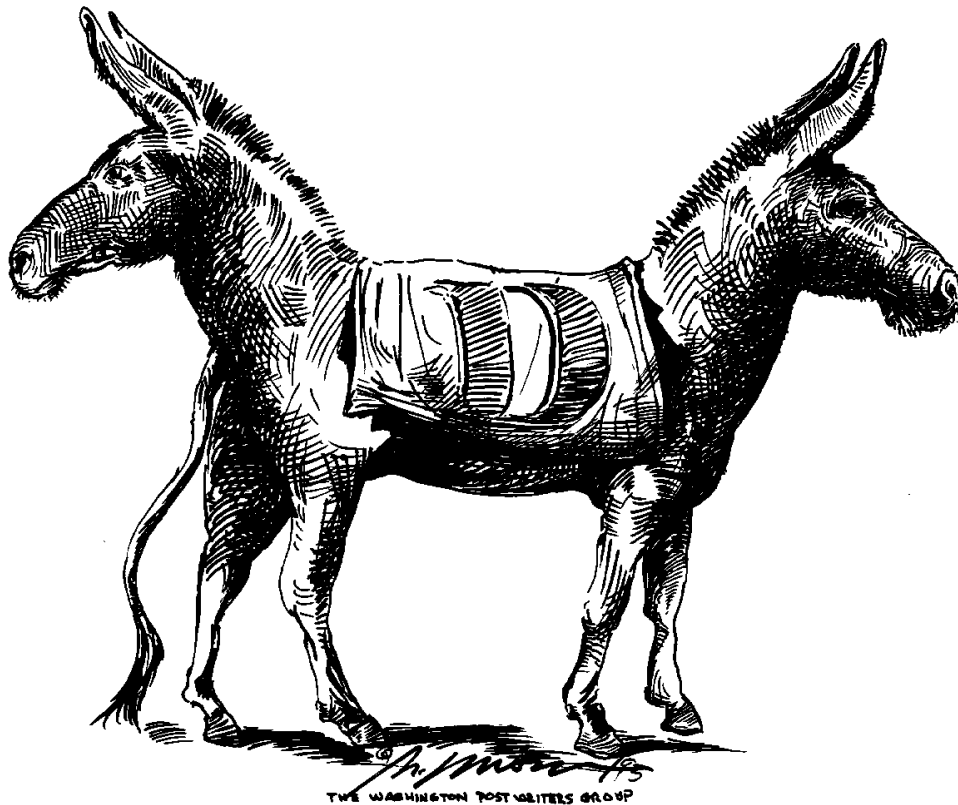


August 23, 2004

Garden State of confusion



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Top Story

NEW JERSEY Gov. James E. McGreevey's (D) refusal to yield to Party pressure to step down from office has become a lightning rod for dissent among both state and national Democrats.

SNCJ Spotlight

McGreevey sits, New Jersey grinds on as both parties fume

Although the wolf has undoubtedly been salivating at his door, soon-to-be-resigned NEW JERSEY Gov. James E. McGreevey (D) has managed to hold firm on his decision not to step down before his self-imposed Nov. 15 departure date.

Jersey's homeland security secrets, an allegation that caused McGreevey spokesperson Kathleen Ellis to burst into laughter.

The turmoil appears to also be affecting the national political scene, as the campaign of Democratic presidential candidate John Kerry went to great lengths last week to deny speculation that Kerry has taken a steep drop in New Jersey polls since McGreevey's announcement. The rumor mill had Kerry working behind the scenes to get McGreevey out of office in favor of Corzine as a way to solidify the state before the November election. Kerry's camp vehemently denied any such clandestine effort.

Two former New Jersey governors also found themselves into the middle of the "what now" speculation. Heavyweights Tom Kean, who recently co-chaired the 911 commission, and Christie Whitman, who last served as the head of the Environmental Protection Agency for the Bush Administration, were both mentioned as possible GOP gubernatorial candidates in a special election. Both also immediately said they are not interested in the job.

