

Send Us Your Poor?



October 13, 2008

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The next issue of Capitol Journal will be available on October 20th.

Top Story

With a new president and Congress soon to come to office, states are still waiting to see if Washington D.C. will ever reform a system that virtually everyone believes is archaic.

SNCJ Spotlight

Issues 2009: Immigration Battle Not Over Yet

With Americans' interest now firmly on the downward spiraling economy, the once-hot immigration debate has moved to the background. But unlike the phony money of the real estate boom, it has not gone away. And with a new president and Congress soon to come to office, states are still waiting to see if Washington D.C. will ever reform a system that virtually everyone believes is archaic.

Not that an effort hasn't been made to modernize the system. In 2006, Congress came close to approving major bipartisan reform — co-authored by

Not all states, however, are focusing solely on immigration restrictions. At least four — WASHINGTON, ILLINOIS, NEW JERSEY and MASSACHUSETTS — have created agencies to help immigrants better assimilate by helping them to learn English, find jobs and housing and to eventually achieve U.S. citizenship. The CFR's O'Neil says those efforts used to be much more common throughout American society.

"Schools, church groups and even political parties used to put a lot of effort into integrating immigrants into American culture," she says. "That's really not happening today."

"We really should be doing this at the federal level, but it most likely will continue to be something the states do," she adds.

Presuming that Washington eventually does revisit immigration reform, it will face a myriad of complex and politically treacherous issues along the way.

Do we make it easier for people to emigrate to the U.S. or harder? And if we choose to make it easier, what will that process look like? Will it be what pro-business reformers want, with more high tech H-1B and H-2A agricultural workers and a guest worker program to allow companies to legally employ more low-skilled, non-agricultural H-2B workers? Will it contain the controversial pathway to citizenship? And will Congress reauthorize the E-Verify program, due to expire on November 29th, in the face of harsh blowback from employers, workers and civil libertarians alike who contend the system is riddled with errors? And can any proposal even get off the ground without making larger reforms contingent upon first sealing America's borders?

O'Neil believes that insistence on border security before all else is a surefire recipe for another epic immigration policy failure. "We cannot secure our borders without it being part of comprehensive immigration policy reform," she says. "If we could, we would have done it already."

Anti-immigration forces agree, which is why groups like FAIR strongly favor continuing the current limits on immigrant work visas of all kinds. Those advocates also want continued emphasis on "attrition through enforcement," like the recent state sanctions against employers who hire illegal workers. "Going after employers should be priority No. 1," says FAIR's Mehlman. "Jobs are the magnets that draw these

The week in session

States in Regular Session: DC, MI, NJ(Quorum), NY

States in Recess: IL, PA

Special Sessions in Recess: CA "b", CT "b", CT "c", CT "d", DE "b", PA "a"

States in Informal Session: MA

States in Skeleton Session: OH

In Pro Forma Session: US(Senate)

States in Perfunctory Session: IL
Special Sessions "a"-z"

States Currently Prefiling or Drafting for 2009: AL, FL, KY, MT, ND, NH, NV, VA

States Adjourned in 2008: AK, AL, AZ, CA, CO, CT, DE, FL, GA, HI, IA, ID, IN, KS, KY, LA, MD, ME, MN, MO, MS, NC, NE, NH, NM, OK, RI, SC, SD, TN, UT, US(House), VA, VT, WA, WI, WV, WY

State Special Sessions Adjourned in 2008: AK "c", AK "d", AL "a", AR "a", CA "a", CA "c", CT "a", DE "a", KY "a", LA "a", LA "b", ME "a", MS "a", NC "b", NH "a", NM "a", NV "a", NY "a", OR "a", UT "a", VA "a", VA "b", WI "c", WI "d", WI "e", WV "a", WV "b"

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS
(session information current as of 10/10/2008)
Source: State Net database



people here, and everyone else gets to subsidize the employer and the employee. It's ridiculous."

Recent research indicates that policy may be working. According to a study released in July by the Washington D.C.-based Center for Immigration Studies, as many as 1.2 million undocumented immigrants may have left the country voluntarily over the last year. The economic downturn appears to also be slowing down new immigration, with recent data from the U.S. Census Bureau showing that only around 500,000 new people came to the U.S. in 2007, down significantly from the approximately 1 million new immigrants the U.S. has averaged annually since 1990.

