

November 12, 2007

Election Tally



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● The next issue of
● Capitol Journal will be
● available on November 19th.
●

Top Story

Voters in seven states weighed in on a total of 35 statewide propositions and referendums last week, approving 28 and rejecting only seven. But those seven rejections came on some of the most high profile and controversial issues under consideration.

SNCJ Spotlight

Voters approve bulk of ballot measures

Voters in seven states weighed in on a total of 35 statewide propositions and referendums last week, approving 28 and rejecting only seven. But those seven rejections came on some of the most high profile and controversial issues under consideration, including stem cell research (NEW JERSEY), school vouchers (UTAH), term limits (MAINE) and cigarette tax hikes to fund children's health care (OREGON).

of Measure 49, which places stricter limits on development, was a clear victory for Gov. Ted Kulongoski (D) and environmental groups who claim the proposal will still allow land owners to add housing on their property, but curb their ability to develop large subdivisions or commercial projects on land reserved for residential and farm use. Measure 49 opponents say they expect many of the more than 7,500 Measure 37 claims now pending — which total over \$19 billion — to end up in court.

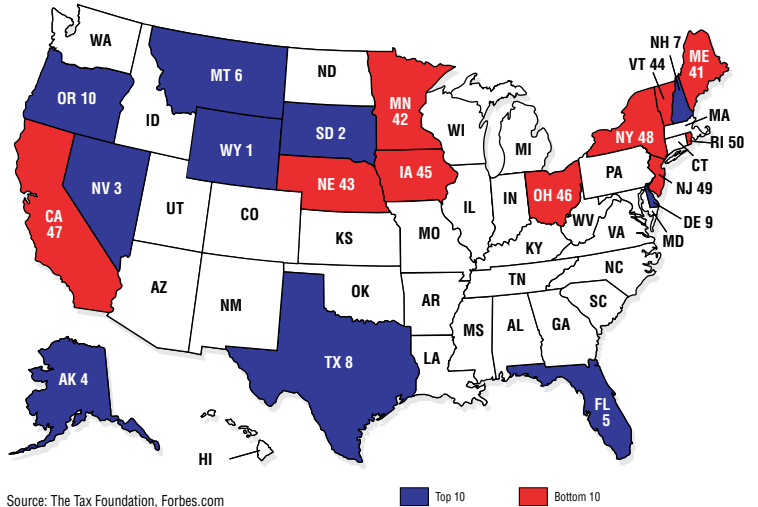
Meanwhile, Beaver State voters spurned another Kulongoski pet project, Measure 50, which would have added an 84.5-cents-per-pack tax on cigarettes to fund health care for uninsured kids. Tobacco companies Philip Morris and Reynolds American spent a record \$12 million to fight the proposal, a fact Kulongoski lamented afterward. “The tobacco industry basically bought an election,” he said. “I don’t think it’s a reflection of what Oregonians think about health care and children.”

TEXAS voters made a clean sweep of their ballots by approving all 16 propositions before them, many by large margins. Among the key measures were Prop. 12, \$5 billion in bonds for highway projects; Prop. 15, \$3 billion to fund cancer research;

“The tobacco industry basically bought an election.”

Prop. 11, which requires lawmakers to record how they vote on final passage of bills and then to post that information on the Internet; Prop. 3, a state constitutional amendment which limits the tax value of homes, based on their last appraised value; Prop. 6, which changes the constitution to allow lawmakers to exempt business vehicles from property tax; and Proposition 7, which would amend

Bird’s eye view



Rating the best states for business

With many US corporations moving jobs overseas in the last decade, there is increasing pressure to keep American businesses competitive in the global market. In that regard, the Tax Foundation recently released its 2008 State Business Tax Climate Index, which ranks the 50 state tax systems. The rankings are on the basis of the taxes that are most important to businesses and their investments: corporate tax, individual income tax, sales tax, unemployment and property tax. All 50 states are scored on these taxes, with each score based on the relative importance or impact of the tax to a business. Using that criteria, the Tax Foundation deemed WYOMING the most “business-friendly” state in the nation, followed by SOUTH DAKOTA and NEVADA. In contrast, the study says RHODE ISLAND has the worst state tax climate for business, followed by NEW JERSEY, NEW YORK and CALIFORNIA.

the constitution to allow a landowner to repurchase property previously acquired by a governmental entity through eminent domain if the public use for which the property was acquired goes astray.