Despite all the swirling possibilities, not all Garden State Democrats are so anxious for McGreevey to leave. Several, including Sen. Joseph Vitale and Sen. Barbara Buono issued statements early on expressing their opposition to a special election as well as support for Codey's ascension to the office. But other

Democrats have more quietly — and anonymously — voiced their displeasure with the whole mess, saying the situation is damaging the party. One summed it up by saying "We look like juvenile delinquents on the playground without supervision."

McGreevey's camp appears to be unmoved by any talk of his early departure. McGreevey spokesperson Kathy Ellis said of the governor's detractors: "Frankly, they can camp out in their sleeping bags outside the governor's door. We'll be here until Nov. 15."

Having apparently weathered the storm, at least for now, McGreevey says he plans to accomplish as

Quote...

"I simply believe the next week will be very important for our state and our party. I'll wait to see, upon reflection, whether the governor has any new comments to make."

—**U.S. Rep. Robert Menendez (D) speculating that Gov. James McGreevey (D) might leave office early enough for the state to hold a special election to pick his successor.**

... unquote

"This guy has made a gracious exit and now you have people hovering around his political carcass for their own personal benefit. Why should McGreevey care about what any of these people think?"

—**NEW JERSEY Sen. Ray Lesniak (D) commenting on the efforts of a trio of Dems who tried to coerce McGreevey to leave office immediately. (NEWARK STAR-LEDGER)**



much as possible before he leaves office. Saying he feels liberated to no longer have to govern with one eye on the next election, McGreevey has established a full agenda that could keep him busy right up until he shuts the door on his way out. Those plans include choosing a management team for the state's proposed stem cell research center and pushing forward with multiple development projects, including a \$1.3 billion entertainment and shopping mall planned for the Meadowlands. Perhaps ironically for a governor so steeped in scandal, he is also pondering an executive order to address ethics reform. (NEWARK STAR-LEDGER, PHILADELPHIA INQUIRER, WASHINGTON POST, NEW YORK TIMES, TRENTON TIMES, RECORD [BERGEN COUNTY]).

BLAGOJEVICH OKAYS FOREIGN DRUGS: ILLINOIS Gov. Rod Blagojevich (D) has decided to give the federal government its own bitter pill to swallow by not only ignoring the U.S. Food and Drug Administration's ban on states purchasing prescription drugs from Canada,

but by also helping people to buy drugs from Ireland and England as well. Although MINNESOTA, NEW HAMPSHIRE and WISCONSIN have already established Web sites that list Canadian pharmacies they have deemed to be safe, the Illinois plan would make the Prairie State the first to expand such efforts to Europe. Illinois is one of many states that have lobbied the Bush administration in recent years to allow foreign imports as a way to cut down the cost of prescription medications, specifically looking to Canada as a source to supply Medicaid and Medicare patients with less expensive drugs. Blagojevich, who has also unsuccessfully sought approval from the FDA to run a pilot drug-importation plan, said, "The federal government has failed to act. So it's time that we do."

Although it has become commonplace in recent years for American citizens

The Week in Session

States in Regular Session:
CA, MI

States in Recess:
CA "d", CA "e", DE "c", IL, MA, NJ, NY, PA, US

States in Skeleton Session: OH

Currently Prefiling:
FL(Drafts for 2005)
KY(Drafts for 2005)
MT(Drafts for 2005)
NV(Drafts for 2005)
VA(Drafts for 2005)

States Adjourned:
AK, AL, AZ, CO, CT, DE, FL, GA, HI, IA, ID, IN, KS, KY, LA, MD "2003 session", MD, ME, MN, MO, MS, NC, NE, NH, NM, OK, RI, SC, SD, TN, UT, VA, VT, WA, WI, WV, WY

States in Special Session Adjourned:
AK "a", AR "b", CA "a", CA "b", CA "c", CT "a", CT "b", CT "c", CT "d", DE "a", GA "a", IL "a-q", LA "a", ME "b", MS "a", MS "b", NY "a", OR "a", TX "d", UT "a", UT "c", VA "a", VA "b", WA "a", WA "b", WA "c", WI "d", WI "e", WI "f", WI "g", WV "a", WV "b", WY "a"

Projected Special Session Adjournment: OK "a"

Letters indicate special/extraordinary sessions
Source: State Net, 8/20/04



to go to Canada to obtain prescription drugs without FDA interference, that could soon change. FDA associate commissioner William Hubbard says the Illinois plan could now force the agency to act, saying “We have here a state taking a further step to induce people to buy drugs from Canada and the United Kingdom, something we consider to be both illegal and unsafe.” (USA TODAY, WASHINGTON POST)

GOVERNORS IN BRIEF: LOUISIANA Gov.

