

November 1, 2004

Ballot  
 bombshells



Governors "The Body" v. "The Governor"	<b>7</b>
Bird's eye view	5
Hot issues	11
Once around the statehouse lightly	13

Top Story

*Once again, voters across the country are being asked to decide hundreds of issues often deemed too hot for state lawmakers to handle — including legalizing pot, expanding gambling... and same-sex marriage.*

**SNCJ Spotlight**

*Voters take on the year's most explosive issues*

**T**wo years ago, state lawmakers struggling with fiscal crises stuck voters with the tough job of passing new taxes and bonds through ballot initiatives. While the improved financial situation in most states has cut down the number of such measures considerably this year, voters are again being called on to do legislators' dirty work, deciding controversial issues that their elected representatives have been unwilling or unable to resolve themselves.

Tuesday, voters in 34 states will consider 162 ballot measures. That's actually down from the 202 initiatives decided in 2002. However, the number of "citizen-initiatives" — measures that reached the ballot through a petition process rather than legislative action — is up; 62 of the measures have qualified for the states' ballots this year, compared to 53 that did so in 2002.

No ballot will be more crowded with initiatives than CALIFORNIA's, which will ask voters to weigh the relative merits of 16 measures, including one of the nation's most high-profile ballot initiatives: Prop. 71. That measure would authorize a \$3 billion bond issue for embryonic stem cell research, establishing the largest publicly-funded program for such research in the country (See July 5 & 12 *State Net Capitol Journal*). The national profile of embryonic stem cell research was raised significantly by the third presidential debate, during which John Kerry and President George Bush took up positions maximally- and minimally-pro, respectively, on the divisive issue. Adding to the controversy within the state is the fact that budget difficulties forced voters to approve a \$15 billion bond measure just eight months ago. And things only heated up a bit more two weeks ago when the sponsor of that massive bond measure, Gov. Arnold Schwarzenegger (R) — who has commented repeatedly about the importance of getting the state's debt under control — broke with his party and endorsed Prop. 71.

"California has always been a pioneer. We daringly led the way for the high-tech industry and now voters can help ensure we lead the way for the bio-tech industry," Schwarzenegger said in his announcement of support for the measure on Oct. 18. The endorsement of the popular governor may be all Prop. 71 needs to assure its passage. The measure was already leading in the polls and supporters raised 10 times more money than opponents.

California voters will also decide the fate of several other closely-watched ballot initiatives, including Prop. 62, which would change the state's primary election system to a "top-two" format, sending the two top vote-getters to the general election regardless of their party affiliation (and the competing Prop. 60, which would maintain the state's current primary system, allowing each party to send its top vote-getter to the general election); Prop. 63, which would impose a tax on millionaires to fund health care for the mentally ill; Prop. 66, which would scale back the state's "three-strikes" sentencing law by requiring a serious or violent felony to trigger a life sentence; and Prop. 72, a referendum on a bill passed last year requiring businesses with 50 employees or more to provide health insurance.

Some political observers have suggested that, faced with such a long list of

*State Recaps  
available this  
week on the  
State Net Web site*

AK, AL, CA, CO, CT, FL,  
GA, HI, IA, ID, IL, IN, KS,  
KY, LA, MD, ME, MN, MO,  
MS, NC, NE, NH, NM, OK,  
RI, SC, SD, TN, UT, VA, VT,  
WA, WI, WV, WY

2003-04 State Session  
Recaps showcase legislative  
statistics for each state.

complicated ballot issues, California voters will just vote no on everything. But history doesn't bear that out. According to the Initiative and Referendum Institute at the University of Southern California, the approval rate for measures on the state's 10 longest ballots since 1912 (50 percent) is only slightly lower than the rate for all measures over that period (55 percent).

But California's crowded ballot isn't the only one that has received national scrutiny. A great deal of attention has also been focused on a proposition in COLORADO that would change the way the state's electoral college votes are allocated. Currently, the Centennial State — along with every other state except MAINE and NEBRASKA — uses a “winner-take-all” approach in awarding its electoral votes. Amendment 36, however, would change that method to a proportional system, allocating the state's nine electoral votes in proportion to each candidate's popular vote. Even more significant, the change would take effect immediately,

possibly handing John Kerry four electoral votes that would have gone to President Bush. Unsurprisingly, the measure is opposed by the state's GOP leaders and if it passes and the election is close, it will almost certainly be challenged in court. That scenario appears unlikely, however; although polls initially showed strong support for the proposal, recent polling indicates a majority of voters now oppose the proposition.