The measures total almost \$10 billion in new spending, which sparked criticism from groups like the TEXAS branch of Americans for Prosperity, a taxpayer watchdog group. Peggy Venable, the group's director, said that while all the spending measures were well-intended, the debt they incur "will be a noose around the neck of tomorrow's taxpayers."

UTAH's only ballot measure — Referendum 1 — was one of the most closely watched in the nation. It gave voters final say on a law the Legislature passed last spring to create the nation's broadest tax-funded private school voucher program. In a bitter defeat for Gov. Jon Huntsman Jr. (R), Utahans used the opportunity to decisively reject the law. Huntsman strongly supported the voucher program, which would have provided tax-funded subsidies to any student, regardless of financial means, to enroll in a private school. The law passed by a single vote in the Beehive State Legislature, but voucher opponents, led primarily by the UTAH Education Association, gathered 124,000 signatures to force it into a voter referendum. Advocates on both sides ultimately spent millions of dollars on the campaign, money that apparently did little to alter anyone's pre-election opinion about vouchers. Polls as far back as January showed that roughly 60 percent of voters opposed vouchers, the same percentage that voted against Referendum 1 last week.

WASHINGTON voters strongly endorsed Referendum 67, easily the most contentious issue of any ballot measure up for vote this year. Insurers spent \$11 million to defeat the proposal, while trial lawyers dropped another \$3.5 million to help ensure it would pass. Measure 67 makes it illegal for insurers to "unreasonably deny a claim for coverage or payment of benefits." Insurance companies that violate that code could in theory be liable for not only actual damages plus costs and attorney fees, but in some cases up to triple damages. The insurance industry didn't take the loss well, accusing lawyers of misrepresenting the facts in their campaign to curry favor with voters. Christian J. Rataj, Northwestern state affairs manager for

The week in session

States in Regular Session: DC, MA, OH, PA, US, WI

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

States in Veto Session: IL

States in Special Session: MD "a", PA "a", WI "b"

States in Recess: MI, NH, NJ, NY

Special Sessions in Recess: CA "a", CA "b", DE "a"

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

States in Special Session Projected to Adjourn: AK "a"

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", FL "c", FL "d", HI "a", HI "b", 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 11/09/2007)
Source: State Net database



the National Association of Mutual Insurance Companies (NAMIC), said Measure 67 “opens the door to frivolous lawsuits and will undoubtedly drive up insurers’ expenses, leading to rate hikes,” adding that “Hopefully, voters in WASHINGTON will learn quickly...that this new ‘pay-more-so-lawyers-can-sue-more’ law is nothing but an anti-consumer protection act that only helps trial lawyers redirect policyholder premium dollars to trial lawyer bank accounts.”

Evergreen State voters also gave the okay to Initiative 960, which broadens the state’s requirements that tax increases receive a two-thirds approval from the Legislature or direct voter approval and requires legislative approval for all fee hikes by state agencies. They also authorized state-operated inmate labor programs, a proposal to dedicate 1 percent of all state revenue to a budget stabilization fund and an amendment to the state constitution allowing colleges and universities to use their permanent funds to invest in stocks and bonds. The one measure voters opposed would have changed the state constitution to allow voters to approve school taxes with a simple majority vote instead of the current 60 percent supermajority.

Readers wishing to see a full State Net report on all of the Nov. 6 ballot measures can obtain one at: <http://www.statenet.com/issuereports/ballot.html>.