Kathleen Blanco (D) said last week she will probably vote to support a state constitutional amendment that would ban same-sex marriage because “marriage is between a man and a woman” (NEW ORLEANS TIMES PICAYUNE).

• **MISSISSIPPI** Gov. Haley Barbour (R) will be in charge of drafting the GOP’s positions on abortion and gay marriage at the Republican National Convention. Although the platform is a statement of the Party’s principles, candidates are not bound to adhere to those positions (CLARION-LEDGER [JACKSON]).

CORRECTION: A quote attributed to California Film Commission director Amy Lemisch in the August 16, 2004 Capitol Journal (States Use Big Bucks to Lure Hollywood) inferred that the film industry puts \$50,000 a day into the state economy. The figure applies specifically to days when films are being shot and not an average of all 365 days in a year.

— Compiled by RICH EHISEN



Across state lines

Death on the Highway

Increased use of seat belts is helping to decrease the number of motor vehicle deaths on the nation’s highways, according to new statistics released by the U.S. Department of Transportation that show 2003 had the lowest number of traffic fatalities since the agency began keeping records 29 years ago. U.S. Transportation Sect. Norman Mineta credited improved vehicle

safety standards as well as National Highway Traffic Safety Administration (NHTSA) programs that encourage seat belt use and discourage impaired driving for the decrease.

While the number of passenger vehicle and pedestrian deaths is falling, motorcycle deaths are not. Motorcycle fatalities rose 12 percent last year, and are up 73 percent since 1997. Pedestrian deaths, however, declined 2.1 percent, and passenger vehicle occupant fatalities fell to their lowest level since 1992. Overall, 2.9 million people were injured in vehicle accidents last year, 42,643 fatally.

Twenty-three states and the District of Columbia had increases in their number of highway deaths in 2003, with D.C. showing a 43 percent increase over 2002 figures. RHODE ISLAND experienced a 24 percent increase, while OREGON was up 17 percent. The largest decrease in fatalities came in COLORADO, which saw a 15 percent decline, followed by VERMONT's 12 percent drop.

The accompanying chart shows the number of persons killed in traffic crashes over the last two years, along with the percentage gain or loss in 2003. To view the full report, visit the NHTSA Web site at [://www.nhtsa.dot.gov/](http://www.nhtsa.dot.gov/).

— By RICH EHISEN

Persons Killed in Motor Vehicle Crashes, 2002-2003			
State	2002	2003	% change
Alabama	1,038	1,001	-3.6%
Alaska	89	95	+6.7%
Arizona	1,132	1,120	-1.1%
Arkansas	640	627	-2.0%
California	4,088	4,215	+3.1%
Colorado	743	632	-15.0%
Connecticut	325	294	-10.0%
Delaware	124	142	+15.0%
Dist. of Columbia	47	67	+43.0%
Florida	3,136	3,169	+1.1%
Georgia	1,524	1,603	+5.2%
Hawaii	119	135	+13.0%
Idaho	264	293	+11.0%
Illinois	1,420	1,453	+2.3%
Indiana	792	834	+5.3%
Iowa	405	441	+8.9%
Kansas	507	471	-7.1%
Kentucky	915	928	+1.4%
Louisiana	907	894	-1.4%
Maine	216	207	-4.2%
Maryland	661	649	-1.8%
Massachusetts	459	462	+0.7%
Michigan	1,277	1,283	+0.5%
Minnesota	657	657	0.0%
Mississippi	885	871	-1.6%
Missouri	1,208	1,232	+2.0%
Montana	269	262	-2.6%
Nebraska	307	293	-4.6%
Nevada	381	368	-3.4%
New Hampshire	127	127	0.0%
New Jersey	771	747	-3.1%
New Mexico	449	439	-2.2%
New York	1,530	1,491	-2.5%
North Carolina	1,576	1,531	-2.9%
North Dakota	97	105	+8.2%
Ohio	1,418	1,277	-10.0%
Oklahoma	739	668	-10.0%
Oregon	436	512	+17.0%
Pennsylvania	1,614	1,577	-2.3%
Rhode Island	84	104	+24.0%
South Carolina	1,053	968	-8.1%
South Dakota	180	203	+13.0%
Tennessee	1,177	1,193	+1.4%
Texas	3,823	3,675	-3.9%
Utah	328	309	-5.8%
Vermont	78	69	-12.0%
Virginia	914	943	+3.2%
Washington	658	600	-8.8%
W Virginia	439	394	-10.0%
Wisconsin	803	848	+5.6%
Wyoming	176	165	-6.3%

