

October 15, 2007

## Metal Mania



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- The next issue of Capitol Journal will be available on October 29th.
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### Top Story

*Metals are a hot commodity these days for both investors and thieves. Now a growing wave of stolen train tracks, roadside guard rails, public plumbing fixtures and even beer kegs has lawmakers across the nation searching for ways to ease the metal mania.*

## SNCJ Spotlight

### Combating the scrap metal theft epidemic

**A**cross the nation — and around the world — guardrails have been disappearing from roadways. Manhole covers have been vanishing from city streets. Power lines have been pulled down from utility poles. Rails cut from train tracks. Wires torn out of farm irrigation systems. Copper plumbing ripped from home construction sites. Aluminum bleachers hauled from high school football fields. Beer kegs swiped from liquor dealers.



Catalytic converters stripped from the engines of parked cars. Bronze statues lugged from public buildings and parks.

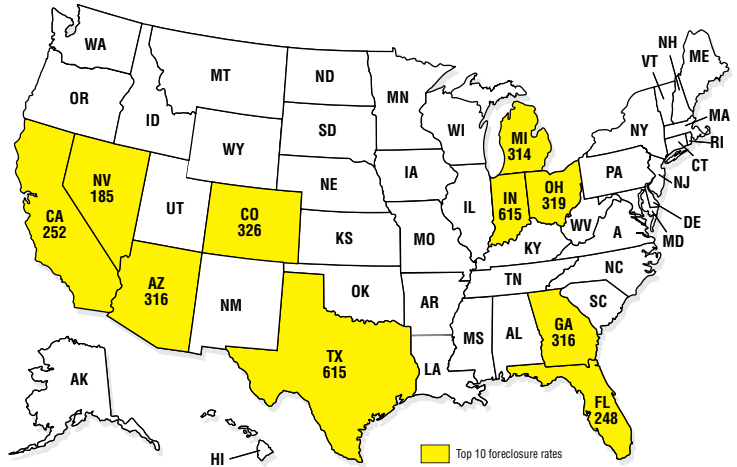
The bizarre thefts may seem like the work of cultists intent on gumming up the works of modern civilization, but they are actually the result of a collision of two worlds: the world of the metals investor and the world of the methamphetamine addict. And the metal-crazed world that has emerged has the full attention of lawmakers and besieged industries.

In early 2002, copper was trading at 65 cents a pound on the London Metals exchange. But demand for copper and other metals in China, India and other countries investors referred to as “emerging Asia” had already begun to drive prices up when a mine collapse in Indonesia in October 2003 sent copper prices surging past \$1 a pound, according to Patricia Mohr, an economist at Scotiabank. A worker strike

in Chile in late 2004 drove prices higher still, over \$2 per pound by 2005. With China’s economy growing at the rate of 20 percent per year, and its need for metal — for infrastructure, buildings, cars, motors — growing along with it, investors once concerned only with precious metals began adding base metals, like aluminum, copper, nickel and zinc, to their portfolios. Copper prices climbed to \$3 a pound by early 2006 and by mid-May hit \$3.99.

Metal thefts climbed right along with them. “We’ve had a 100 percent increase in metal thefts year over year,” said Mike Dunn, head of security for American Electric Power, which serves 10 states in the South and Midwest. According to the Dallas Observer, in the first eight months of last year, 1,500 metal thefts were reported to police there. And Michael Lynch, chief security officer for DTE Energy in Detroit, said, “We had one facility that had 38 [incidents of breaking and entering] in eight months.”

## Bird’s eye view



Source: Realty Trac, Inc.