Another major Colorado initiative — Amendment 37 — would require large utilities in the state to increase their use of renewable energy sources by at least 10 percent by 2015. Recent polls show a majority favors the measure, but there are still a large number of undecided voters and an anti-37 TV ad campaign has eroded support for the proposal over the last month.

National attention is also being focused on ALASKA's Measure 2, a citizen-initiative that would essentially make marijuana the equivalent of alcohol and tobacco, allowing residents over the age of 21 to grow, to purchase, use and sell it, and the state regulate and tax it, just like those other two controlled substances. Alaska voters overwhelmingly rejected a similar initiative in 2000, which would have set the legal age for using marijuana at 18 and also paroled some individuals convicted of drug-related

## *The Week in Session*

Regular Session: DC, MI, NJ

Perfunctory Session: IL

Recess:

CA “d”, CA “e”, DE “c”, MA, NY, PA, US

Skeleton Session: OH

Currently Prefiling (Drafts for 2005):

CO, FL, IN, KY, MT, ND, NH, NV, VA

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

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”, KY “a”, LA “a”, ME “a”, ME “b”, MS “a”, MS “b”, NY “a”, OK “a”, OR “a”, TX “d”, UT “a”, UT “b”, 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”

Letters indicate special/extraordinary sessions  
Source: State Net, 10/29/04

crimes. But the Last Frontier State's stance on marijuana is fairly liberal; voters approved the use of the drug for medical purposes by initiative in 1998 and the courts ruled last year that it was legal to possess up to four ounces of marijuana at home under the state Constitution's privacy clause. Most polls, however, show voters oppose the measure by a wide margin.

Voters in ARIZONA will weigh in on the hot-button issue of illegal immigration with Prop. 200. The so-called "Protect America Now" initiative would require residents to show proof of citizenship in order to register to vote or receive state welfare benefits. Support for the measure has dipped slightly in recent weeks, but a majority still favors it. Observers say the proposition could boost minority voter turnout as a similar measure did in California in 1994, which could, in turn, affect the outcome of the presidential race in the state.

WASHINGTON also has a few closely-watched initiative campaigns. One involves Initiative 884, which would provide \$1 billion a year in additional funding for the state's ailing public education system by raising the state's sales tax from 6.5 percent to 7.5 percent, making it the highest rate in the country. Proponents have pitched the measure as salvation for low-income and minority families, who stand to gain the most from the multi-billion infusion. But voters don't appear to have been completely sold on the idea; recent polls show only a razor-thin margin of support for the measure. Washingtonians — like their neighbors two states to the south — will also consider adopting a top-two primary election system, Initiative 872. Lawmakers actually approved legislation last winter establishing that primary system after a federal appeals court ruled that the state's 70-year-old "blanket" primary was unconstitutional. But Gov. Gary Locke (D) vetoed that plan, giving rise to I-872. The initiative is virtually identical to California's Prop. 62, but some experts believe I-872 may actually have a better chance of passing than the California measure because of Washington's long history with open primaries. Recent polls show the measure enjoys overwhelming voter support.

Some of the most hotly-debated issues in statehouses this year will be taken up by voters in multiple states. For example, voters in 11 states — ARKANSAS, GEORGIA, KENTUCKY, MICHIGAN, MISSISSIPPI, MONTANA, NORTH DAKOTA, OHIO, OKLAHOMA, OREGON and UTAH — will consider a constitutional ban on gay marriage. (For further analysis of this issue, see *Bird's eye view* on page 5.) Six states will also vote on measures related to gambling. OKLAHOMA voters will determine whether to establish a state lottery; voters in CALIFORNIA, OKLAHOMA and WASHINGTON will deliberate the issue of Indian gaming; FLORIDA voters will decide whether to allow slot machines in Miami-Dade and Broward counties; and NEBRASKA voters will consider whether to authorize casinos. FLORIDA, OREGON, NEVADA and WYOMING will settle the dispute over

