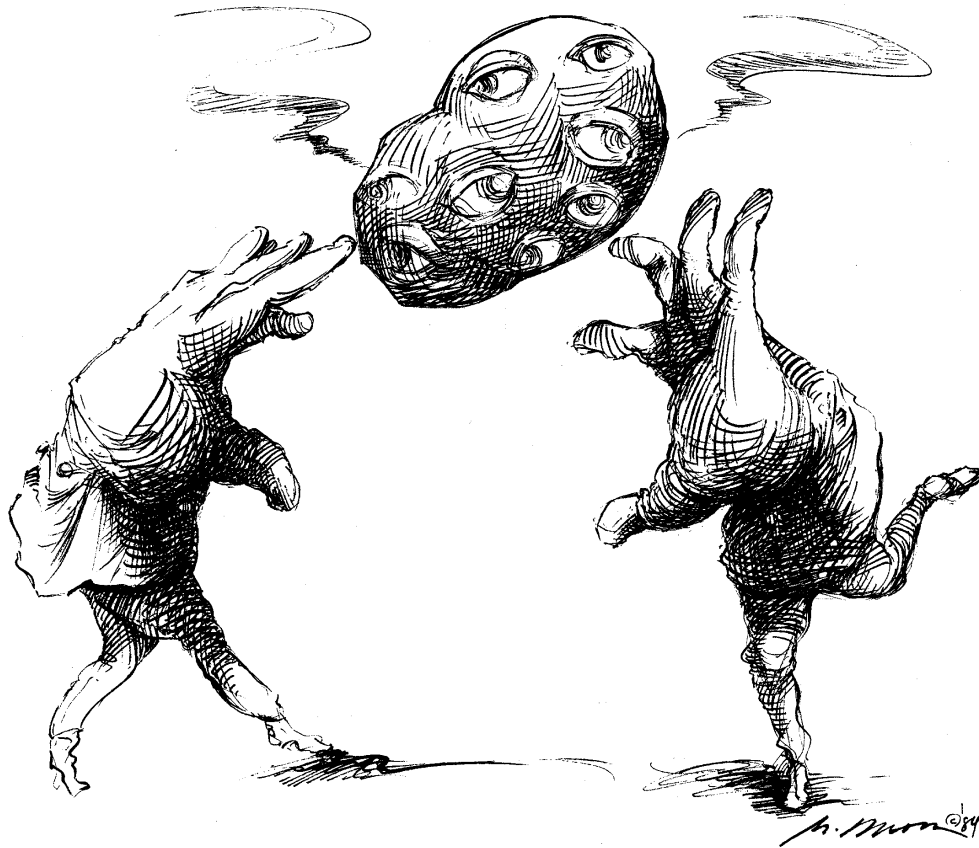


September 13, 2004

Who will rule VOIP?



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Top Story

Voice Over Internet Protocol (VOIP) could be the wave of the future for long distance telecommunication, but it is also creating headaches for state and federal authorities that want to regulate it.

SNCJ Spotlight

States vie with feds to set VOIP regulations

Voice Over Internet Protocol (VOIP) is a lackluster name for a blockbuster technology that allows anyone with a broadband connection to make phone calls to other computers or regular phones for free. Just as Napster disrupted (some say gutted) the music industry, VOIP has the potential to do the same to telecom.



U. S. Senator John Sununu (R) of NEW HAMPSHIRE, and a similar bill in the House (US H 4129) sponsored by MISSISSIPPI Rep. Chip Pickering (R), treats all VOIP as an information service, not distinguishing whether data packets are “a spreadsheet, e-mail, instant message or voice traffic.” It establishes federal (FCC) jurisdiction over VOIP applications, and restricts this data service from state and local taxation. It protects rural telephony access through a flat fee contribution to the universal service fund.

Late in August, two amendments were added to increase state control over VOIP. NORTH DAKOTA Sen. Byron Dorgan (D) added an amendment that required providers to contribute to state universal service programs and pay access fees, the same fees that traditional phone companies pay. MONTANA Sen. Conrad Burns (R) and FLORIDA Sen. Bill Nelson (D) would allow states to regulate 911 and enhanced 911 services. As the bill now reads, states would be kept out of all other areas.