Note: The number on each state denotes the number of households for each foreclosure



### Foreclosures still on the rise

Nationwide home foreclosure rates dropped by just over 8 percent in September but are still double what they were just a year ago. According to a new report from Realty Trac Inc, a CALIFORNIA-based company that tracks the foreclosure market, the news is much worse for individual states like NEVADA, which has the highest foreclosure rate in the country. Despite an overall drop of 11 percent from August, the Silver State still recorded one foreclosure for every 185 households. It was the ninth consecutive month that NEVADA has led the nation in foreclosure rates. FLORIDA (1/248) and CALIFORNIA (1/253) were second and third respectively. In contrast, VERMONT had the lowest foreclosure rate in the nation for September, with just two filings. Overall, states combined to report 223,538 foreclosure filings, or one for every 557 households. That marks a 99 percent increase from September 2006.



CALIFORNIA farms have also been hit hard. The Agricultural Crime Technology Information and Operations Network, a law enforcement organization in the Golden State’s Central Valley, said metal theft from farms there — mostly of the copper wires that carry power to irrigation systems — rose 400 percent in 2006. And there were nearly 1,000 incidents reported through June of this year.

The rampant thievery has inflicted heavy financial losses. Verizon has reportedly lost \$300,000 worth of copper wiring from its cellular telephone towers in CALIFORNIA this year. AT&T, which owns land lines, says it has suffered \$3 million in metal-theft losses in MICHIGAN alone. Pacific Gas & Electric, which serves central and northern CALIFORNIA, reported last month that it’s had \$3.2 million in losses since 2005. And the irrigation-system crime spree in CALIFORNIA

is estimated to have cost farmers more than \$6 million last year.

“This is the No. 1 crime affecting farmers and ranchers right now,” said Bill Yoshimoto, an assistant district attorney in Tulare County, CALIFORNIA and head of the Agricultural Crime Technology

**“Metal theft is the No. 1 issue for us. With utilities, it’s more pressing than terrorism or anything else. This issue, everyone is experiencing it.”**

Information and Operations Network. “Virtually every farmer in the Central Valley has been hit.” That’s a sentiment shared by DTE’s Lynch. “Metal theft is the No. 1 issue for us,” he said. “With utilities, it’s more pressing than terrorism or anything else. This issue, everyone is experiencing it.”

There is no scientific data proving that methamphetamine users are responsible for the thefts, but those on the front lines in dealing with the crimes appear to have little doubt that’s the case. “Anytime you’ve got copper thefts, you’ve got

meth problems,” Dakota County, MINNESOTA Sheriff Don Gudmundson told the St. Paul Pioneer Press last year. “One goes with the other.” And American Electric Power’s Dunn, who commanded a narcotics unit in TEXAS at one time, said, “We know drugs are the driving force,”

**“We know drugs are the driving force,” adding, “I don’t think people are stealing copper to buy groceries. I really don’t.”**

adding, “I don’t think people are stealing copper to buy groceries. I really don’t.”

Some of the crimes do seem as though they could only have been committed by meth addicts. People on meth are highly alert. They don’t need sleep. Their activity level increases. And the high can last as long as a day. And when addicts come down off the drug, they suffer an intense craving that Joe Frascella of the National Institute on Drug Abuse likens to the feeling you get when you hold your breath for a minute and reach a point “near the end, where all you can think about is taking a



breath.” Those facts might explain how three men in Russia managed to remove 50 tons of rail from a train line, five feet at a time, using a blowtorch, or why each year there are numerous break-ins — and deaths — at electrical substations, where the risk of electrocution is extremely high and the payoff — a few hundred dollars’ worth of copper — comparatively low.

“This habit removes all inhibitions you normally have with scary environments, including dangerous equipment like an electrical substation,” said Pete Jeter, a security specialist for Bonneville Power in OREGON.

Given thieves with mindsets like that, combating the crime presents some serious challenges. But that hasn’t stopped state lawmakers from trying. According to State Net’s database, 29 states introduced over 80 bills this year addressing the issue, over a quarter of which were passed. (Bills have already been prefiled for 2008 in FLORIDA, MAINE and NEW HAMPSHIRE, as well) Most of those bills target scrap metal dealers and recyclers — the places thieves go to turn their metal into cash — requiring them to maintain detailed records of their transactions, including photocopying sellers’ drivers’ licenses and, in some cases, taking sellers’ fingerprints.