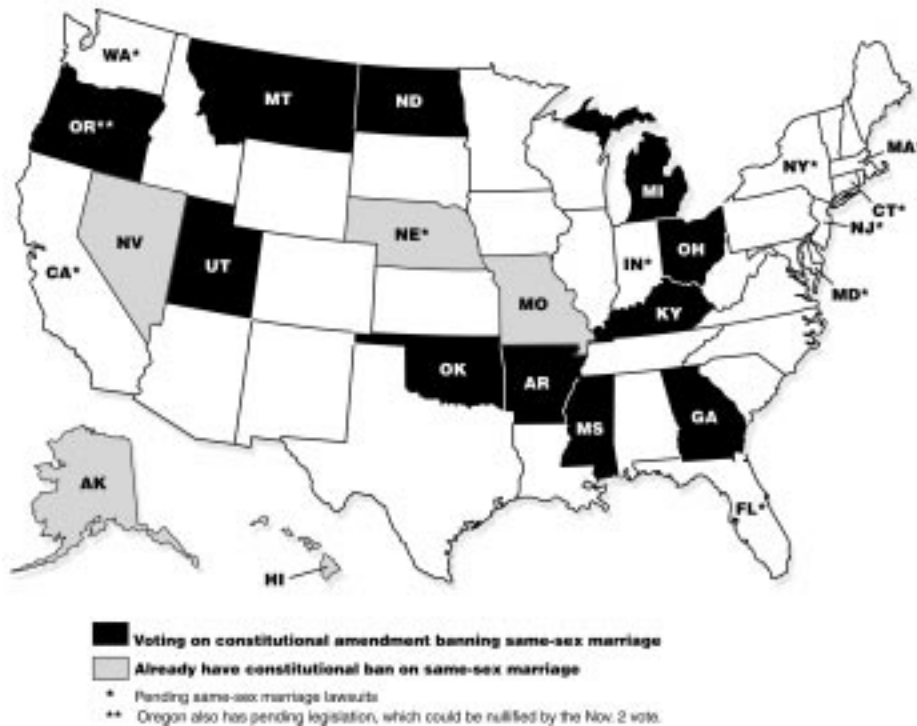


whether to limit damage awards in medical malpractice lawsuits, a battle which has been expensively waged by the deep-pocketed physicians groups and trial lawyers groups on either side of the issue. Finally, hunting enthusiasts and opponents will shoot it out in four states, with ballot measures in ALASKA and MAINE seeking to restrict the hunting of bears with bait, and LOUISIANA and MONTANA considering measures that would constitutionally guarantee the right to hunt and fish. (IANDRINSTITUTE.ORG, STATELINE.ORG, LOS ANGELES TIMES, USA TODAY, 9NEWS.COM, COLORADO DAILY [BOULDER], DENVER POST, ANCHORAGE DAILY NEWS, ARIZONA REPUBLIC, SEATTLE POST-INTELLIGENCER)

— Compiled by KOREY CLARK

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# Bird's eye view



## *I do...maybe: voters weigh in on same-sex union amendments*

**F**or many states, gay marriage may be as hot a topic as the presidential race on Nov 2. According to BallotWatch.org, a Web site run by the Initiative and Referendum Institute at the University of Southern Cali-



# Governors

## “THE BODY” v. “THE GOVERNATOR”:

Former MINNESOTA Gov. Jesse Ventura might now be putting his friendship with CALIFORNIA Gov. Arnold Schwarzenegger (R) into the “former” category. Ventura, the one-time U.S. Navy Seal who made his mark on the national scene as a feather-boa-wearing bad guy on the pro wrestling circuit before his shocking turn as the Gopher State head honcho, has filmed a television ad accusing Schwarzenegger of attempting to cheat Golden State Indian tribes out of an unfair percentage of their profits. Ventura stars in the ad for Proposition 70, a measure on Tuesday’s ballot that would give tribes 99-year monopolies on casino gambling in exchange for agreeing to share 8.8 percent of their net revenues. Schwarzenegger has openly campaigned against the measure, noting that he is already working out pacts with the tribes that would guarantee the state at least 25 percent of Indian gaming revenue. With Schwarzenegger’s anti-endorsement running on TV screens almost hourly, Prop 70 is lagging badly in the polls. Ventura claims his involvement is “nothing personal” against his old friend, with whom he co-starred in the movie “Predator.” That said, he also criticized Schwarzenegger for stumping for President George W. Bush in OHIO, asking “What’s that got to do with California?” Ventura also lambasted the California governor for using bonds to cover the state’s budget deficit and for supporting Proposition 62, another controversial California ballot measure that would establish a “top-two” primary election system that Ventura says will damage third party candidates. Schwarzenegger laughed off the

## ... unquote

“A guy from Minneapolis is coming in here and getting involved in this. But, you know, that’s what you have friends for.”