Source: National Highway Traffic Safety Administration



Politics & Leadership

SENATE COULD BE OUT OF REACH FOR GA DEMS: GEORGIA Democrats' visions of reclaiming the majority in the Senate this November may be just wishful thinking — or perhaps nostalgia for a time when they dominated Peach State politics, before the GOP took over the governor's office in 2002 and the Senate the following year. To recapture the Senate, the Dems have to win two races in which they are only slightly favored, score upsets in three races where Republican candidates appear to have the edge and sweep nine others that are too close to call, according to analysis by the *Macon Telegraph*. It would take wins in all 14 of those races to give the Democrats a 29-27 majority in the chamber. While the Dems are holding out hope that rural conservatives, who have a long history of voting Democratic in local races despite voting Republican in national elections, will swing the contests in their favor, the Republicans seem fairly certain the battle is already over. "I think it would be easier for the Democrats to turn away the hurricanes at the coast than to regain the Senate," said one GOP senator, adding, "I think we'll increase our numbers." (MACON TELEGRAPH)

REMAP FAILS TO BOOST MINORITY CANDIDACY: The major redrawing of Boston, MASSACHUSETTS' House districts earlier this year to increase minority representation hasn't had much of an effect on the upcoming election. Voting rights groups won a federal lawsuit in February requiring House Speaker Thomas M. Finneran's (D) leadership team to redraw their legislative district map for Boston, correcting inequities that diluted the political strength of African American and Hispanic voters. But no minority filed as a major party candidate for any of the 17 House districts in the Boston area that will be contested in November. Democrats contend the lack of minority candidates shows that voters of all backgrounds are satisfied with their current representatives. One Democratic House member, Marie P. St. Fleur, the first Haitian-born representative in the state, went as far as questioning whether the lawsuit had actually been necessary. "I can't say it was bogus. But the result speaks for itself," she said. The plaintiffs in the lawsuit, however, blamed the minimal turnout of minority candidates on the timing of the court ruling, which they said came only weeks before the state's May filing deadline. They believe the more equitable districts that have resulted from their suit will lead to greater minority participation in the future (BOSTON GLOBE).

AT THE POLLS: Voters in WYOMING decided 26 legislative primary races last Tuesday, along with one U.S. House race and a number of county contests. Without any weighty political issues up for consideration, only about a third of the state's registered voters actually cast ballots, which was the second lowest turnout in the state's history (BILLINGS GAZETTE).