Other forces are also at work here. Fueled by a massive oil boom, the Canadian province of Alberta is one of the fastest growing economies in the world. Because the region is anticipating a shortfall of more than 100,000 high-skilled workers over the next decade, it is aggressively recruiting international workers currently in America who have H-1B visas set to expire. The dangling carrot, aside from a plentiful supply of six-figure jobs, is permanent residency within six months to a year, something almost inconceivable in the United States.

Canada has already successfully siphoned off some of America's best international talent as well. In 2007, citing an inability to keep H-1B workers past the six-year limit, Microsoft spurned opening new corporate offices in the U.S., opting instead for Vancouver, British Columbia, saying it would fill its 200 job openings with "highly skilled people affected by immigration issues in the U.S." While those numbers are only a drop in the bucket of the massive U.S. workforce, immigration advocates say it highlights the need to reform our system.

"In other countries, provinces work with the national government like this to set appropriate immigration levels," says Jeanne Batalova, a policy analyst with the Migration Policy Institute in Washington D.C., which analyzes human migration at the national and local levels all around the world. Given America's current economic woes, Batalova doubts the new president "will take on immigration as his top issue." But she adds that continued delays on a comprehensive plan may well hurt America in its efforts to stay competitive in an increasingly global marketplace.

"One day headhunters will be working not for individual corporations looking for prime talent, but for whole regions that are willing to take away the best workers," she says. "It is just unfortunate that it isn't the United States leading the way with this kind of cutting edge immigration policy."

"Going after employers should be priority No. 1. Jobs are the magnets that draw these people here, and everyone else gets to subsidize the employer and the employee. It's ridiculous."

— By RICH EHISEN

Budget & taxes

STATES CAUGHT IN PERFECT STORM: State tax revenues were relatively strong in the second quarter of this year, according to the Rockefeller Institute of Government's latest state revenue report released last week. But that was the report's only good news, and even that was tempered.

The report went on to say that the 3.6 percent rise in state tax collections overall, compared to the April-June quarter of last year, was "ephemeral." It was due mainly to 2007 income tax payments and masked a 1.4 percent decline in sales taxes, an 8.3 percent decline in corporate income taxes and a 3.4 percent drop in motor fuel taxes.

The report also said the last quarter of the current fiscal year — April-June 2009 — is "likely to be very, very bad, reflecting declines in investment income and

“The last fiscal crisis for states, which occurred in the midst of a mild recession, was dubbed a perfect storm. This one could be more perfect.”

compensation to high-income individuals" associated with the crisis on Wall Street. States that are highly dependent on the financial sector, like NEW YORK, NEW JERSEY and CONNECTICUT, it said, will join those whose economies

sagged along with the housing market, like ARIZONA, CALIFORNIA, FLORIDA, MICHIGAN and RHODE ISLAND.

The report concluded by saying that the states' economies appear likely to fare much worse than they did during the last recession, following the 2001 terrorist attacks, noting that consumption of taxable goods has declined more sharply than in 2001, and revenues derived from the financial services industry appear headed for a huge fall.

"The last fiscal crisis for states, which occurred in the midst of a mild recession, was dubbed a perfect storm," the report said. "This one could be more perfect."
(NELSON A. ROCKEFELLER INSTITUTE OF GOVERNMENT)

MA PULLS OFF BOND SALE: After two delays due to uncertainty in the bond market, MASSACHUSETTS finally managed to sell \$750 million in revenue bonds last week, securing enough money to keep the state operating until late November. Instead of selling the bonds themselves and risking hurting the state's image in the credit market if there were no takers, state officials engaged Goldman Sachs and Citigroup to handle the sale. The strategy paid off; the state got a 2.2 interest rate on the bonds. "The deal was a home run," state Treasurer Timothy P. Cahill said. "It was much better than we had even in our best estimates hoped for." He added, "It's a really good sign, not only for us, but for other states across the country." (BOSTON GLOBE)