“Despite the addition of two amendments, the basic message is clear: Congress does not want states implementing new regulations that will inhibit this emerging technology,” says Sununu. “It is a simple choice for members: vote to establish a clear legal regime based on technological innovation and consumer choice or vote in favor of multilayered regulation of VOIP that will let chaos reign. Those who use e-mail and instant messaging should know if members vote to regulate Internet applications such as VOIP, those technologies are next.”

But even as the FCC is looking to exempt VOIP from taxes, the Treasury Department is considering whether VOIP will have to pay the 3 percent Federal Excise Tax. The Justice Department wants to make sure that the bill will allow VOIP wiretaps for services such as Vonage that use the phone network, but didn’t ask for peer-to-peer services or voice instant messaging wiretaps (thereby adding a cost to VOIP providers but not increasing security because criminals could use the other services).

The Week in Session

States in Regular Session: MI, US

States in Recess:
CA “d”, CA “e”, DE “c”, IL, MA, NJ, NY, PA

States in Skeleton Session: OH

Currently Prefiling:

CO(Drafts for 2005)

FL(Drafts for 2005)

IN(Drafts for 2005)

KY(Drafts for 2005)

MT(Drafts for 2005)

NV(Drafts for 2005)

VA(Drafts for 2005)

States Adjourned:

AK, AL, AZ, CA, 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”, IA “b”, IL “a-q”, LA “a”, ME “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”

States Projected to Adjourn:

OK “a”

Letters indicate special/extraordinary sessions

Source: State Net, 9/10/04

Median Household Income 2003 Inflation Adjusted Dollars

State	Rank	Median	Lower Bound	Upper Bound
Alabama	44	35,158	34,331	35,985
Alaska	6	52,499	50,381	54,617
Arizona	30	40,762	40,017	41,507
Arkansas	48	34,246	33,490	35,002
California	11	50,220	49,793	50,647
Colorado	10	50,538	48,050	53,026
Connecticut	3	56,803	55,280	58,326
Delaware	9	50,583	49,245	51,921
Dist. Of Columbia	24	42,118	40,279	43,957
Florida	35	39,871	39,206	40,536
Georgia	23	42,742	41,919	43,565
Hawaii	8	50,787	48,905	52,669
Idaho	37	39,492	37,811	41,173
Illinois	14	47,977	46,859	49,095
Indiana	25	42,067	41,274	42,860
Iowa	33	40,526	39,029	42,023
Kansas	29	41,075	39,711	42,439
Kentucky	47	34,368	32,767	35,969
Louisiana	49	34,141	32,805	35,477
Maine	36	39,838	38,624	41,052
Maryland	2	57,218	55,443	58,993
Massachusetts	5	53,610	52,525	54,695
Michigan	19	44,407	43,481	45,333
Minnesota	12	50,100	48,945	51,255
Mississippi	50	32,466	31,142	33,790
Missouri	31	40,725	39,724	41,726
Montana	43	35,399	33,872	36,926
Nebraska	27	41,406	40,431	42,381
Nevada	18	45,395	43,901	46,889
New Hampshire	4	53,910	52,370	55,450
New Jersey	1	58,588	57,273	59,903
New Mexico	46	34,805	33,059	36,551
New York	17	46,195	45,583	46,807
North Carolina	41	38,234	37,179	39,289
North Dakota	42	37,554	36,500	38,608
Ohio	28	41,350	40,731	41,969
Oklahoma	45	35,129	34,147	36,111
Oregon	34	40,319	38,856	41,782
Pennsylvania	26	41,478	40,884	42,072
Rhode Island	13	48,854	47,158	50,550
South Carolina	38	38,467	37,066	39,868
South Dakota	39	38,415	37,159	39,671
Tennessee	40	38,247	37,142	39,352
Texas	32	40,674	40,061	41,287
Utah	15	46,873	45,531	48,215
Vermont	21	43,697	42,582	44,812
Virginia	7	50,805	49,995	51,615
Washington	16	46,868	45,434	48,302
W Virginia	51	31,008	29,832	32,184
Wisconsin	20	44,084	42,112	46,056
Wyoming	22	43,332	41,267	45,397