— *Schwarzenegger’s response to Ventura’s comments.*  
(SACRAMENTO BEE)

barbs, but not so Todd Harris, the governor’s spokesperson. “The only Indians who are being ripped off are the ones who paid Jesse Ventura to embarrass himself by appearing in this ad,” said Harris. (SACRAMENTO BEE, SAN DIEGO UNION TRIBUNE)

**GOP GOVERNORS GROUP CATCHING LEGAL HEAT:** The Republican Governors Association (RGA) has found itself in hot water in a number

## Quote...

“That’s not fair. Didn’t the governor promise a balanced budget without raising taxes? I guess it’s OK to rip off Indians.”

— *Former MN Gov. Jesse Ventura in a television ad critical of CA Gov. Arnold Schwarzenegger’s (R) support for Indian gaming pacts that would pay the state 25 percent of the tribes’ net gaming revenue.*

of states this election season, including three where the group has been fined or ordered to pull ads for GOP gubernatorial candidates. Specific court cases have been opened in NEW HAMPSHIRE, NORTH CAROLINA and VERMONT, with all of the legal wrangling wrapped around campaign finance and oversight. In New Hampshire, the state’s attorney general — a Republican — ordered the RGA to stop running an ad because the group failed to register as a political action committee as required. Last week, Vermont Attorney General William Sorrell, a Democrat, also filed for an injunction against the group for the same reason. Earlier, the RGA was fined \$200,000 in North Carolina for one ad after the State Board of Elections ruled that it was advocating directly for gubernatorial candidate Patrick J. Ballantine. Tar Heel State only allows PACs to advocate for issues, not candidates. Similar complaints were made in WASHINGTON and MONTANA, although no legal action was taken in either state. RGA spokesperson Harvey Valentine dismissed the suits as partisan gamesmanship, saying Democratic election strategy this year is “when we show up, start filing legal complaints rather than debating the issues.” (FOSTER’S DAILY DEMOCRAT)

**GOVERNORS IN BRIEF:** Following through on an earlier promise, **NEW JERSEY** Gov. James E. McGreevey (D) signed an executive order that makes it legal in three Garden State cities for drug addicts to exchange their used syringes for new ones (See Sep. 6 *State Net Capitol Journal*). The order immediately drew fire from both Democratic and Republican lawmakers, who questioned whether McGreevey has the authority to enact such a program without their prior approval. A similar plan from the Legislature died in committee two weeks ago (**NEW YORK TIMES**). • Federal prosecutors have dropped their appeal of a judge’s decision to toss out theft charges against former **ALABAMA** Gov. Don Siegelman (D). The decision came after the judge told prosecutors they did not have enough evidence to support an appeal (**BIRMINGHAM NEWS**). • **KENTUCKY** Gov. Ernie Fletcher (R) asked Bluegrass State TV stations to pull a commercial that opposes a proposed constitutional amendment that would ban same-sex unions. Fletcher is quoted in the ad as saying there has not been enough legal evaluation on the proposed amendment. Fletcher spokesperson Doug Hogan called the ads misleading, saying the quote was taken out of context. “The governor fully supports defining marriage as the union between one man and one woman,” Hogan said (**LEXINGTON HERALD-LEADER**)

— Compiled by RICH EHISEN

# Upcoming Elections

(10/28/2004 - 11/11/2004)