CA COUNTIES AIM TO AVOID ANOTHER REAL ESTATE HIT: Officials in two Southern California counties — San Bernardino and Riverside — are trying to muster support for federal legislation that would allow local businesses and governments to buy up some of the region’s real estate that will soon be owned by the U.S. Treasury Department. The counties want to avoid repeating what happened after the savings-and-loan crisis 20 years ago, when the federal government’s Resolution Trust Corp. held a massive selloff of distressed real estate in the area. Much of it was sold at fire-sale prices to speculators who quickly turned it over, transforming some neighborhoods of owner-occupied homes into predominantly rental communities, further depressing the market. “We don’t want the cure to be worse than the disease,” said one local business owner. (WALL STREET JOURNAL)

BUDGETS IN BRIEF: A federal judge ordered **CALIFORNIA** to come up with a plan by Oct. 27 for how to pay the first \$250 million installment of an \$8 billion prison hospital construction plan that was the result of a lawsuit settled in 2006. U.S. District Judge Thelton Henderson of San Francisco dismissed the state’s contention that only the Legislature can commit state funds to prison construction, maintaining that lawmakers had already approved \$250 million for unspecified “infrastructure” costs as part of a prison expansion bill signed by Gov. Arnold Schwarzenegger (R) over a year ago (SAN FRANCISCO CHRONICLE). • **CALIFORNIA** state Sen. Dean Florez (D) has proposed that the state’s Public Employees’ Retirement System (CalPERS) buy the Golden State’s looming debt. “They might be able to get us a better deal than the banks, and we might be able to give them a better return on their investment than the stock market, especially right now,” Florez said (SACRAMENTO BEE). • Thousands of newly insured **MASSACHUSETTS** residents are still relying on emergency rooms for routine medical care, according to state data. Emergency room doctors and counselors say the reason is there are not enough primary care physicians in the state, forcing the newly insured to wait months for their first appointment (BOSTON GLOBE). • **NEW JERSEY** Gov. Jon Corzine (D) called a joint session of the Legislature for Oct. 16 to address the state’s economic woes (STAR-LEDGER [NEWARK]).

— Compiled by **KOREY CLARK**

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 2008 prefiles last week: 125

Number of 2009 prefiles last week: 127

Number of Intros last week: 388

Number of bills enacted/adopted last week: 197

Number of 2008 prefiles to date: 21,249

Number of 2009 prefiles to date: 1,559

Number of Intros to date: 91,117

Number of bills enacted/adopted overall to date: 27,615

— Compiled By **JAMES ROSS**
(measures current as of 10/09/2008)
Source: State Net database

Politics & leadership

THOUSANDS BEING ILLEGALLY DENIED RIGHT TO VOTE?

According to numerous government and media sources, millions of Americans are registering to vote this year due largely to the candidacy of ILLINOIS Sen. Barack Obama. But tens of thousands are also being prevented from registering or being stricken from voter rolls, perhaps in violation of federal law, the *New York Times* reported last week. In some states over the past two months, the newspaper said, for every new voter added to the rolls, two were removed. The disqualifications, however, apparently aren't the result of partisan politics or the willful disregard of voting rules by election officials, but mistakes made in attempting to comply with the federal Help American Vote Act.

The 2002 Act requires every state to create a statewide electronic voter registration list, standardizing and centralizing voter information previously maintained at the local level. The Act also sought to prevent ineligible voters from casting ballots by requiring states to clear their electronic lists of duplicate records and ineligible voters.

One potential problem the *Times* uncovered was that some states have been removing voters from the rolls within 90 days of a federal election, which is only allowed when voters have died, moved out of state, or been declared unfit to vote. The paper reported that in MICHIGAN, a swing state, 33,000 voters were removed from the rolls in August, although only 4,400 residents left the state and 7,100 died that month, according to U.S. Postal Service data and death records. In COLORADO, another swing state, 37,000 people were dropped from the rolls between July 21 and August 11, yet only about 5,100 people moved out of the state and about 2,400 died during that three-week period. And in LOUISIANA, 18,000 people were eliminated from the rolls between July 23 and August 27, when there were just 1,600 reported moves out of the state and 3,300 deaths.

Another possible violation disclosed by the *Times*: several states — including INDIANA, NEVADA, NORTH CAROLINA and OHIO — seem to be improperly using Social Security data to screen voter registration applications. Under federal law, the Social Security database is only supposed to be used to verify a registration application as a last resort, when no record of an applicant is found on state databases, such as those for driver's licenses, the reason being that the federal database is presumed to be less reliable and, consequently, more likely to result in a nonmatch.