Source: U.S. Census Bureau, 2003 American Community Survey

right to have a base level of preparedness.” Bruce Baughman, a former director at the Federal Emergency Management Agency also indicated that some amount of grant abuse was to be expected. “If you are a local sheriff and you need some equipment to carry on operating, and you have a federal grant process that allows you to by it, you are going to buy it,” he said. For the most part, however, homeland security grants appear to have been used for their intended purpose. Indeed, the *Morning News*’ review of 15,000 homeland security expenditures showed that the majority involved the purchase of equipment deemed essential since the Sept. 11 terrorist attacks, such as communications devices that allow personnel from various public safety agencies to communicate with each other even if they use different radio frequencies. (DALLAS MORNING NEWS, LOS ANGELES DAILY NEWS, THE ADVOCATE, OAKLAND TRIBUNE)

LAST-DITCH EFFORT TO SAVE MD SLOTS STALLS: A change of heart by MARYLAND Gov. Robert L. Ehrlich Jr. (R) spurred an eleventh-hour move to bring a slot-machine referendum before the state's voters in November, but days of negotiations produced only infighting and bad blood between the governor and lawmakers. The governor had rejected a request for such a measure last month by House Speaker Michael E. Busch (D), saying that lawmakers should resolve the issue themselves. But at a closed-door meeting last Monday with Busch and Senate President Thomas V. Mike Miller (D), Ehrlich backed off that stance, agreeing to consider a referendum on whether to allow up to 15,000 slot machines at six locations in the state if there were enough votes in the House to pass the proposal. Ehrlich aides said the governor reconsidered his stance as an accommodation to Busch, who has blocked the governor’s efforts to pass slots legislation the past two years. Although the deadline for certifying the content of the November ballot passed two weeks ago, election officials said they could alter that content up until Sept. 15, leaving lawmakers a very narrow window in which to take action. But negotiations on the proposal broke down last Wednesday, assuring there will be no slots referendum in November. Allies of Ehrlich and Busch exchanged charges of bad-faith negotiating, the Ehrlich camp accusing Busch of not sticking to the agreed-on plan when rallying support from his caucus and Busch supporters countering that Ehrlich failing to deliver the Republican votes he promised. While slots opponents are hopeful the battle is finished for this year, they acknowledge that the issue is far from over. One — Aaron Mesiner, of stopslotsmaryland.com — said, “The thing about this whole debate is that it never goes away.” (BALTIMORE SUN, WASHINGTON POST)



IA APPROVES DEVELOPMENT FUND: IOWA lawmakers approved a compromise deal on the state’s centerpiece business development program — the Iowa Values Fund — in a day-long special session last week. Democrats made several attempts to alter the compromise package, but those efforts were undermined by the fact their fellow Democratic chief executive, Gov. Tom Vilsack, had already agreed to the deal, and Republican leaders were able to steer the package through both houses pretty much intact. The compromise plan, which was necessitated by an Iowa Supreme Court ruling earlier this year striking down the law creating the seven-year, \$503 million Values Fund, provides \$100 million to meet the program’s current commitments while sidestepping the issue of long-term funding. It also grants businesses a \$70 million tax break and makes some changes to the state’s workers compensation laws. (QUAD-CITY TIMES, OMAHA WORLD-HERALD)

BUDGETS IN BRIEF: Corporate heavyweights Microsoft and Starbucks, together with other WASHINGTON-based businesses, announced their support for an initiative to raise money for education at all levels by increasing the state sales tax from 6.5 percent to 7.5 percent. Brad Smith, Microsoft’s general counsel, called Initiative 884 the best opportunity for improving education in the state — and maintaining the quality of its workforce — in a decade (SEATTLE POST-INTELLIGENCER). • The Democrats who control the MASSACHUSETTS Legislature said last week they will not go along with Gov. Mitt Romney’s (R) proposed income-tax rollback and will instead use the state’s \$725 million revenue surplus to replenish the reserve fund and increase aid to local governments. While Romney signaled that the Democrats’ decision would be used against them in upcoming elections, House Speaker Thomas Finneran said the governor’s call for a tax cut was “rash and reckless,” and that he is confident the issue will not be a problem for Democratic candidates (BOSTON GLOBE).