The scrap recycling industry supports the idea of cracking down on theft. Its national association, the Institute of Scrap Recycling Industries (ISRI), has created an e-mail alert system to notify members when and where metal thefts occur, published recommended practices to help dealers avoid buying stolen scrap and set up an awareness program with the National Crime Prevention Council.

But the industry has concerns about some of the legislative efforts. A bill introduced this year in CALIFORNIA (AB 844), for instance, would have required dealers to pay for metals with a check instead of cash. Some dealers say that would cut into their business by preventing legitimate suppliers from going out and procuring more metals the same day.

More worrisome for the industry are proposals seeking to establish “tag-and-hold” programs, which would require dealers to tag all received scrap with a unique ID, put out an all-points-bulletin on each lot, and then wait a week to allow law enforcement and company security officers time to check the materials against theft reports.

## The week in session

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

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

**States in Veto Session:** IL

**States in Special Session:** AK “b”, FL “d”, PA “a”

**States in Recess:** NH, NJ, NY, WI

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

**States Currently Prefiling or Drafting for 2008:** AL, CO, DE, FL, KS, KY, ME, NH, OK

**States in Special Session Projected to Adjourn:** FL “c”

**States Adjourned in 2007:** AK, AL, AR, AZ, CA, CO, CT, DE, FL, GA, HI, IA, ID, IN, KS, KY, LA, MD, ME, MN, MS, MT, NC, ND, NE, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WA, WV, WY

**State Special Sessions Adjourned in 2007:** AK “a”, AL “a”, CT “a”, CT “b”, FL “a”, FL “b”, HI “a”, KY “a”, KY “b”, MN “a”, MO “a”, MS “a”, MT “a”, MT “b”, NC “a”, NM “a”, NV “a”, UT “a”, WI “a”, WV “a”, WV “b”

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS  
(session information current as of 10/12/2007)  
Source: State Net database



“It’s a good idea if you want to shut the scrap industry down,” said Steve Solomon, owner of Solomon Metals in MASSACHUSETTS, and president of ISRI’s New England Chapter. Solomon said tag and hold would not only hurt his business by slowing the movement of scrap through his yard and subjecting him to losses due to price changes while he was sitting on the metal, but he just doesn’t have the space to do it.

Solomon said the problem is really the small percentage of disreputable dealers that he calls “peddler shops.” And he said controls imposed on scrap dealers won’t stop the theft, only shift it to the grayer market of these shops. The only way to stop people from stealing metal, he said, is to get the businesses that have it to “start treating it like what it is — an asset.”

But that potential solution also has its limitations. The company with the 38 break-ins was finally able to deter additional attempts by installing an 8-foot corrugated steel wall topped with razor wire. But Dunn of American Electric Power said such measures aren’t practical on a larger scale. “These fences cost three or four times what a normal fence costs, and I’ve got 3,800 substations,” he said.

DTE’s Lynch said one thing that has worked in Detroit is an awareness program started in 2005 that basically consists of reminding police to look up. “They’re trained, you know, to look for criminals banging in doors,” he said. “We just say, look up in the air, and since then we’ve had more than a dozen arrests made on the poles. That’s outstanding.”

Other encouraging news is that the price of copper is down from its \$3.99 peak last year. (The price was \$3.69 per pound as of Oct. 10.) And Mohr of Scotiabank predicted that with the slump in the U.S. housing market and Chinese companies turning to metal inventories they had built up as prices were rising, copper prices would be lower this year. But Mohr also said the price of other metals were at record highs — and China wasn’t going away.