SINE DIE: Despite the Democrats taking control of the ILLINOIS Legislature and the governor's office only a year ago, the 2004 session was more fractured than ever, resulting in the longest overtime in state history — 54 days. Last year, the newly-empowered Democratic majority generally went along with the ideas of their new Democratic chief executive, Gov. Rod Blagojevich, even managing to close a \$5 billion hole in the state budget on time, and without raising taxes. This year was supposed to be easier, with a budget deficit only half the size of last year's. But Blagojevich's personal attacks on lawmakers at the end of last year's session — at one point, calling them "drunken sailors" for overriding some of his vetoes — created tension that turned to outright rebellion when Blagojevich called for a budget that relied on borrowing and tax hikes to pay for increased spending on health care and education. An agreement wasn't reached until the weekend before the Democratic National Convention in July, and lawmakers, eager to return home to campaign for re-election, adjourned without taking action on the other top priority for the session: reform of the state's medical malpractice insurance system. (QUAD-CITY TIMES, ST. LOUIS POST-DISPATCH)

POLITICS IN BRIEF: The heads of WASHINGTON's Democratic, Republican, Libertarian and Green parties, together with the League of Women Voters, have launched a campaign in opposition to Initiative 872 on the November ballot, which would establish a "top-two" primary. The "No on I-872" coalition contends such a system would potentially allow two candidates from the same party to run against each other in the general election, while greatly restricting third-party candidates from reaching the November ballot (SEATTLE POST-INTELLIGENCER). • **CALIFORNIA** voters are evenly divided on Proposition 71,

Upcoming Elections (08/17/2004 - 08/31/2004)

08/17/2004

Wyoming Primary Election
House (All)
Senate (Even)
US House (All)

08/24/2004

Alaska Primary Election
House (All)
Senate A, C, E, G, I, K, M, O, Q, R, T
US House (All)
US Senate (Murkowski)

08/31/2004

Florida Primary Election
House (All)
Senate (Odd)
US House (All)
US Senate (Graham)



a controversial November ballot measure that would allow the state to issue \$3 billion in bonds to fund stem cell research, according to a new Field Poll (See 7/5, 7/19 SNCJ). The poll found that 45 percent of likely voters support the measure, while 42 percent oppose it, with the remaining 13 percent undecided. The poll also indicated how partisan the issue is, with Republicans opposing the proposition 59 percent to 31 percent, and Democrats favoring it by nearly the same margin, 57 percent to 27 percent (SACRAMENTO BEE). • **COLORADO** Gov. Bill Owens (R) and state legislators went to court last week to settle their long-standing dispute over which branch of government has the power to decide how money is spent at state agencies. The feud stems from Owens' line-item veto last year of instructions pertaining to state departments that lawmakers included in the state budget. Although the trial is expected to be brief, it could be weeks or months before the district court issues a ruling, and the decision will likely be appealed to the state Supreme Court (ASSOCIATED PRESS, ROCKY MOUNTAIN NEWS [DENVER]).

— *Compiled by KOREY CLARK*

Budget & taxes

N O DEAL ON MD SLOTS: MARYLAND Gov. Robert L. Ehrlich Jr. (R) rejected a proposal from the House of Delegates to let voters decide in November whether to establish state-owned slot machine parlors. In a letter sent to House Speaker Michael E. Busch, Ehrlich said he could not accept such a “new and untested” idea and proposed instead that the General Assembly meet in special session to approve legislation similar to that passed by the Senate earlier this year, legalizing slots at privately-owned racetracks. “The plan that has passed the Senate, one widely supported in Annapolis and across the state, represents the collective wisdom of elected officials, outside experts, local government leaders and the public,” Ehrlich stated. Busch immediately rejected Ehrlich’s counteroffer, prompting the Republican minority to accuse him of being more interested in thwarting the Republican governor than in resolving an issue that lawmakers have struggled with for the past two years. But Marylanders evidently support Busch’s position; a recent poll showed that 83 percent of voters would prefer to decide the issue at the ballot box rather than at the Capitol. The inflexibility of both sides on that point, however, makes it unlikely the issue will be resolved until lawmakers convene for the 2005 session in January. “If the governor does not want to go to referendum, it is finished for the summer, yes,” Busch said. (BALTIMORE SUN, ASSOCIATED PRESS, NEW JOURNAL [NEW CASTLE-WILMINGTON], GAZETTE [GAITHERSBURG])