— *Compiled by KOREY CLARK*

Politics & leadership

POWER SHUFFLE AMONG NC LOBBYISTS: There are some new faces among NORTH CAROLINA’s most-influential lobbyists, according to a survey by the Tar Heel State’s Center for Public Policy Research. The Center’s biennial poll of legislators, lobbyists and Capitol reporters showed that lobbyists for the biotechnology and pharmaceutical industries

have gained new clout, ranking among the survey's top 50. Lobbyists for the video poker industry, who defeated an effort this year to entirely ban video poker in the state, also moved up in the rankings. The tobacco industry maintained its prominence, with lobbyists for Lorillard Tobacco Co. and Philip Morris USA, who helped fight off proposals to raise cigarette taxes this year, ranking 3rd and 5th, respectively. The lobbyist for R.J. Reynolds Tobacco Co. also made a move up, jumping from 22nd place in 2001-02 to 8th place in 2003-04 after helping his client obtain over \$120 million in incentives during a special session last December. More of a surprise was Gov. Mike Easley's (D) legislative liaison, Kevin Howell, moving up 30 spots to 10th place this year, making him the highest-ranking black lobbyist ever. Two other Easley lobbyists also figured among the top 50: Franklin Freeman (4th) and Dan Gerlach (44th). And Easley's staffers were not the only lobbyists for the executive branch to establish a presence this year, with representatives for the Department of Health and Human Services, the UNC System, and the State Board of Education and Department of Public Instruction ranking 38th, 40th and 49th. (WINSTON-SALEM JOURNAL, NEWS AND OBSERVER [RALEIGH])

AT THE POLLS: WISCONSIN Gov. Jim Doyle (D) took the unusual step of endorsing a candidate before the state's primary election, announcing his support last week for Democrat Brad Pfaff in Tuesday's primary race for the 32nd state Senate district. Observers say Doyle's endorsement

Upcoming Elections

(09/08/2004 - 09/22/2004)

09/11/2004 Delaware Primary Election
House (All)
Senate 2, 3, 4, 6, 10, 11, 16, 17, 18, 21
Constitutional Officers: Governor, Lieutenant Governor, Insurance Commissioner
US House (All)

09/14/2004 Massachusetts Primary Election
House (All)
Senate (All)
US House (All)

09/14/2004 Minnesota Primary Election
House (All)
US House (All)

09/14/2004 New Hampshire Primary Election
House (All)
Senate (All)
Constitutional Officers: Governor
US House (All)
US Senate (Gregg)

09/14/2004 New York Primary Election
House (All)
Senate (All)
US House (All)
US Senate (Schumer)

09/14/2004 Rhode Island Primary Election
House (All)
Senate (All)
US House (All)

09/14/2004 Vermont Primary Election
House (All)
Senate (All)
Constitutional Officers: Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor
US House (All)
US Senate (Leahy)

09/14/2004 Washington Primary Election
House (All)
Senate 1, 2, 3, 4, 5, 9, 10, 11, 12, 14, 16, 17, 18, 19, 20, 22, 23, 24, 25, 27, 28, 39, 40, 41, 49
Constitutional Officers: Governor, Lieutenant Governor, Secretary of State, Treasurer, Attorney General, Auditor, Insurance Commissioner, Superintendent of Public Instruction
US House (All)
US Senate (Murray)

09/14/2004 Wisconsin Primary Election
Assembly (All)
Senate (Even)
US House (All)
US Senate (Feingold)

09/18/2004 Hawaii Primary Election
House (All)
Senate 1, 3, 5, 6, 7, 12, 16, 17, 18, 21, 22, 23
US House (All)
US Senate (Inouye)

09/18/2004 Louisiana Primary Election
US House (All)
US Senate (Breaux)

09/21/2004 Alabama Special Primary
House 47

was intended to send Democratic voters the message that Pfaff is their best chance for holding on to the closely-contested seat (LA CROSSE TRIBUNE).