(STATE NET, THE INITIATIVE & REFERENDUM INSTITUTE, STATELINE.ORG, INSURANCE JOURNAL, SEATTLE TIMES, SALT LAKE TRIBUNE, STAR-TELEGRAM [FT. WORTH], DALLAS MORNING NEWS, OREGONIAN [PORTLAND], STAR-LEDGER [NEWARK], NEW YORK TIMES, PORTLAND PRESS HERALD, DESERET MORNING NEWS, ADVOCATE [BATON ROUGE])

— *Compiled by RICH EHISEN*

Budget & taxes

SCHWARZENEGGER ORDERS BUDGET CUTS: Last month, finance officials in CALIFORNIA announced that revenue collections for the first two months of the new fiscal year indicate the state is facing an operating deficit of \$8.6 billion or more in 2008-09, 40 percent more than the \$6.1 billion gap they had predicted a couple of months earlier.

Gov. Arnold Schwarzenegger (R) was evidently alarmed by the news. Last week, he ordered all state departments to draft plans specifying how to cut 10 percent from their budgets for next year, which could mean substantial reductions in state programs, including education, health care and transportation.

Some believe the Golden State’s fiscal problems are actually likely to worsen. “We are among a handful of states that has a lot of exposure to the housing crash,” said Ted Gibson, a former economist for the state.



Going further into the red could imperil the state's already tarnished credit rating, making it more costly to borrow money. "I think we're going to see a downgrade," said Chris Thornberg, a principal at Beacon Economics.

The governor's policy agenda, including his plans to expand health care and address the state's water problems, could also be doomed.

Thornberg said the state's looming fiscal crisis is its own fault. While most states took advantage of the upturn in the economy a few years ago to erase chronic budget deficits and build up rainy day funds, CALIFORNIA continued to spend more than it took in. "We never fixed the problem," Thornberg said. "It's been Scotch tape and glue and staples and just praying we will never have to face the reality that state government is on a path that is not sustainable."

Republican political analyst Tony Quinn put it a bit more artfully: "Every time the economy catches a cold, the state budget catches pneumonia." (LOS ANGELES TIMES)

STATES EYE TEXAS ROAD

DELIBERATIONS: With the nation's roads and bridges continuing to age and construction costs soaring, federal highway funds — supplied by a gas tax that hasn't been raised for nearly 15 years — will soon be insufficient to cover projected expenses.

In the absence of federal action addressing that issue, states have taken the initiative. And TEXAS has been a bellwether. "I don't know if there is another state out there that has shown greater leadership on this issue than the state of TEXAS," said John Horsley, a Transportation Department official during the Clinton administration who now heads the national association of state highway department officials.

Progress in the Lone Star State suffered a slight setback this year with the passage of SB 792, imposing a moratorium on private financing of toll roads. But it was only a partial ban. Klaus "Sonny" Brown of Zachry Construction Co., a San Antonio-based company hoping to build toll roads in the state, said he read the bill "about 12 times" and was relieved to find it "Swiss-cheesed with loopholes."

Despite the ban, the state currently has about 80 projects in the works, many of which could go to private bidders in the next few years. Plans are under way in the Dallas area, for example, to allow private construction firms to bid for the right to build

Upcoming elections

11/08/2007 - 11/29/2007

11/13/2007

Alabama Special Primary
House District 12

Massachusetts Special Primary
Senate 4th Middlesex District

New Hampshire Special Election
House Rockingham District 10

Rhode Island Special Primary
House District 75

11/15/2007

Tennessee Special Election
Senate District 10

11/17/2007

Louisiana General Election
House (All)
Senate (All)
Constitutional Officers: Attorney General,
Commissioner of Agriculture and
Forestry

11/20/2007

Florida Special Election
House District 101

11/27/2007

Rhode Island Special Election
House District 22 (former Rep. Peter
Ginaitt)



six new lanes on the LBJ Freeway, on which the winning bidder could then levy tolls, as high as 75 cents a mile during peak periods. The older lanes would remain free.