Some state officials, however, appear to be going to the Social Security database first. Federal records show, for instance, that in the fiscal year that ended Sept. 30, NEVADA election officials used the Social Security database to check new registration applications or existing voter files more than 740,000 times, resulting in over 715,000 nonmatches. And election officials in GEORGIA ran more than 1.9



million voter verification checks against the federal database and turned up more than 260,000 nonmatches.

Officials at the Social Security Administration said those numbers were way too high to all be cases of individuals not found in state databases, and they seemed to indicate the states had violated federal law. NEVADA officials said the high number of Social Security checks in their state was due to county clerks mistakenly entering Social Security numbers and driver’s license numbers in the wrong fields of records sent to the state, a problem they said was corrected several weeks ago. Other states reported similar difficulties.

Daniel P. Takaji, a law professor at Ohio State University, placed the issue in the context of other recent election troubles: “Just as voting machines were the major issue that came out of the 2000 presidential election and provisional ballots were the big issue from 2004, voter registration and these statewide lists will be the top concern this year.” (NEW YORK TIMES)

POLITICS IN BRIEF: Saying they believe there is an unusually high number of Republican candidates with legal problems in this year’s elections, **IOWA** Democrats poured over public court records and documented the criminal offenses of several GOP House candidates — mostly alcohol-related charges — which they then turned over in a neatly organized binder to the *Des Moines Register*. House Republican Leader Christopher Rants called the Dems’ action “the sleaziest thing I think I’ve heard of in Statehouse politics” (DES MOINES REGISTER).

— *Compiled by KOREY CLARK*

Governors

CORZINE PUSHES NJ STIMULUS PACKAGE: In a rare speech to the Legislature, NEW JERSEY Gov. Jon Corzine (D) this week will propose a broad plan to stimulate the Garden State economy. The plan includes incentives for businesses, public works projects and programs to help homeowners who are at risk of foreclosure or cannot afford to heat their homes. Corzine said the package will be a “New Jersey-specific” effort designed to “bridge troubled waters” in the short term and “lay a foundation” for growth when the recession ends.

Details of the plan were still being developed last week, but Sen. Raymond Lesniak (D), chairman of the Senate Economic Growth Committee, said the governor wants to redirect money in some current state programs for housing and clean energy toward more immediate needs, like growing a program to help low-income residents pay their heating bills this winter. The governor’s proposal will also



consider the possibility of giving loans to community organizations that would buy the houses of people facing foreclosure and then rent those homes back to the current residents. Corzine additionally wants to offer businesses tax incentives for projects that create jobs, and streamline the state’s permitting process to help hasten those projects along.

The proposal may face a tough sell with lawmakers. Corzine has already said hundreds of millions of dollars may need to be sliced from the current budget due to dropping revenues, and Senate Minority Leader Tom Kean Jr. (R) said that his caucus has pledged not to support any new state spending over the next nine months in anticipation of another budget shortfall in 2009. That possibility spurred Senate Budget and Appropriations Committee chairwoman Sen. Barbara Buono (D) to note that the package will not feature any proposal that does not have “a direct correlation

to job creation.”

Senate Majority Leader Stephen Sweeney (D) said the proposed infrastructure projects would be the quickest cure for unemployment, but added that Corzine, a former chairman of Goldman Sachs, must also

consider long-term changes so the state can rebound once the economy recovers.

“He comes from Wall Street. He understands this better than all of us, I’m sure,” Sweeney said. “But I understand one thing — we’re in a hell of a lot of trouble.” (STAR-LEDGER [NEWARK])

HEINEMAN WANTS TO CHANGE SAFE HAVEN LAW: NEBRASKA

Gov. Dave Heineman (R) said last week that he will seek to change the state’s Safe Haven Law during the next legislative session. Heineman made his announcement in response to several instances of parents using the statute to abandon children as old as 17 at Cornhusker State hospitals and police stations. Many states have laws that allow parents to surrender a newborn baby to authorities without facing prosecution for child abandonment, but the NEBRASKA law, which went into effect on July 17, is the only one that does not set an age limit for the child. Two lawmakers, Sen. Brad Ashford, chairman of the Nebraska Legislature’s Judiciary Committee and Sen. Joel Johnson, chairman of the Health and Human Services Committee, announced last week that they will hold a hearing to get public comments on the matter. (OMAHA WORLD-HERALD, WOWT.COM)