- |   |   |  |
|---|---|--|
| <p>11/02/2004 Alabama<br/>General Election<br/>  US House (All)<br/>  US Senate (Shelby)</p> <p>11/02/2004 Alaska<br/>General Election<br/>  House (All)<br/>  Senate A, C, E, G, I, K, M,<br/>  O, Q, R, T<br/>  US House (All)<br/>  US Senate (Murkowski)</p> <p>11/02/2004 Arizona<br/>General Election<br/>  House (All)<br/>  Senate (All)<br/>  US House (All)<br/>  US Senate (McCain)</p> <p>11/02/2004 Arkansas<br/>General Election<br/>  House (All)<br/>  Senate 1, 2, 3, 4, 7, 8, 9,<br/>  12, 17, 20, 23, 24, 25, 26,<br/>  30, 31, 32, 33<br/>  US House (All)<br/>  US Senate (Lincoln)</p> <p>11/02/2004 California<br/>General Election<br/>  Assembly (All)<br/>  Senate (Odd)<br/>  US House (All)<br/>  US Senate (Boxer)</p> <p>11/02/2004 Colorado<br/>General Election<br/>  House (All)<br/>  Senate 4, 8, 10, 12, 14,<br/>  17, 18, 19, 21, 23, 25, 26,<br/>  27, 28, 29, 31, 33, 35<br/>  US House (All)<br/>  US Senate (Campbell)</p> <p>11/02/2004 Connecticut<br/>General Election<br/>  House (All)<br/>  Senate (All)<br/>  US House (All)<br/>  US Senate (Dodd)</p> <p>11/02/2004 Delaware<br/>General Election<br/>  House (All)</p> <p style="margin-left: 20px;">Senate 2, 3, 4, 6, 10, 11,<br/>16, 17, 18, 21<br/>Constitutional Officers:<br/>Governor, Lieutenant<br/>Governor, Insurance<br/>Commissioner<br/>US House (All)</p> | <p>11/02/2004 Dist of Colum-<br/>bia General Election<br/>  Council At large (Brazil<br/>  and Mendelson), Wards 2,<br/>  4, 7, 8<br/>  US House (All)</p> <p>11/02/2004 Florida<br/>General Election<br/>  House (All)<br/>  Senate (Odd)<br/>  US House (All)<br/>  US Senate (Graham)</p> <p>11/02/2004 Florida<br/>Special Election<br/>  Senate 20, 34</p> <p>11/02/2004 Georgia<br/>General Election<br/>  House (All)<br/>  Senate (All)<br/>  US House (All)<br/>  US Senate (Miller)</p> <p>11/02/2004 Hawaii<br/>General Election<br/>  House (All)<br/>  Senate 1, 3, 5, 6, 7, 12,<br/>  16, 17, 18, 21, 22, 23<br/>  US House (All)<br/>  US Senate (Inouye)</p> <p>11/02/2004 Idaho<br/>General Election<br/>  House (All)<br/>  Senate (All)<br/>  US House (All)<br/>  US Senate (Crapo)</p> <p>11/02/2004 Illinois<br/>General Election<br/>  House (All)<br/>  Senate 2, 3, 5, 8, 11, 14,<br/>  17, 20, 23, 26, 28, 29, 32,<br/>  35, 38, 41, 44, 47, 50, 53,<br/>  56, 59<br/>  US House (All)<br/>  US Senate (Fitzgerald)</p> <p>11/02/2004 Illinois<br/>Special Election<br/>  Senate 49</p> <p>11/02/2004 Indiana<br/>General Election<br/>  House (All)<br/>  Senate 2, 3, 5, 7, 8, 9, 10,<br/>  12, 13, 16, 18, 20, 24, 28,<br/>  30, 32, 33, 34, 35, 36, 37,<br/>  40, 42, 44, 50<br/>  Constitutional Officers:<br/>  Governor, Lieutenant<br/>  Governor, Attorney<br/>  General, Superintendent of<br/>  Public Instruction<br/>  US House (All)<br/>  US Senate (Bayh)</p> | <p>11/02/2004 Iowa<br/>General Election<br/>  House (All)<br/>  Senate (Even)<br/>  US House (All)<br/>  US Senate (Grassley)</p> <p>11/02/2004 Kansas<br/>General Election<br/>  House (All)<br/>  Senate (All)<br/>  US House (All)<br/>  US Senate (Brownback)</p> <p>11/02/2004 Kentucky<br/>General Election<br/>  House (All)<br/>  Senate (Odd)<br/>  US House (All)<br/>  US Senate (Bunning)</p> <p>11/02/2004 Louisiana<br/>General Election<br/>  US House (All)<br/>  US Senate (Breux)</p> <p>11/02/2004 Louisiana<br/>Special General<br/>  House 40</p> <p>11/02/2004 Maine<br/>General Election<br/>  House (All)<br/>  Senate (All)<br/>  US House (All)</p> <p>11/02/2004 Maryland<br/>General Election<br/>  US House (All)<br/>  US Senate (Mikulski)</p> <p>11/02/2004 Massachu-<br/>setts General Election<br/>  House (All)<br/>  Senate (All)<br/>  US House (All)</p> <p>11/02/2004 Michigan<br/>General Election<br/>  House (All)<br/>  US House (All)</p> <p>11/02/2004 Minnesota<br/>General Election<br/>  House (All)<br/>  US House (All)</p> <p>11/02/2004 Missis-<br/>sippi General Election<br/>  US House (All)</p> <p>11/02/2004 Missouri<br/>General Election<br/>  House (All)<br/>  Senate (Odd)<br/>  Constitutional Officers:<br/>  Governor, Lieutenant<br/>  Governor, Secretary of<br/>  State, Treasurer, Attorney<br/>  General<br/>  US House (All)<br/>  US Senate (Bond)</p> |
|---|---|--|