It's ideas like that which are drawing the attention of other states. "We beg, borrow and steal ideas wherever we can get them," said Earl Mahfuz of the GEORGIA Department of Transportation, which contends with some of the worst traffic congestion problems in America. "And we see a lot to learn from in TEXAS." One lesson he says his state has learned is to involve lawmakers earlier in the process on big projects to avoid the sort of backlash that helped produce SB 792.

Some are hopeful Congress will raise the gas tax enough to make toll roads and privatization unnecessary. But that seems unlikely. After increasing the gas tax by just three cents in 1993, the Democrats were voted out of power. "TEXAS would need an increase of 80 cents or more to meet its needs," according to TEXAS Transportation Commission member Ted Houghton. "That's not going to happen," he said. (DALLAS MORNING NEWS)

BUDGETS IN BRIEF: A CALIFORNIA state appeals court has ruled that the Berkeley and Los Angeles campuses of the University of CALIFORNIA overcharged 35,000 undergraduate and graduate students \$33.8 million in fees in 2003. The court said the schools broke promises to freeze fees at the amount the students paid when they enrolled. With interest, they owe nearly \$40 million (SAN DIEGO UNION-TRIBUNE). • Just in time for Veterans Day, the OHIO House voted 96-1 last week to stop taxing military pensions. The Buckeye State is one of only five that collect income taxes on pensions earned from military service. The bill headed to the Senate (TOLEDO BLADE).

— *Compiled by KOREY CLARK*

Politics & leadership

DEMOCRATS GAIN IN STATEHOUSES: Democratic legislative candidates had a good day last Tuesday, winning enough races to claim a chamber in two states and maintain control of both houses in a third.

The largest gains came in VIRGINIA, where Democrats picked up four seats in the Senate, enough to give them a majority in the chamber (21-18, with one race still undecided last Thursday) for the first time in over a decade. The party also claimed four additional seats in the House of Delegates, but the GOP will retain a solid majority there (54-44, with two independents).

The Democratic victories extended a winning streak that began with the election of former Gov. Mark R. Warner in 2001 and continued with the election of Tim Kaine to the governor's office in 2005 and Jim Webb to the U.S. Senate last year.



But Woolley, who also directs the university’s Public Mind Poll, said midterm elections also tend to draw more partisan voters. “The idea that voters somehow systematically gather information before an election and then make up their mind at the voting booth is just a bedtime story,” he said. “Most people come with not only a notion of how they’re going to vote, but they come with a very distinct party preference.”

(WASHINGTON POST, VIRGINIAN-PILOT [NORFOLK], ASSOCIATED PRESS, SUN HERALD [BILOXI], CLARION-LEDGER [JACKSON], RECORD [HACKENSACK])

CA ELECTORAL VOTE INITIATIVE PICKING UP SUPPORT: Organizers of the proposed initiative to change the way CALIFORNIA awards its electoral votes to benefit GOP presidential candidates disclosed last week that they have received \$538,000 in donations. With the exception of the initial \$175,000 donated by Wall Street mogul Paul E. Singer, the contributions came mostly from CALIFORNIA-based donors who support presidential candidates other than Rudolph Giuliani, helping to dispel the charge that the former New York City mayor is behind the measure. The CALIFORNIA Republican Party gave \$80,000. Rep. Darrell Issa (R), who has not endorsed a presidential candidate yet, contributed \$59,700. Former Univision chairman Jerrold Perenchio, who is backing Sen. John McCain, donated \$50,000, as did Silicon Valley investor E. Floyd Kvamme, another Giuliani supporter. Trust Company of the West Chairman Robert A. Day contributed \$45,000. Although Day is a McCain supporter, he donated \$4,600 to Democratic front-runner Hillary Clinton as well. (LOS ANGELES TIMES)