(CSOONLINE.COM, FORTUNE, NEW YORK TIMES, WASHINGTON POST, CHRISTIAN SCIENCE MONITOR, ST. LOUIS POST-DISPATCH, EUREKA REPORTER, STATE NET)

— *Compiled by KOREY CLARK*

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## Budget & taxes

**SOME STATES GET BETTER RETURNS FROM FEDS THAN OTHERS:** For every tax dollar NEW MEXICO sent to the federal government in 2005, the state got back \$3.10 in federal funding, the best rate of return in the nation, according to an analysis of federal data by the Associated Press. Delaware was at the opposite end of the spectrum, receiving only 42 cents

for every tax dollar it sent Washington's way. MINNESOTA didn't fare much better: 46 cents. But overall, 30 states and the District of Columbia got back more money from the feds than they paid in taxes.

The AP analysis, which compared the Census Bureau's annual report on 2005 spending by the federal government — released last week — to previously released IRS figures for 2005 federal tax collections, also found that high-income states, like CONNECTICUT, NEW JERSEY and MASSACHUSETTS, paid more in taxes than they received in federal dollars, while low-income states like ALABAMA, MISSISSIPPI and WEST VIRGINIA got a much higher return on their tax dollars. The exceptions were ALASKA, HAWAII, MARYLAND and VIRGINIA, high-income states that received high levels of federal funding. (ASSOCIATED PRESS, DESERET MORNING NEWS)

**BUDGETS IN BRIEF: FLORIDA** legislative leaders settled last week on budget cuts to colleges, public schools, hospitals and nursing homes to plug the \$1.1-billion hole in the state's budget. Final approval on the plan was expected last Friday, when the special session was scheduled to end (ST. PETERSBURG TIMES, CHARLOTTE HERALD).

- The U.S. House of Representatives Judiciary Committee voted on Wednesday to endorse legislation extending the moratorium on state Internet access taxes for four years. The current ban, which has been in place since 1998 and was last extended in 2004, is scheduled to expire on November 1. Similar legislation is stalled in the Senate Energy & Commerce Committee, where lawmakers are divided on whether to extend the ban or make it permanent (REUTERS, BOSTON GLOBE).
- **NEW JERSEY** residents are leaving the state at three times the rate they were just five years ago, according to a new Rutgers University report. The study says the exodus, which is already impacting the state's economy and budget, could lead to an overall decline in the state's population as early as next year (STAR-LEDGER [NEWARK]).
- **CALIFORNIA** finance officials said last week that based on revenue collections for the first two months of the new fiscal year, the state could face an operating deficit of \$8.6 billion or more in 2008-09, which is 40 percent more than the \$6.1 billion gap officials predicted in August (SACRAMENTO BEE).
- Parents of high-schoolers in southeastern **MICHIGAN** will pay a cumulative \$10

## Upcoming elections

10/11/2007 - 11/01/2007

10/16/2007

**Alabama Special Election**  
Senate District 32

**Massachusetts Special General**  
US House (Congressional District 05  
(Martin T. Meehan))

**South Carolina Special Primary**  
House District 124

10/20/2007

**Louisiana Primary Election**  
Constitutional Officers: Governor,  
Lieutenant Governor, Secretary of  
State, Treasurer, Attorney General,  
Commissioner of Agriculture and  
Forestry, Commissioner of Insurance

10/23/2007

**Massachusetts Special Election**  
House 1st Suffolk District

**Rhode Island Possible Special  
Primary**  
House District 22 (former Rep. Peter  
Ginaitt)

**South Carolina Special Election**  
House 1st Suffolk District

10/30/2007

**Florida Special Primary**  
House District 101



million in fees to play school sports this year. Nationwide, the shift of costs for extra-curricular activities from schools to families, known as pay-to-play, has contributed to a roughly 35 percent drop in participation, according to Diane L. Hoff, associate professor of education at the University of MAINE (DETROIT NEWS).

— *Compiled by KOREY CLARK*

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# Politics & leadership

**C**A ASSEMBLY SPEAKER ‘PASSES AROUND HAT’ FOR PROP 93: CALIFORNIA Assembly Speaker Fabian Núñez (D) asked members of his caucus at a private meeting two months ago to support the term limits measure slated for the state’s Feb. 5 presidential primary ballot — monetarily. Núñez asked all 47 Assembly Democrats to donate about \$50,000 apiece to help pass Proposition 93, which would reduce the total number of years that elected officials could serve in the Legislature, from 14 to 12.