11/02/2004 Montana  
General Election  
House (All)  
Senate 2, 3, 6, 7, 9, 10,  
16, 18, 19, 21, 22, 24, 26,  
27 33, 34, 36, 37, 38, 41,  
43, 45, 46, 47, 50  
Constitutional Officers:  
Governor, Lieutenant  
Governor, Secretary of  
State, Auditor  
US House (All)

11/02/2004 Nebraska  
General Election  
Legislature (Odd)  
US House (All)

11/02/2004 Nevada  
General Election  
Assembly (All)  
Senate Clark: 1, 3, 4, 5, 6,  
7, 11 (5 & 7 are 2 member  
districts); Northern NV;  
Central NV; Washoe 3  
US House (All)  
US Senate (Reid)

11/02/2004 New Hamp-  
shire General Election  
House (All)  
Senate (All)  
Constitutional Officers:  
Governor  
US House (All)  
US Senate (Gregg)

11/02/2004 New Jersey  
General Election  
US House (All)

11/02/2004 New Mexico  
General Election  
House (All)  
Senate (All)  
US House (All)

11/02/2004 New York  
General Election  
House (All)  
Senate (All)  
US House (All)  
US Senate (Schumer)

11/02/2004 North Caro-  
lina General Election  
House (All)  
Senate (All)  
Constitutional Officers:  
Governor, Lieutenant  
Governor, Secretary of  
State, Treasurer, Agricu-  
tural Commissioner,  
Insurance Commissioner  
US House (All)  
US Senate (Edwards)

11/02/2004 North Dakota  
General Election  
House Even Seats  
Plus 3, 23  
Senate (Even)  
Constitutional Officers:  
Governor, Treasurer,  
Attorney General,  
Auditor, Insurance  
Commissioner, Tax  
Commissioner, Agriculture  
Comm, Supt of Public  
Instruction  
US House (All)  
US Senate (Dorgon)

11/02/2004 Ohio  
General Election  
House (All)  
Senate (Even)  
US House (All)  
US Senate (Voinovich)

11/02/2004 Oklahoma  
General Election  
House (All)  
Senate (Odd)  
US House (All)  
US Senate (Nickles)

11/02/2004 Oregon  
General Election  
House (All)  
Senate 1, 2, 3, 4, 5, 9, 12,  
14, 18, 21, 22, 23, 25, 27,  
28, 29, 30  
Constitutional Officers:  
Secretary of State,  
Treasurer, Attorney  
General  
US House (All)  
US Senate (Wyden)

11/02/2004 Pennsylva-  
nia General Election  
House (All)  
Senate (Odd)  
US House (All)  
US Senate (Specter)

11/02/2004 Rhode Island  
General Election  
House (All)  
Senate (All)  
US House (All)

11/02/2004 South Caro-  
lina General Election  
House (All)  
Senate (All)  
US House (All)  
US Senate (Hollings)

11/02/2004 South Dakota  
General Election  
House (All)  
Senate (All)  
US House (All)  
US Senate (Dashle)