December (JOURNAL GAZETTE [FORT WAYNE]). • **CALIFORNIA** Gov. Arnold Schwarzenegger (R) signed deals last week to create at least five new Indian casinos in the state. The agreements are said to be more demanding than those the governor signed with five tribes in June, because the group of tribes involved in the current round of negotiations didn't already have casinos or existing compacts and, consequently, had less bargaining power (SACRAMENTO BEE). • **SOUTH CAROLINA** Gov. Mark Sanford (R) signed legislation last week designed to prop up the state's flagging film industry by giving film makers who spend at least \$1 million in the Palmetto State a 5 percent payroll tax rebate as well as other tax breaks. **NEW YORK** also took steps to court Hollywood by approving a 10 percent tax credit for so-called "below the line" production expenses, mostly technicians and crew members. These become the latest states to offer tax breaks to film companies in an effort to lure them out of California and Canada (see the Aug. 16 SNCJ) (NEW YORK TIMES, THE STATE [COLUMBIA]).

— *Compiled by KOREY CLARK*

Hot Issues

B **USINESS:** The **CALIFORNIA** Assembly approves SB 1841, which would require employers to warn workers if they plan to monitor employee e-mails and Web activity or to track the use of company vehicles with global positioning systems. The bill returns to the Senate (SAN DIEGO UNION-TRIBUNE). • Still in **CALIFORNIA**, the Assembly approves AB 1056, a bill that bans the building of any large-scale retail store unless an economic impact study has been previously conducted. The bill is a direct effort to stop retail giant Wal-Mart from developing a series of what would be the largest outlets ever built, some covering as much as five acres. The bill heads to the Senate (LOS ANGELES TIMES). • A **VIRGINIA** court upholds the constitutionality of the Old Dominion State's anti-spam law. The ruling came in the nation's first challenge to a major felony anti-spam statute (VIRGINIAN PILOT).

CRIME & PUNISHMENT: A federal appeals court in **CALIFORNIA** reverses itself and upholds the constitutionality of a 4-year-old law requiring federal parolees to give blood samples for the FBI's DNA database. The new ruling asserts that parolees give up some of their rights to be free from unreasonable search and seizure as a condition of being released from prison early. The same court declared in October of 2003 that forced DNA testing was an unconstitutional

from a lawsuit alleging the state was not doing enough to attract and retain an adequate supply of competent workers to properly run the system (ARIZONA DAILY STAR). • A MASSACHUSETTS court rules that a 1913 law bans out-of-state couples from marrying in the Bay State if the union would be invalid in their home state. Gov. Mitt Romney (R) has used the law to block same-sex marriages since the Supreme Judicial Court legalized gay marriage last year. The new ruling says the law violates the spirit of the Court's decision, but that the law is not discriminatory because the state is now applying it to all couples seeking marriage licenses, regardless of whether they are gay or straight (BOSTON GLOBE).

POTPOURRI: The CALIFORNIA Senate overwhelmingly endorses SB 1858, which bans fake firearms from being carried in public. Supporters cited numerous cases where law enforcement officers killed children and adults who displayed replica or toy guns, thinking they were real weapons. The bill exempts fake guns used in movie and TV filming or in ceremonial events. It now shoots off to the Senate (LOS ANGELES TIMES). • A NEW YORK court rules that the Empire State's lobbying regulations law is unconstitutional because it allows the state to fine lobbyists without giving them a proper hearing. The state is expected to appeal (NEW YORK TIMES).

— Compiled by RICH EHISEN

Once around the statehouse lightly

FAMILY SQUABBLE. As though the Murkowski family didn't have enough to worry about this election year, there now seems to be a dust-up between ALASKA Gov. Frank Murkowski and his daughter, Linda, who happens to be the state's junior U.S. senator. The issue, reports the *Anchorage Daily News*, is abortion. Seems the gov recently signed a bill — SB 30 — that the senator agrees makes Alaskan abortion law more restrictive — something then-gubernatorial candidate Frank Murkowski said he would not do when seeking the office in 2002. Linda Murkowski is running for a full term in the U.S. Senate after being appointed to fill a vacancy created when the previous incumbent resigned. That incumbent was Murkowski himself, who left the Senate to become governor. Both Murkowskis are being pummeled on charges of nepotism.



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