The speaker’s request wasn’t entirely an appeal to altruism. The donations would potentially buy the donors another term, thanks to a clause in the measure that would permit incumbents to serve in their current house for a dozen years, instead of the current maximum of six in the Assembly and eight in the Senate.

Núñez made his pitch at a breakfast meeting Aug. 30 at a restaurant near the Capitol, but because the meeting was private, details about it weren’t known until last week, when \$50,000 donations from a pair of Assembly Democrats to the Prop. 93 campaign appeared on campaign disclosure statements.

Kevin Spillane, spokesman for the anti-Prop. 93 campaign, pounced on the news, calling Núñez’s action “an obvious sign that this initiative isn’t about strengthening term limits.”

“It’s written by political insiders, and it benefits political insiders,” he said. “It’s an incumbent protection initiative — and the incumbents are ponying up their dues so they can stay in office longer.”

But Steve Maviglio, Núñez’s spokesman, countered that the speaker routinely makes recommendations to his caucus about supporting party priorities, adding that members who aren’t able to donate are not punished.

“It’s standard operating procedure,” Maviglio said. (SACRAMENTO BEE)

**POLITICS IN BRIEF: FLORIDA** has filed a lawsuit in federal court accusing the national Democratic Party of disenfranchising the state’s 4 million Democrats in the 2008 presidential primary by taking away the state’s delegates to the nominating convention as a punishment for moving its primary up to Jan. 29. “For the DNC



to say to the fourth-largest contingent of Democrats in the nation that their votes will not matter in next year’s presidential primary is not only shocking and ironic but, we believe, is illegal,” said U.S. Rep. Alcee Hastings (MIAMI HERALD). • The WASHINGTON state Supreme Court has upheld a lower-court ruling declaring a state law punishing political candidates for false advertising an unconstitutional infringement on free speech. “There can be no doubt that false personal attacks are too common in political campaigns, with wide-ranging detrimental consequences,” Justice Jim Johnson wrote for the majority in the 5-4 decision. “However, government censorship...is not a constitutionally permitted remedy” (SEATTLE TIMES).

— *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 prefiles last week: 739**

**Number of Intros last week: 436**

**Number of bills enacted/adopted last week: 409**

**Number of prefiles to date: 41,021**

**Number of Intros to date: 162,072**

**Number of enacted/adopted overall to date: 40,898**

— Compiled By JAMES ROSS  
(measures current as of 10/11/2007)  
Source: State Net database

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# Governors

**SCHWARZENEGGER REVISES HEALTHCARE PROPOSAL:**  
CALIFORNIA Gov. Arnold Schwarzenegger (R) announced major changes to his proposed healthcare overhaul last week. Although the governor’s plan would still require all state residents to have health insurance, the revised proposal would dramatically alter how the system is funded and who is eligible for state assistance.

The most significant revision in Schwarzenegger’s proposal is his desire to lease the state’s lottery to private interests in order to help fund the cost of the new system, which has grown from an original estimate of about \$12 billion a year to \$14 billion annually. His administration projects that a 40-year license to operate the lottery would raise \$2 billion annually to help offset those costs. That could increase to as much as \$4.5 billion a year to keep pace with medical inflation, but doing so would likely result in the money running out in just 15 years, leaving the state to find another source of revenue. To placate the state’s powerful teachers union, Schwarzenegger also agreed to replace the money the state’s schools currently get from lottery sales — about \$1.1 billion — with cash from the general fund.