POLITICS IN BRIEF: Last week, **RHODE ISLAND** Gov. Don Carcieri (R) vetoed legislation, passed during a special session two weeks ago, that would have shifted the state’s presidential primary up from March 4 to Feb. 5. The governor objected to the measure because it was passed without public testimony and would have imposed “unexpected and difficult burdens on local boards of canvassers” (PROVIDENCE JOURNAL). • The Department of Justice filed a motion in U.S. District Court last week demanding that **NEW YORK** replace its lever-voting machines with new devices regardless of whether they meet state standards. The federal Help America Vote Act required states to update their systems by January 2006. **NEW YORK** is the only state that has failed to meet that deadline, largely because election officials have been unable to find voting machines that meet the state’s relatively high standards (TIMES UNION [ALBANY]). • A county judge in **MICHIGAN** ruled last week that the law setting the state’s presidential primary for Jan. 15 was unconstitutional because it allows only the two major political parties to maintain lists of voters who request a ballot. The primary could still be held as scheduled if the Legislature revises the law to address the judge’s objections or if an appeals court overturns his decision (DETROIT NEWS, DETROIT FREE PRESS).

— *Compiled by KOREY CLARK*

Governors

NO SURPRISES IN KY, MS GOV RACES: As expected, MISSISSIPPI Gov. Haley Barbour (R) easily held on to his job last week, garnering 58 percent of the vote in his triumph over Democratic challenger John Arthur Eaves Jr. Barbour had built up significant goodwill with Magnolia State voters through his handling of 2005's Hurricane Katrina and its aftermath, particularly for his ability to secure federal dollars for the rebuilding efforts following the storm. Barbour also had the incumbent fundraising advantage, spending more than double the amount (\$11 million) Eaves did (\$4.5 million).

Things did not go nearly as well for another Republican, KENTUCKY Gov. Ernie Fletcher, who started Election Day trailing Democrat Steve Beshear badly in the polls. Beshear, a former state attorney general and lieutenant governor, ultimately garnered 59 percent of the vote, knocking Fletcher out of office after just a single term. The defeat was the culmination of a stunning reversal of fortune for Fletcher, who in 2003 became the Bluegrass State's first Republican governor in more than three decades. But his approval ratings soon plummeted in the wake of a merit hiring scandal that led to his indictment and criminal charges against several key officials in his administration.

Beshear's victory allowed Dems to offset Republican Bobby Jindal's October 20th win in LOUISIANA, where Democrat Kathleen Blanco was not seeking re-election. Democrats maintained their 28-22 advantage over Republicans in governorships nationwide. (CONGRESSIONAL QUARTERLY, STATELINE.ORG, LOUISVILLE COURIER JOURNAL)

RITTER WANTS FARMERS TO FIGHT GLOBAL WARMING:

COLORADO Gov. Bill Ritter (D) announced a first-in-the-nation plan to enlist new farming practices to reduce greenhouse-gas emissions. Those efforts would include less frequent soil tilling, using vegetative cover to trap the gas in the soil and better storage of livestock manure to reduce methane emissions. Ritter's plan would also

direct the state Air Quality Control Commission to set new rules for tailpipe emissions, which would take effect as soon as 2011. The plan would not, however, adopt CALIFORNIA's tailpipe emissions

“We can get in front of this global warming, and COLORADO agriculture will be a leader in the effort.”

standards, which are the strictest in the country. Reaction to Ritter's proposal was mixed. Tim Jackson of the Colorado Automobile Dealers Association, for one, accused Ritter of trying to “CALIFORNIA-ize” the Centennial State, saying “it would be much more effective to incentivize Coloradans to move into newer, cleaner cars” than to limit tailpipe emissions. But Kent Pepler, president of the Rocky Mountain Farmers Union,



was more enthusiastic, saying “We can get in front of this global warming, and COLORADO agriculture will be a leader in the effort.” Ritter said his goal is to reduce emissions in his state by 80 percent below current levels by mid-century. (DENVER POST)