SINE DIE: VIRGINIA's tumultuous 2004 legislative session finally came to an end Aug. 18, five months after its scheduled adjournment date. The General Assembly went into extended overtime after a feud broke out between the House and Senate — despite the GOP controlling both chambers — over how to fund the state's \$60 million budget. With the standoff threatening to shut down government services, 17 House Republicans broke rank with party leadership and joined the chamber's 37 Democrats to pass a \$1.4 billion package of tax increases, including a half-cent hike in the sales tax and higher cigarette taxes. After adjourning and returning home, lawmakers discovered that a bill they'd passed to repeal the Old Dominion's outdated Sunday closing laws contained language that threatened to cost the state's businesses millions, forcing them to rush back to Richmond to correct their error. Only 12 of the Senate's 40 members and 13 of the 100 House delegates showed up for the constitutionally-mandated session six Wednesdays later — which lasted less than 10 minutes. Senate Pres. Pro Tempore John H. Chichester (R) said afterward that the call for adjournment was “the last one you'll hear this year.” Commenting on the lengthiest session in Virginia's history, House Minority Leader Franklin P. Hall (D) said, “This was not our finest hour.” But Del. R. Steven Landes (R), chairman of the House Republican Caucus, was a bit more forgiving, saying, “About every 20 years we deal with the issue of taxation. That always takes time.” (RICHMOND TIMES-DISPATCH)

POLITICS IN BRIEF: Spurred by the dismal turnout for a statewide primary runoff in **NORTH CAROLINA** this year — with just 3 percent of eligible voters casting ballots — Rep. Paul Leubke (D) will introduce legislation next year to establish an instant primary runoff, involving the selection of second-choice candidates. A similar effort failed in 2000 due to concerns about the viability of instant runoffs in multi-member legislative districts, but such districts were eliminated with the 2002 redistricting (NEWS AND OBSERVER [RALEIGH]). • William P. Robinson III was sworn in as an associate justice of the **RHODE ISLAND** Supreme Court. Robinson, a Democrat, is the third judge nominated to the state's highest court by Republican Gov. Don Carcieri (PROVIDENCE JOURNAL).

— Compiled by KOREY CLARK



Governors

COURT TO BE FINAL WORD ON NJ ELECTION: A federal

court will decide this week if NEW JERSEY will have a special election to replace resigned Gov. James E. McGreevey (D). The debate came to a head last week when Bruce Afran and Carl Mayer, two Princeton voting-rights lawyers, urged a federal judge to order the special election in spite of the passing of the Sept. 3 deadline for doing so. The attorneys accused McGreevey of timing his resignation date to ensure that a fellow Democrat, Sen. Richard Codey, would retain the office until the next scheduled gubernatorial election in 2006. But McGreevey supporters say it doesn't matter anyway because the governor has not yet filed an official resignation letter, which is required by the state constitution before any action to replace McGreevey can occur. But Afran and Mayer, who also advise Ralph Nader's presidential campaign, argued that by announcing his resignation to the world on Aug. 12 via a widely viewed press conference — and then later with first-person articles in *USA Today* and the *New York Times* — McGreevey had essentially opened the office for his replacement regardless of whether he officially stepped aside before the deadline. Federal Judge Garret E. Brown Jr. said he will issue a decision this week. (NEW YORK

TIMES, NEWARK STAR-LEDGER)

... unquote

"This was just not a press conference. It transfixed the nation and the entire world. Tens of millions of people watched it, saw it, read it."

—**Attorney Bruce Afran urging a federal judge to accept McGreevey's press conference announcement of his intention to leave office as sufficient reason to call for the special election.**
(NEW YORK TIMES)

Quote...

"We have no vacancy in the governor's office. There has been no resignation. There is no right to an election."

—**NEW JERSEY Assistant Attorney General Stefanie Brand noting that since Gov. James E. McGreevey (D) has not filed an official resignation, there cannot be a special election to replace him.**
(NEWARK STAR-LEDGER)

ROMNEY MISSING? No, not really, but an anonymous group that is apparently angry about MASSACHUSETTS Gov. Mitt Romney's (R) frequent trips out of state put him on a milk carton anyway. The send up occurred last week as protesters working around the State House handed out fliers depicting Romney on the back of a milk carton under the words, "Have You Seen Me?" Romney has taken a lot of heat for his numerous ventures, including recent trips to NEW YORK, UTAH, WASHINGTON D.C. and Athens. He has also

planned upcoming outings to IOWA and MICHIGAN to stump for the Bush campaign, all of which has Democrats fuming. Romney, who does not take a gubernatorial salary, defended his record by saying he has a full agenda lined up for the fall session. He apparently is also not concerned about his many sojourns, saying he is ready and willing to do even more out-of-state campaign stops should the GOP ask him to do so. Romney also noted last week that he is in favor of a constitutional amendment that would allow foreign-born Americans — like a certain enormously popular Republican governor from CALIFORNIA — to run for president. (BOSTON HERALD)