Schwarzenegger also made several business-friendly changes, most notably rescinding his call for employers with 10 or more employees to contribute a flat 4





biggest problems created by the state’s energy deregulation a decade ago: the lack of an adequate supply of electricity and ever-rising electric bills for both consumers and businesses. The proposed agency would have the authority to acquire development sites, including decommissioned former power plants, and work in partnership with private industry to build large generating stations. Final details of the proposal are not expected to be completed until next month. (STAR-LEDGER [NEWARK])

**RICHARDSON ALL WET?** NEW MEXICO Gov. Bill Richardson (D) caused a major stir in the Great Lakes region last week when he made comments that implied those states should be willing to send water to drought-stricken but rapidly growing states in the West. In an interview with the *Las Vegas Sun*, Richardson, who is also running for president, said he wants to see “a national water policy... to deal with issues like water conservation, water reuse technology, water delivery and water production. States like WISCONSIN are awash in water.” That drew a strong reaction from both environmental groups and the office of MICHIGAN Gov. Jennifer Granholm (D). “[Richardson’s comment] shows we need the strongest possible protection for the Great Lakes, especially when water levels are declining,” said Liz Boyd, a Granholm spokesperson. Boyd and others also used the occasion to urge lawmakers to approve a water compact Granholm and other regional governors signed in 2005 to prevent Western states from gobbling up Great Lakes water. (DETROIT FREE PRESS)

– *Compiled by RICH EHISEN*

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## Hot issues

**B**USINESS: The **FLORIDA** House and Senate approve legislation that will reinstate a Sunshine State law that requires drivers to carry \$10,000 worth of personal injury protection auto insurance, which covers injuries and lost wages no matter who causes an accident. The measure moves to Gov. Charlie Crist (R), who has said he will sign it (ST. PETERSBURG TIMES). • **CALIFORNIA** Gov. Arnold Schwarzenegger (R) signs AB 392, legislation that requires employers to allow workers to take up to 10 days of unpaid time off to be with a spouse who has returned from the military. Schwarzenegger also signs AB 1528, which bans deceptive marketing of financial services to members of the military or their families (LOS ANGELES TIMES). • Still in **CALIFORNIA**, Schwarzenegger signs a half dozen bills aimed at slowing development in areas prone to flooding. Among the measures is SB 5, which bars local governments from approving new developments unless the land under review has 200-year flood protection or efforts are in place to provide that level of defense. That requirement goes into effect in 2015. The governor



also signed AB 70, which requires local governments to share the liability for flood damages caused by allowing development in floodplains (SACRAMENTO BEE). • The **OHIO** House approves legislation that would ban cash payouts from slot machine-like video games. The bill also limits the value of non-cash prizes from those games to \$10. It moves now to the Senate (CLEVELAND PLAIN DEALER). • Back in **CALIFORNIA**, Gov. Schwarzenegger (R) vetoes legislation that would have allowed farmers in specific counties to grow hemp for industrial use. More than 30 countries allow hemp production, but because it is related to marijuana, hemp is considered a controlled substance that needs federal approval to cultivate (SACRAMENTO BEE).

## Upcoming stories

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

- **Sanctuary cities**
- **Retail health clinics**
- **Family leave**

**CRIME & PUNISHMENT:** In an ongoing effort to ease the state’s dangerously overcrowded prisons, **CALIFORNIA** corrections officials announce they will send 3,600 prison inmates to a private lock-up in **ARIZONA**. The Golden State earlier this year sent more than 4,700 inmates to private facilities in **MISSISSIPPI**, **ARIZONA**, and **TENNESSEE** (ORANGE COUNTY REGISTER). • The **OHIO** House unanimously approves legislation that would require owners of animals confiscated in dog and cock-fighting raids to either pay for those animals’ care or surrender ownership to the shelters housing them. The measure moves to the Senate (TOLEDO BLADE). • **CALIFORNIA** Gov. Arnold Schwarzenegger (R) signs a collection of five bills aimed at reducing gang violence in the Golden State. Those measures include allowing judges to order parents of gang members to attend anti-violence classes, improving protection to witnesses of gang killings and arming prosecutors with power to evict gang members caught in possession of weapons in apartment buildings used as hangouts (LOS ANGELES TIMES).