<p style="text-align: center;">Upcoming elections 10/09/2008 - 10/30/2008</p> <p>10/14/2008 Ohio Special Primary US House (Congressional District 11 (Tubbs Jones))</p>

“He comes from Wall Street. He understands this better than all of us, I’m sure. But I understand one thing — we’re in a hell of a lot of trouble.”



KULONGOSKI WANTS NEW

TRANSPORTATION PACKAGE: OREGON Gov.

Ted Kulongoski (D) said he will propose a major transportation package in January that could create thousands of family-wage construction jobs. The governor said the proposal will be larger in scale than a similar one approved by the 2003 Legislature, which created up to 5,000 construction jobs and raised new vehicle fees to pay the \$1 billion cost. Kulongoski noted that state officials should consider raising the Beaver State gas tax to pay for the new transportation package, saying, "For me, it is part of the mix. I've said nothing is off the table." (STATESMAN JOURNAL [SALEM])

Upcoming stories

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

- Nuclear power
- No Child Left Behind
- 2008 ballot measures

EXECUTIVE ORDERS: FLORIDA Gov. Charlie Crist (R) issued EO 08-211,

which creates a statewide "Silver Alert" program that allows the immediate broadcast of information to the public regarding missing elders with dementia or other cognitive impairment. Under the directive's guidelines, an alert will be issued if a person is 60 or older and there is a clear indication he or she has an "irreversible deterioration of intellectual faculties" (STATE NET, ST. PETERSBURG TIMES).

GOVERNORS IN BRIEF: The CALIFORNIA Sect. of State has rejected

a recall petition filed against Gov. Arnold Schwarzenegger (R) by the state prison guards' union, saying it did not meet legal requirements. The union said it has not decided whether to revise and resubmit the petition. It has until the end of this week to do so (LOS ANGELES TIMES). • **NEW JERSEY** Gov. Jon Corzine (D) said last week that he is tripling the state's offshore wind energy goals, calling for enough capacity in 2020 to power 800,000 homes, about 13 percent of the state's total energy needs. The governor's original draft energy master plan called for 1,000 megawatts of wind power by 2020, but he now wants that goal to be met by 2012. He set a new goal of 3,000 megawatts by 2020 (PHILADELPHIA INQUIRER). • A federal grand jury indicted a 20-year-old University of **TENNESSEE** student last week for allegedly hacking into the personal e-mail account of **ALASKA** Gov. Sarah Palin (R). The student, David C. Kernell, is the son of **TENNESSEE** state Rep. Mike Kernell (D). The younger Kernell faces up to five years in prison and a \$250,000 fine if convicted (ASSOCIATED PRESS). • **NEW YORK** Gov. David S. Paterson (D) said he will seek a full term of his own in 2010. Paterson stepped into the office last March when former Gov. Eliot Spitzer (D) resigned after being named in a federal prostitution investigation (NEW YORK TIMES). • **LOUISIANA** Gov. Bobby Jindal (R) rejected a proposal from the State Civil Service Commission to give all 59,700 rank-and-file state employees a one-time 5 percent salary bonus. Jindal said the plan was too costly (ADVOCATE [BATON ROUGE]). • Citing a stagnant economy,



ARIZONA Gov. Janet Napolitano (D) placed a freeze on all state contracts larger than \$50,000 until they can be reviewed. The freeze went into immediate effect (ARIZONA REPUBLIC [PHOENIX]). • **MICHIGAN** Gov. Jennifer Granholm (D) is reportedly on a short-list of potential Supreme Court nominees should Democratic candidate Barack Obama be elected president in November (WASHINGTON POST).