FLETCHER MAKES IT TOUGHER FOR

FELONS TO VOTE: KENTUCKY Gov. Ernie Fletcher (R) wants felons to work harder if they are going to regain their voting rights. Fletcher last week added several steps to the process by requiring felons who want to vote again to provide three character references and explain in writing why they should be allowed to do so. The new rules mean that most of the pending 614 applications for voting reinstatement that are currently waiting for Fletcher's signature will have to wait a while longer. That has infuriated civil libertarians, who say the regulations unfairly discriminate against some minorities and the poor. But John Roach, Fletcher's top attorney, said the stricter rules were necessary because applications were previously receiving little or no scrutiny, and that some felons were being given back their right to vote even if they had not completed payments of restitution to their victims. (LEXINGTON HERALD-LEADER)

BUSH MOVES TO SAVE GAS SUPPLY: FLORIDA Gov. Jeb Bush (R) issued sweeping orders last week for the state to oversee the distribution of gasoline. The order is meant to ensure that utility trucks and emergency vehicles have fuel in the wake of the Sunshine State's ongoing efforts to dig out after being hit by hurricanes Charley and Frances within three weeks of one-another. The order does not grant the power to ration gasoline, but officials are actively encouraging drivers to stay home if at all possible. (ST. PETERSBURG TIMES).

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:** **111**
- **Number of prefiles/intros overall in 2004:** **118,410**
- **Number of bills enacted/adopted this week:** **74**
- **Number enacted/adopted overall in 2004:** **24,478**
- **Total number of measures in State Net database:** **187,448**

— Compiled By GINA HUMMELL
(2003-04 data current as of 9/10/04
Source: State Net)

— *Compiled by RICH EHISEN*

Hot issues

B **USINESS:** Several **OREGON** lawmakers ask the state liquor commission not to enforce a new law they passed last year that would ban “malternative” beverages — flavored malt beverages like hard cider and lemonade — from being sold in supermarkets. Malternatives start out as brewed malt beverages, but are later flavored with distilled spirits. Beaver State law, however, dictates that any product in which more than half of 1 percent of the alcohol comes from distilling must be sold in a liquor store. Legislators say they passed the bill only because they presumed the federal government would have stepped in by now with more uniform guidelines, but no such intervention has yet occurred (**OREGONIAN [PORTLAND]**). • An **ALASKA** court rules that the Last Frontier State must issue refunds with interest to around 11,000 out-of-state commercial fisherman who paid three times more for their annual licenses than did Alaska fishermen. The ruling stems from a 20-year-old class action suit, and would cost the state between \$30 and \$50 million in back charges, interest and attorney’s fees. State officials say they will appeal the decision (**FAIRBANKS DAILY NEWS-MINER**).

CRIME & PUNISHMENT: A court in **HAWAII** rules that native Hawaiians do not have a constitutional right to engage in cockfighting. The decision stemmed from a case brought by two men who claimed they were entitled to engage in the practice because their Native Hawaiian ancestors had done so. County authorities where the men lived countered that cockfighting has been illegal in Hawaii at least since 1884 (**HONOLULU ADVERTISER**).

EDUCATION: Saying he wants kids to have a strong incentive to attend school, **MINNESOTA** Gov. Tim Pawlenty (R) announces his administration will adopt a rule authorizing the state to deny a driver’s license to 16 and 17-year-old students who habitually miss class with unexcused absences. The rule would kick in for any unlicensed student who amasses seven or more absences without school approval. Because the governor does not have the power to revoke a valid driver’s license, those students who are already legally behind the wheel would be exempt from the new standards (**ST. PAUL PIONEER PRESS**).