**EDUCATION:** The U.S. Supreme Court upholds a lower court ruling that requires the New York City school system to pay private school tuition for disabled children, even if the parents refuse to try public school programs first. But because the justices split evenly in their opinion, the decision does not set national precedent. And because similar cases are also pending in other federal courts, the high court is expected to take the matter up again in the near future. Nearly seven million students nationwide receive special-education services, with 71,000 educated in private schools at public expense (NEW YORK TIMES). • **CALIFORNIA** Gov. Arnold Schwarzenegger (R) signs SB 272, which gives members of the military priority enrollment for classes at state universities and community colleges (LOS ANGELES TIMES). • The **OHIO** Supreme Court rules that schools need not be recognized or accredited by the Buckeye State for purposes of child support



collection. Under current state law, a parent must continue paying support for a child over age 18 if that child is still enrolled in “any recognized and accredited” high school. The court’s ruling allows the “any” to include schools accredited in other states, even if they are not recognized in **OHIO** (CLEVELAND PLAIN DEALER). • The **ILLINOIS** House completes a legislative override of Gov. Rod Blagojevich’s veto of a measure that requires public schools to provide students with a moment of silence at the start of classes. The Senate similarly overrode the veto two weeks ago (CHICAGO TRIBUNE).

## In case you missed it

Many states and the federal government have taken steps to crack down on predatory mortgage lending and to help harried homeowners avoid foreclosure. And as we show in our September 10 issue, some states are turning to an old standby to get their point across: education.

In case you missed it, the article can be found on our Web site at [http://statenet.com/capitol\\_journal/09-10-2007/html](http://statenet.com/capitol_journal/09-10-2007/html).

**ENVIRONMENT:** The **OHIO**-based American Electric Power Co, one of the nation’s largest coal-fired electricity producers, agrees to spend as much as \$4.6 billion to reduce emissions of sulfur dioxide and nitrogen oxides produced at 46 of its power plants. The agreement, which government officials say is the largest environmental settlement in U.S. history, calls for AEP to pay \$15 million in civil penalties, and \$60 million to clean up and mitigate damage caused in parks and waterways across the Northeast and Mid-Atlantic states. States involved in the litigation against AEP included **CONNECTICUT, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, RHODE ISLAND** and **VERMONT** (BOSTON GLOBE, WASHINGTON POST).

**HEALTH & SCIENCE:** In an effort to settle a lawsuit, **ILLINOIS** officials agree to allow Prairie State pharmacists who believe dispensing Plan B birth control pills would violate their religious beliefs to have the pharmacy owner or another employee fill the prescription. The agreement must still be approved by lawmakers (CHICAGO TRIBUNE). • **CALIFORNIA** Gov. Arnold Schwarzenegger (R) signs SB 7, which bans drivers and passengers from smoking in a car with another person age 17 or younger. It goes into effect on Jan. 1 2008 (SACRAMENTO BEE).

**IMMIGRATION:** **CALIFORNIA** Gov. Arnold Schwarzenegger (R) signs legislation that makes the Golden State the first in the nation to bar local governments from requiring landlords to check the legal immigration status of their renters. The measure also bars landlords from independently accumulating residency information on their tenants (SAN DIEGO UNION TRIBUNE). • Also in **CALIFORNIA**, Schwarzenegger vetoes legislation that would have allowed new American citizens to register and vote on election day (LOS ANGELES TIMES).

**SOCIAL POLICY:** The **OREGON** Sect. of State announces that opponents of the Beaver State’s new same-sex domestic partnership law fell 116 signatures short of the



necessary number to put a referendum to overturn the statute on the November 2008 ballot. Referendum supporters say they will try again (OREGONIAN [PORTLAND]).

- The **OHIO** House approves a proposal to block public access to information on foster parents. Supporters say the measure would prevent birth parents from tracking down and removing their children from protective care; opponents say it allows abusive foster parents or those with criminal records to avoid detection before being handed children to care for. The proposal goes to the Senate (TOLEDO BLADE).