CRIST INTROS ALTERNATIVE

ENERGY PLAN: FLORIDA Gov. Charlie Crist (R) announced two major initiatives last week to strengthen alternative energy in the Sunshine State: A \$182 million deal for a garbage-to-electricity plant in Tallahassee and a pledge to encourage Congress to end the 54-cents-per-gallon import tax on Brazilian ethanol. The garbage conversion plant would also make a small amount of ethanol as an alternative to oil for cars. Crist said FLORIDA consumers would benefit from ending the levy because it would be cheaper and easier to ship in low-cost Brazilian ethanol by tanker than to bring in higher-cost ethanol from the U.S. Midwest by truck. Crist made his comments at a meeting with Brazilian officials during a trade mission to South America. (SUN-SENTINEL [ORLANDO])

BLANCO ORDERS HOUSING BUILT...OR ELSE: Outgoing LOUISIANA

Gov. Kathleen Blanco (D) has ordered the Louisiana Housing Finance Agency (LHFA) to begin construction on a federally funded \$74.5 million alternative housing program for Hurricane Katrina victims by the end of this month or face losing control of the project. Congress approved funding for the 534-unit “LOUISIANA cottages” project in December 2006, but infighting among Pelican State housing officials and contractors has kept shovels out of the ground. In a letter to LHFA officials, a clearly angered Blanco said “the first groundbreaking a year after the grant award is reprehensible and I will not stand for it.” In contrast, the same program in MISSISSIPPI has produced 600 units, with 478 already occupied. (TIMES-PICAYUNE [NEW ORLEANS])

EXECUTIVE ORDERS: NORTH DAKOTA Gov. John Hoeven (R) issues

EO 17, which establishes the Statewide Interoperability Executive Committee. The committee will be tasked with coordinating and managing “use of all state-designated and state-licensed radio frequencies used for public safety and emergency communications” (STATE NET). • COLORADO Gov. Bill Ritter (D) issues EO D02807, which gives state workers the power to collectively negotiate on issues like

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: 300

Number of Intros last week: 698

Number of bills enacted/adopted last week: 138

Number of prefiles to date: 41,875

Number of Intros to date: 164,218

Number of enacted/adopted overall to date: 41,507

— Compiled By JAMES ROSS
(measures current as of 11/08/2007)
Source: State Net database

workplace safety, training, wages and health care. The measure does not allow state employees to strike or engage in binding arbitration (STATE NET).

GOVERNORS IN BRIEF: GEORGIA Gov. Sony Perdue (R) agreed to drop a lawsuit seeking to force the U.S. Army Corps of Engineers to cut back releases from a lake that supplies the bulk of Atlanta’s drinking water. Perdue was appeased when the Corps yielded to his request during negotiations in Washington with federal officials and fellow Republican Governors Charlie Crist of **FLORIDA** and Bob Riley of **ALABAMA** (MACON TELEGRAPH). • **MASSACHUSETTS** Gov. Deval Patrick (D) proposed legislation that would make the Bay State the first in the nation to require all home heating oil and diesel fuel to contain at least 5 percent biofuel by 2013. The proposal would also waive the state’s 23-cents-a-gallon gasoline tax on fuel made from cellulosic ethanol, a gasoline alternative derived from the cellulose in wood chips, switchgrass and other plant mass (NEW YORK TIMES). • **CALIFORNIA** Gov. Arnold Schwarzenegger (R) denied he would challenge Democratic U.S. Sen. Barbara Boxer when his term expires in 2010. Schwarzenegger said he has “no interest in that at all” (SACRAMENTO BEE). • **NEW MEXICO** Gov. Bill Richardson (D) unveiled a universal healthcare proposal that does not include coverage for illegal immigrants. Richardson’s plan would use a mix of taxpayer-financed programs, such as Medicaid, to offer health care at no cost or at a reduced, subsidized price to residents who qualify based on their income. Every resident would be required to buy insurance if they can afford it, and employers will have to contribute to a fund that will help pay for subsidized health care coverage for those who cannot (SANTA FE NEW MEXICAN). • **WISCONSIN** Gov. Jim Doyle (D) released details of a sweeping restructuring of the Badger State’s health programs. Under the new system, families whose children are not eligible for existing state programs will be able to buy health insurance for a child for \$10 to \$68.53 a month. Doyle said the state will pay for the expansion primarily by streamlining state programs; expanding the use of health maintenance organizations; and through the premiums and co-pays paid by families (MILWAUKEE JOURNAL SENTINEL). • **IOWA** Gov. Chet Culver (D) called on Congress and the presidential candidates to embrace a national standard for generating power from wind turbines and other renewable energy sources. Culver said he wants candidates from both parties to commit to a “national renewable portfolio standard” that would require at least 15 percent of the nation’s electricity come from renewable sources by 2020 (DES MOINES REGISTER). • **MINNESOTA** Gov. Tim Pawlenty (R) and **KANSAS** Gov. Kathleen Sebelius (D) announced a joint effort to make their state computer systems more energy efficient. The governors pledged to have their states purchase more energy-efficient computers and servers and promised to install systemwide controls that will cause computers to sleep each evening in order to save power (BRAINERD DISPATCH).