ENVIRONMENT: Ignoring a plea from lawmakers, **MARYLAND** Gov. Robert Ehrlich, Jr. (R) approves a plan that will allow hunters to kill as many as 30 black bears in the western part of the Old Line State. A General Assembly com-

mittee had voted in August to ask the governor to stop the hunt (BALTIMORE SUN). • **KENTUCKY** officials ask the U.S. Dept. of Agriculture for approval to reinstate a ban on all plants from **CALIFORNIA** in an attempt to ward off sudden oak death, a disease that has killed thousands of Golden State trees. California is the nation’s leading supplier of nursery plants. Five other states — **DELAWARE, FLORIDA, LOUISIANA, MISSISSIPPI** and **WEST VIRGINIA** — have sought similar bans, but all were denied. The pathogen that causes the disease has also been found in trees in **OREGON** and **WASHINGTON** (COURIER-JOURNAL [LOUISVILLE]).

HEALTH: *The New England Journal of Medicine* releases study findings that indicate smog and air pollution actually stunt lung growth in children. The study, which was conducted by researchers from the University of Southern **CALIFORNIA**, says this damage is serious enough to lead to lifetime health problems and even death (LOS ANGELES TIMES).

SOCIAL POLICY: Saying it does not serve a valid purpose, a **WASHINGTON** court strikes down the state’s same-sex marriage ban. It is the second time in a month that a court has invalidated the law. Supporters are expected to appeal to the state Supreme Court (SEATTLE POST-INTELLIGENCER). • A **CALIFORNIA** court rules that the state’s domestic partners law does not conflict with a voter-approved proposition that bars legal recognition of same-sex marriages. The law, approved by voters last year, grants registered domestic partners most of the same rights granted to married couples, although partners cannot file joint state tax returns or receive each other’s federal benefits. Plaintiffs claimed the domestic partners law was essentially legalizing “marriage under a different name.” They have vowed an appeal (LOS ANGELES TIMES).

POTPOURRI: **SOUTH DAKOTA** begins training truckers to spot signs of possible terrorism and to report suspicious activities to authorities. The program is part of a federally-funded “Highway Watch” operation sponsored by the U.S. Dept. of Homeland Security, and is designed to teach truckers, bus drivers and other highway professionals how to avoid becoming a target for terrorists who could use a large vehicle or a hazardous cargo as a weapon (ARGUS LEADER [SIOUX FALLS]).

— Compiled by RICH EHISEN

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Once around the statehouse lightly

GIRLIE MAN. When you are a celebrity, you have to expect that someone, somewhere is going to want to make a buck off your pull. So, it shouldn't have come as a surprise to CALIFORNIA Gov. Arnold Schwarzenegger when earlier this summer an OHIO company spat out a bobble-head doll, depicting his gun-toting image in a suit. The man who developed the doll — WASHINGTON, D.C. lobbyist John Edgell — says his creation was fair political comment. The gov's lawyers disagreed, saying it trafficked on Schwarzenegger's fame. The courts sided with the governor, and a settlement was reached. Now comes the same Edgell, who works for Democrats, with yet another Arnold doll — this one, reports the *Sacramento Bee*, dressed in a pink skirt and jacket and pink hat and labeled "Girlie Man." Arnold's lawyers are mum so far, preferring to see the doll before commenting. "If it's classic satire," says a Schwarzenegger rep, "no one's going to bring any claim." A swift karate chop to the nose, perhaps, but not a claim.

PARKED FOR THE DURATION. The truck was the subject of two arrests and one general brawl. And now, reports the *Minneapolis Star Tribune*, it is the temporary property of the St. Paul, MINNESOTA, police. What made the vehicle a local celebrity was the fact that it was a rolling anti-gay marriage billboard — embellished with the 8-foot tall image of two men kissing. The most recent incident took place at a labor rally featuring Democratic vice presidential nominee John Edwards. According to reports, some in the crowd of 12,000 surrounded the truck and pelted it with sour language and "airborne objects." But to the outrage of the truck's sponsors, the only person arrested was the truck's driver, who refused a police order to drive away and then pinned an officer's hand in the driver's window. Police say the truck's sponsor — Minnesota Citizens in Defense of Marriage — can have the vehicle back if it pays the impound fee.

TO THE RESCUE. The state of RHODE ISLAND has suffered through numerous beach closures over the past few years, caused mostly by pollution in storm water that runs into Narragansett Bay. Now comes an ARIZONA company armed with a "smart sponge" that is supposed to filter storm water before it can pollute the Bay and its beaches. According to *The Providence Journal*, the sponge fits



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