— *Compiled by RICH EHISEN*

Hot issues

B **USINESS:** Countrywide Financial, the nation’s largest mortgage lender, agrees to provide \$8.4 billion in direct loan relief to an estimated 400,000 borrowers in order to settle a lawsuit with officials in **CALIFORNIA, ILLINOIS, ARIZONA, CONNECTICUT, FLORIDA, IOWA, MICHIGAN, NORTH CAROLINA, OHIO, TEXAS** and **WASHINGTON**. The states had sued Countrywide over what they said were predatory lending practices. Under the agreement, the company will also wave certain fees and set aside additional funds to help people in foreclosure who are relocating (NEW YORK TIMES). • The **PENNSYLVANIA** House and Senate approve HB 2200, which requires installation of “smart electric meters” in new construction. Smart meters give consumers price breaks for using electricity at off-peak hours, such as midnight. The bill advances to Gov. Ed Rendell (D) for review (PITTSBURGH POST-GAZETTE).

CRIME & PUNISHMENT: The **PENNSYLVANIA** House endorses HB 1742, which would require Keystone State scrap metal dealers to keep records identifying people who sell them more than \$100 worth of scrap. The proposal would also require dealers to purchase items like beer kegs and new construction materials only from businesses rather than from individual sellers. The measure moves to Gov. Ed Rendell (D), who is expected to sign it (PHILADELPHIA INQUIRER). • The **PENNSYLVANIA** Legislature also endorses HB 1845, which requires the death penalty or life imprisonment for anyone convicted of killing a police officer. Anyone convicted of assaulting an officer with a firearm would face a mandatory 20 years in prison. The proposal also heads to Rendell for review (PITTSBURGH POST-GAZETTE).

ENVIRONMENT: Environmental groups and the Bush administration reach a court settlement that requires the Department of Interior to designate critical habitat for polar bears off the **ALASKA** coast by June 30, 2010. The agreement comes approximately six months after the DOI listed the polar bear as a threatened species, the first such designation for an animal based on habitat loss caused by global



warming. Other suits are still pending, however, that seek to have the polar bear listed as endangered rather than threatened (MCCLATCHY NEWS SERVICES [WASHINGTON]). • President George W. Bush signs US SJR 45, the Great Lakes Compact, an agreement between the eight Great Lakes states — **NEW YORK, PENNSYLVANIA, OHIO, INDIANA, MICHIGAN, WISCONSIN, ILLINOIS** and **MINNESOTA** — and the Canadian provinces of Quebec and Ontario to prevent large-scale diversions out of those waterways (MILWAUKEE JOURNAL SENTINEL). • Federal environmental officials impose speed limits that require large ships to slow to 10 knots (11.5 mph) during parts of the year when they come within 20 nautical miles of several East Coast ports in areas where North Atlantic right whales feed, reproduce and migrate. Supporters say the limits are necessary because there are fewer than 400 of the whales left, placing them among the most endangered animals in the world (WASHINGTON POST).

In case you missed it

With Wall Street on the ropes, what started out looking like a bad fiscal year for the states may turn into one of the worst economic years on record. In case you missed it, the article can be found on our Web site at http://www.statenet.com/capitol_journal/09-22-2008/html

HEALTH & SCIENCE: The pharmaceutical company Eli Lilly & Co. agrees to pay 32 states and Washington D.C. \$62 million to resolve an investigation into the company’s marketing practices for the antipsychotic drug Zyprexa. Attorneys general from the states had accused Lilly of marketing the medication for off-label uses and inadequately disclosing the drug’s side effects. The company, which admitted no wrongdoing, also agreed to avoid making false, misleading or deceptive claims about the drug or promoting it outside FDA-approved uses. The settlement will be divided among the states and D.C. based on population (INDIANAPOLIS STAR). • The **PENNSYLVANIA** Legislature approves HB 834, which bans forced overtime for nurses and other health care workers in hospitals and nursing homes. Advocates say forcing medical personnel to work up to 18 hours in a row leads to unnecessary errors. It moves to Gov. Ed Rendell (D), who is expected to sign it (PITTSBURGH POST-GAZETTE).

IMMIGRATION: The **TEXAS** Department of Public Safety adopts a new policy requiring noncitizens to prove they are in this country legally before they can obtain or renew a driver’s license. Under the new regulations, licenses will also not be issued to anyone whose legal entry into the country expires in less than six months. Those with indefinite admission periods will get one-year licenses that will have to be renewed in person with proof that the applicant’s lawful status has been extended (HOUSTON CHRONICLE).