**POTPOURRI:** A federal court strikes down an **IDAHO** law that bars local government employee unions from using payroll deductions to raise money for political activity. The court ruled the law unconstitutional (IDAHO STATESMAN [BOISE]).

- **CALIFORNIA** Gov. Arnold Schwarzenegger (R) vetoes AB 811, which would have required parents to place their young children in automobile booster seats until age 8 or until the child is at least 4 feet nine inches tall. Current Golden State law requires the seats only until age 6 (SACRAMENTO BEE).
- Also in **CALIFORNIA**, Gov. Schwarzenegger lends his weary hand to AB 702, which bars musical performers from casting themselves under the name of a recorded group unless those performers meet specific criteria: they hold a trademark, at least one of the performers was a member of the original group, the event is advertised as a tribute, or the performing group has prior authorization (LOS ANGELES TIMES).

— Compiled by RICH EHISEN

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## Once around the statehouse lightly

**WRONG CAT:** College football pretty much rules the roost down in LOUISIANA these days, what with the Louisiana State University Tigers being the hands down favorite to win the NCAA’s mythical national championship come January and all. So you can imagine the heartburn GOP gubernatorial candidate Bobby Jindal felt when, as reported by the *New Orleans Times-Picayune*, a new TV ad sponsored by the Republican Governors Association meant to show his stance on education issues also clearly displayed an “I (heart) UK” sticker — as in the University of KENTUCKY Wildcats, LSU’s gridiron opponent last week. Turns out the background shot was some stock footage also used in an ad for Kentucky Gov. Ernie Fletcher. The ad resulted in an immediate rebuke from Jindal’s people and some red faces over at the RGA offices.



**THE DEVIL MADE THEM DO IT:** The debate over school vouchers in UTAH has gotten really, really hot of late. In fact, you might say it has become almost Hellish. At least that seems to be the opinion of Ronda Rose, a former state PTA member and strong voucher opponent, who sent an email message to several state PTA members last week accusing the pro-voucher group of being “from Satan.” As the *Deseret Morning News* reports, the fiery note was cast out when Rose learned of an e-mail debate between an attorney for Utahns for Public Schools and a Utah resident who disputed the PTA’s right to work on a political issue. State PTA officials have understandably said “get thee behind me” to Rose’s comments.

**MARATHON MAN?** Well, that was what former Mexican presidential candidate Roberto Madrazo wanted folks to think. As the Associated Press notes, Madrazo, who was not known in Mexican political circles for his outstanding scruples, appeared to have won the Berlin Marathon’s 55-and-older division last month in almost miraculous time. In fact, it was actually too miraculous. An electronic tracking chip later revealed that for Madrazo’s time to be real, he would have had to have covered the last nine miles in just 21 minutes — a pace much faster than humans can run. Turns out Madrazo took a little shortcut, which might have worked had the tracking chip not informed race officials that he had skipped two race checkpoints.

**PROTECTING PARIS:** We’ve all seen them — mug shots of ragged-looking Hollywood glitterati who, despite the best intention of their handlers, flaks and flunkies, have drunk, drugged or driven themselves afoul of the law. And as any celebrity watcher or paparazzi knows, those pics can be Tinseltown’s real money shots — to the tune of hundreds of thousands of dollars for the person who has such a photo to proffer. That temptation, say Golden State lawmakers, is just too much to ask overworked and underpaid law enforcement folks to resist. So, as the *Los Angeles Times* reports, Gov. Arnold Schwarzenegger has signed off on AB 920 — otherwise known as the “Mel Gibson and Paris Hilton Protection Act” by outraged celebrity media — a tidy little measure that bars Golden State law enforcement and court officials from selling or otherwise pimping out mug shots or other confidential information obtained while processing their celebrity “visitors.”

— By RICH EHISEN



**Editor:** Rich Ehisen — capj@statenet.com

**Associate Editor:** Korey Clark — capj@statenet.com

**Editorial Advisor:** Lou Cannon

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

**Graphic Design:** Vanessa Perez

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