— *Compiled by RICH EHISEN*

Hot issues

B **BUSINESS: MASSACHUSETTS** Gov. Deval Patrick (D) signs legislation that requires the Bay State to divest from companies that do business with the African nation of Darfur. State pension officials say the fund currently holds about \$54 million in securities of eight companies that have been targeted by the Sudan Divestment Task Force, a national group organizing divestment campaigns around the country (BOSTON GLOBE).

CRIME & PUNISHMENT: NEW JERSEY Gov. Jon Corzine (D) signs SB 1099, legislation that allows Garden State police to ticket drivers who send text messages or use hand-held cell phones while behind the wheel. Previous law allowed officers to issue similar citations only if the driver was committing another infraction. Violators of the new statute face a \$100 fine (STAR-LEDGER [NEWARK]).

EDUCATION: The **OHIO** House overwhelmingly approves legislation that would require all applicants for a teachers license to submit to an FBI background check and a state records check. The measure would apply to both new applicants and teachers seeking license renewals. Current Buckeye State law mandates the background investigation only if the applicant has not lived in the state for at least five years. The measure moves to Gov. Ted Strickland (D) for review (TOLEDO BLADE).

ENVIRONMENT: Gov. Linda Lingle (R) signs legislation that allows the **HAWAII** Superferry to resume service while the state conducts an environmental review of the project. The measure imposes more than 40 operating conditions on the Superferry — including requiring the company to employ whale lookouts and allow environmental observers to monitor marine life — that will be monitored by a rapid risk assessment team and an oversight task force (HONOLULU ADVERTISER).

• The **MASSACHUSETTS** Senate approves legislation that would require single-hulled tankers and oil barges passing through the bay to be escorted by a second tugboat. Tug escorts would be mandated for all oil shipments of greater than 6,000 gallons, whether the barges are single- or double-hulled. The measure sails to the House (BOSTON HERALD). • The **ALASKA** Assembly approves a proposal to do away with the state's auto emissions testing program, which requires Last Frontier drivers to have their vehicles tested every two years. It moves to the Senate (ANCHORAGE DAILY NEWS).

HEALTH & SCIENCE: NEW JERSEY Gov. Jon Corzine (D) signs SB 1195, which requires Garden State pharmacies to fill all prescriptions, regardless of an individual pharmacist's religious or moral objections (STAR-LEDGER [NEWARK]).



HOMELAND SECURITY: Dept. of Homeland Security (DHS) officials indicate the agency will likely extend the deadline for states to adhere to the federal Real ID law to 2013 for most drivers and to 2018 for drivers older than 40. DHS says those changes would cut costs to states by billions of dollars. DHS is currently finalizing long-awaited regulations that states must follow in their future licensing procedures (WASHINGTON POST).