11/02/2004 Tennessee  
General Election  
House (All)  
Senate (Even)  
US House (All)

11/02/2004 Texas  
General Election  
House (All)  
Senate 4, 6, 9, 10, 11, 16,  
20, 21, 23, 24, 26, 27, 28,  
30, 31  
US House (All)

11/02/2004 Utah  
General Election  
House (All)  
Senate 1, 6, 8, 10, 13, 14,  
16, 19, 20, 23, 24, 25, 27,  
29  
Constitutional Officers:  
Governor, Lieutenant  
Governor, Treasurer,  
Attorney General, Auditor  
US House (All)  
US Senate (Bennett)

11/02/2004 Utah  
Special General  
Senate 21

11/02/2004 Vermont  
General Election  
House (All)  
Senate (All)  
Constitutional Officers:  
Governor, Lieutenant  
Governor, Secretary of  
State, Treasurer, Auditor  
US House (All)  
US Senate (Leahy)

11/02/2004 Virginia  
General Election  
US House (All)

11/02/2004 Washing-  
ton General Election  
House (All)  
Senate 1-6, 8-12, 14, 16,  
17, 18, 19, 20, 22, 23, 24,  
25, 27, 28, 38, 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)

11/02/2004 West Virginia  
General Election  
House (All)  
Senate 17 seats (one  
Senator from each district)  
Constitutional Officers:  
Governor, Secretary of  
State, Treasurer, Attorney  
General, Auditor, Agricultral  
Commissioner  
US House (All)

11/02/2004 Wisconsin  
General Election  
Assembly (All)  
Senate (Even)  
US House (All)  
US Senate (Feingold)

11/02/2004 Wyoming  
General Election  
House (All)  
Senate (Odd)  
US House (All)



# Hot issues

**B** **USINESS:** Japan and Taiwan agree to end an almost year-long ban on importing American beef brought about by a lone case of mad cow disease in **WASHINGTON**. Japanese trade negotiators agreed to allow shipments of U.S. beef derived from cattle younger than 21 months, which are not known to carry the brain-wasting disease. Prior to the ban, Japan was the largest foreign market for American beef, accounting for \$1.4 billion of the \$3.8 billion in total exports (**DENVER POST**).

**CRIME & PUNISHMENT:** The **MISSOURI** Supreme Court rejects a constitutional challenge to the Show Me State's list of suspected child abusers. A lower court ruled the list unconstitutional in January, and the Legislature later raised the standard for being placed on the list. The Court said that given the changes, the current claim was no longer relevant (**JEFFERSON CITY NEWS TRIBUNE**). • Saying it is too vague, the **GEORGIA** Supreme Court rules that the state's hate-crime law is unconstitutional. The four-year-old law allows for an enhanced prison sentence if a crime is committed "because of bias or prejudice." Unlike the balance of 48 states with hate-crime laws, the Georgia statute did not name which groups of victims were protected under the law (**ATLANTA JOURNAL CONSTITUTION**).

**EDUCATION:** **MARYLAND**'s top education official orders a review of the requirements to teach in Old Line State classrooms. The order came amidst complaints that the state's teaching standards discourage career-changers from going into teaching. Maryland is one of many states with a program that allows professionals to pursue a teaching career and collect full pay while they work to become certified. But only 500 people have participated since the program's inception 12 years ago, significantly fewer than in other states (**BALTIMORE SUN**).

**ENVIRONMENT:** Wildlife officials in **MARYLAND** end the state's first black bear hunt in 51 years after only one day. Hunters killed at least 20 of the 30 bruins allowed under the state program (**BALTIMORE SUN**). • Bears are also the issue in **NEW JERSEY**, where the state's top environmental officer says that hunters will be barred from all Garden State parks and wildlife management areas controlled by the Dept. of Environmental Protection (DEP) when the bruin hunts begin again this December. The order is the first of its kind ever issued in the state.

Hunters have already filed suit against DEP Commissioner Bradley Campbell for refusing to process more than 3,000 hunting permits (STAR-LEDGER [NEWARK]).