SOCIAL POLICY: The **CONNECTICUT** Supreme Court rules that same-sex couples have the legal right to marry. The decision makes the Constitution State the third in the nation — **CALIFORNIA** and **MASSACHUSETTS** are the others



— to legalize gay marriage (NEW YORK TIMES). • A federal court approves the settlement of a class action lawsuit between **MICHIGAN** foster care officials and a **NEW YORK**-based child advocacy group that claimed the Wolverine State system does not protect children from abuse and neglect. Among other things, the agreement requires the state to hire significantly more foster care workers and caseworkers to reduce caseloads, to implement a statewide 24-hour hotline for reporting abuse and neglect, to reduce the use of psychotropic medicines as discipline, to recruit and retain more foster parents and adoptive families and to provide better oversight of foster homes. The changes are expected to cost approximately \$250 million over the next five years (DETROIT FREE PRESS).

POTPOURRI: The **PENNSYLVANIA** Senate and House endorse HB 2525, which would ban wire flooring in dog cages, double the minimum area required for those cages, and require exercise and semiannual veterinary exams for breeding dogs in large commercial kennels. The bill heads to Gov. Ed Rendell (D), who is expected to sign it (PHILADELPHIA INQUIRER). • Still in **PENNSYLVANIA**, lawmakers endorse Senate Bill 295, which would bar commercial diesel vehicles from idling more than five minutes in a 60-minute period. It’s aimed at reducing fumes and noise. It also now goes to Rendell for consideration (PITTSBURGH POST-GAZETTE).

— Compiled by *RICH EHISEN*

Once around the statehouse lightly

SHOW, TELL AND ILL: Any school teacher is sure to tell you how much they wish parents would get more involved in their kids’ education. That may not be the case, however, in Stevensville, MONTANA. As reported by the Associated Press, almost 90 elementary school students there will have to receive rabies shots after the mother of two students brought a dead bat to school for a bit of show and tell. The woman apparently showed off her prize to five classrooms, allowing kids to touch the deceased critter all along the way. Students who touched the bat received a sanitary wipe afterward. Uh, not so smart. Dead or otherwise, the bat turned out to be rabid, which meant anyone who touched it had to take the shots. School officials say future visitors to the school will have to obtain a visitor’s pass. And perhaps pass an IQ test.



MENTAL OR PHYSICAL? Over the last few years, CALIFORNIA Gov. Arnold Schwarzenegger, a Republican, has successfully recast himself as the ultimate “post-partisan” politician, someone who willingly, even joyfully, wants to work with the majority Democrats in the Golden State Legislature. But that “feel good” vibe took a major hit during this year’s protracted budget imbroglio, which saw more than its share of partisan rancor. That nastiness may soon spill over to the gov’s own household. As reported by the *Sacramento Bee*, when recently asked how he copes with being married to Maria Shriver, a member of the Kennedy clan and a lifelong Democrat, Schwarzenegger replied, “I took this woman in sickness and in health, and being a Democrat is a sickness.”

TINA PIT BULL: The McCain campaign may have pulled out of MICHIGAN, but residents there may yet get their chance to get up close and personal with veep candidate Sarah Palin. Not the real one, of course, but rather her TV alter ego, comedian Tina Fey. As reported by the *Detroit Free Press*, the MICHIGAN Democratic Party has launched an online petition to lure Fey, who regularly skewers the ALASKA governor on NBC’s “Saturday Night Live,” for a performance in the Wolverine State. Fey, who bears a striking resemblance to Palin, has not responded.

KINDA FISHY: If you live in TEXAS, you can just plain forget about getting that fish pedicure you may have been dreaming of. That is because, according to the *Dallas Morning News*, the state Department of Licensing and Regulation announced last week that they are putting the kibosh on the procedure, which entails having schools of tiny fish nibble away the dead skin on a person’s feet. The toe-munching craze, which was spurred by a salon in VIRGINIA, smelled fishy to health officials who feared the treatment could spread infections. Lone Star State salon owners who offered the service bemoaned the loss of their investment, most notably the thousands of guppy-sized fish they bought. One owner said she would probably keep the fish as pets.

— By RICH EHISEN



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