In case you missed it

Metals are a hot commodity these days for both investors and thieves. As we note in our Oct. 15 issue, 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.

In case you missed it, you can the article can be found on our Web site at http://www.statenet.com/capitol_journal/10-15-2007/html.

SOCIAL POLICY: A UTAH legislative panel approves a measure that would overturn a new state law that bars emergency kinship placements for abused children. Beehive State lawmakers adopted the ban in May after determining that those placements were prohibited by a federal law requiring all adoptive and foster families bar to undergo an FBI background check before a child could be placed there. The matter moves to the full Legislature in January (SALT LAKE TRIBUNE).

— Compiled by RICH EHISEN

Once around the statehouse lightly

HUNTING VOTES: When it comes to the effort to sway voters, nothing is apparently too silly for desperate politicians. Never was that more apparent than in the recent gubernatorial battle in KENTUCKY, where the *Lexington Courier-Journal* reports that Republican incumbent Ernie Fletcher and Democratic challenger Steve Beshear locked horns over which of the men was the more “outdoorsy” of the two. With the hearts and minds of the state’s estimated 300,000 hunting enthusiasts at stake, Fletcher took time out of a televised debate with Beshear to note that he had recently bagged a wild turkey. Not to be outdone on the hunter “Woo-Woo!” scale, Beshear quickly fired off a TV commercial showing himself in full camouflage and carrying a shotgun. The two continued to trade barbs over their woodland bona fides right through the election. Beshear, however, got the last laugh by beating Fletcher by almost 20 points.

HUNTING BOOZE: You can do lots of things other than vote on Election Day in UTAH, but having a shot of alcohol is not one of them. As reported by the *Deseret Morning News*, Beehive State law bans restaurants and bars from serving hooch on



a day when voters are expected to cast their ballots. That, says state Sen. Scott McCoy, is “archaic.” McCoy wants to end the ban, contending that “you can get completely liquored up at home and go vote if you want to...” Based on some election results we’ve seen, one might presume a lot of voters are already doing so.

Corrections

In our October 29th issue, SNCJ previewed the ballot measures voters would be deciding on Nov. 6. In that story, we erroneously included MISSISSIPPI Measure 23, which did not qualify for the ballot, and omitted NEW YORK Proposal 1, which did go before voters. We regret the error.

HUNTING PRECEDENT: Much was made recently of LOUISIANA Gov.-elect Bobby Jindal’s Indian heritage. Many media outlets — including this one — noted that Jindal is the nation’s first Indian-American governor. But according to *The Associated Press*, that is incorrect. That distinction actually belongs to NEW JERSEY transportation commissioner Kris Kolluri, who served as the state’s acting governor for 24 hours last year when Gov. Jon Corzine was out of the state. That may not seem like a big deal to most people, but it was apparently big news in India, where many media outlets ran stories celebrating the event. That of course paled in comparison to the notoriety and celebrations over Jindal’s victory, who nevertheless must now settle for simply being the first “elected” Indian-American governor. Details, details, details.

HUNTING FOOTBALL: A scuffle between TEXAS cable TV providers and the NFL has spilled over into the state Capitol. As noted by the *Houston Chronicle*, the tiff is over — what else — money, specifically how much football fanatics will be charged to watch their favorite team play. Lobbyists on each side have blitzed lawmakers with appeals to weigh in on the matter, and now fans are flooding lawmakers with pleas to work it all out before their beloved Dallas Cowboys meet up with the Green Bay Packers on Nov. 29 — a game that will only be show on the NFL Network. State Rep. Corbin Van Arsdale acknowledged that people often seem to care far more about football than other pressing issues, but says he is resigned to the power of the pigskin in the Lone Star State. “I don’t control what constituents call me about,” he said.

— By RICH EHISEN



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