**HEALTH:** Health officials in **ILLINOIS** ask the federal government for permission to import more than 200,000 doses of flu vaccine from Europe. Those doses are in addition to at least 62,000 Gov. Rod Blagojevich has agreed to purchase from a British wholesaler. That deal also needs federal approval (DAILY HERALD [ARLINGTON]). • The **NEW JERSEY** Legislature approves a bill that would fine health care workers \$500 if they provide flu shots to people not considered to be high-risk. **CALIFORNIA, MASSACHUSETTS, NEW MEXICO, SOUTH CAROLINA, OREGON, VERMONT, WISCONSIN** and Washington D.C. have enacted similar restrictions. It goes now to Gov. James E. McGreevey (D) for review (STAR-LEDGER [NEWARK]). • **WASHINGTON** Gov. Gary Locke (D) announces the launch of a state-sponsored Web site designed to help Evergreen State citizens purchase prescription drugs from lower-cost Canadian pharmacies. The site does not offer any direct links to Canadian pharmacies, but does link to the **WISCONSIN** state site, which offers links to three pharmacies north of the U.S. border (SEATTLE POST-INTELLIGENCER). • The **NEW JERSEY** Senate unanimously approves a bill that would require hospitals to report dangerous health care workers and not let them move from job to job. Under this bill, Garden State hospitals would be required to report incompetent, drug-addicted or unstable nurses to the state's Division of Consumer Affairs. It moves to the Assembly (STAR-LEDGER [NEWARK]).

**SOCIAL POLICY:** The **GEORGIA** Supreme Court rules that voters can decide whether to ban same-sex marriage in the Peach State. The Court said it does not have the power to consider the validity of the constitutional amendment unless it was already voted into law. They did say, however, the statute could be challenged if enacted (ATLANTA JOURNAL CONSTITUTION).

**POTPOURRI:** A federal judge rules that **FLORIDA** elections officials are not required to process incomplete voter registration forms. Plaintiffs in a lawsuit that claims as many as 14,000 potential voters will be disqualified by the ruling say they will file an appeal, which won't be heard before Tuesday's election (ST. PETERSBURG TIMES). • Still in the Sunshine State, a federal judge rules that **FLORIDA** electronic voting machines do not need to provide a paper trail to comply with constitutional voting rights (ORLANDO SENTINEL). • The **NEW JERSEY** Assembly overwhelmingly endorses AB 1500, a bill that gives the force of



open seat on the MONTANA Supreme Court. As the *Great Falls Tribune* reports, more than half the electorate has never heard of either candidate — only one week before the election.

**STALKING.** Democrats and Republicans in MISSOURI are stalking each other's candidate for governor, according to the *St. Louis Post-Dispatch*. A GOP operative, armed with a video camera, admitted to recording the comings and goings of Democrat Claire McCaskill. Meanwhile, Democrats regularly tape speeches given by Republican Matt Blunt. This is nothing new, by the way. CALIFORNIA Democratic Party pit bull Bob Mulholland regularly haunts high-profile Republican events, always ready to aim a barbed quip at the featured celebrant.

**BEYOND THE BOUNDARY.** A billboard in MINNESOTA backing the candidacy of John Kerry has become embroiled in a controversy involving the CALIFORNIA secretary of state. Seems the billboard also urges Gopher Staters to register to vote, and provides an email address: [www.myvotecounts.org](http://www.myvotecounts.org). That address links to a site run by Secy. of State Kevin Shelley and is meant to help Californians register. "It's very strange," a Shelley spokesman told *The Sacramento Bee*.

**BOBBIN' ALONG.** As promised, a new Arnold Schwarzenegger bobbing head doll is available, with the first batch released this past weekend in OHIO. According to *California Journal*, the bobbers feature the CALIFORNIA governor in a pink dress. The dolls were dumped into Ohio because Schwarzenegger went there over the weekend to campaign for Pres. George Bush. Dollmaker John Edgell offered a \$500 prize to the first Ohioan to submit a photo of Schwarzenegger and the doll in the same picture. Dolls are available at [www.GovernorGirlieMan.com](http://www.GovernorGirlieMan.com).

## 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:** 528
- **Number of prefiles/intros overall in 2004:** 123,658
- **Number of bills enacted/adopted this week:** 103
- **Number enacted/adopted overall in 2004:** 25,995
- **Total number of measures in State Net database:** 191,675

— Compiled By GINA HUMMELL  
(2003-04 data current as of 10/22/04  
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— A.G. BLOCK



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