



People & Politics



Bipartisanship may be rare these days, but four California leaders who worked across party lines to negotiate a budget during one of the worst economic downturns in history were awarded the nation's most prestigious recognition for elected officials: the Profile in Courage Award. Caroline Kennedy presented the award—its 20th anniversary—to Democrats **Karen Bass**, former Assembly speaker; and **Darrell Steinberg**, Senate president pro tem; and Republicans **David Cogdill**, former Senate Republican leader; and **Michael Villines**, former Republican Assembly leader. The deal the four negotiated to save the state from financial ruin, however, was ultimately repudiated by the voters, and the deficit has not been closed. “In today’s climate of deeply partisan politics, crossing party lines can be an act of political suicide,” Kennedy said. “It’s far too rare an occasion when political adversaries put aside their differences to reach common ground. Today we present a single lantern to the legislative leaders of California—for their singular act of courage—they set an example for our country and dared to agree.”

Paula Tackett, director of the New Mexico Legislative Council Service for 22 years and a long-time friend of NCSL, retired in June. The daughter of a state Supreme Court Justice, Tackett is a lawyer who started her career lobbying the Legislature for Northern New Mexico Community College. She joined the Legislative Council Service as a staff attorney and became director in 1988, overseeing everything from bill drafting to redrawing congressional districts to renovating the Capitol and helping set up a foundation so artists and collectors could donate paintings and sculptures to the building. This year she was honored as the “2010 Public Lawyer of the Year” by the New Mexico Bar Association for her “unwavering and fierce determination to provide the unvarnished facts in a nonpartisan fashion in what is usually a very partisan environment.” Tackett was actively involved with NCSL throughout her career,



Caroline Kennedy, left, applauds as recipients of the Profiles in Courage Award—front row from left, California Assemblyman Michael Villines, Senator Darrell Steinberg, Senator David Cogdill and Assemblywoman Karen Bass—hold the award on stage at the John F. Kennedy Presidential Library and Museum, in Boston in May.

serving on the Executive Committee, 1996-99, and chairing various committees and task forces. **Raúl Burciaga** has been named the new director.

Baseball Hall of Fame center fielder Willie Mays visited the floor of the California Senate on May 6, his 79th birthday. Senate President Pro Tem **Darrell Steinberg** and lawmakers proclaimed it Willie Mays Day in the state. The baseball great started his 660 home run career with the New York Giants and moved with the team to San Francisco in 1958.

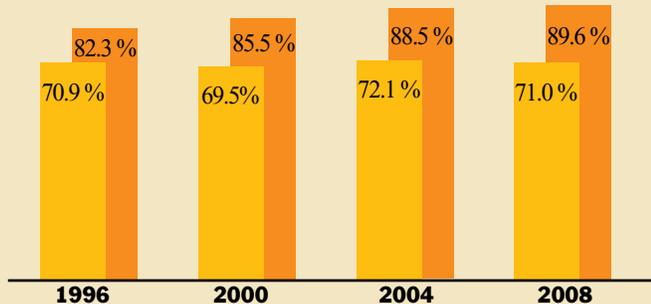
North Carolina Speaker **Joe Hackney** traded the pace of legislative deliberation for the speed of NASCAR when he waved the green flag at the Coca-Cola 600 over the Memorial Day weekend. Hackney was honorary starter for NASCAR’s only 600-mile race. He said the industry has been an integral part of his state’s economy for decades and he was thrilled to “play a small part in one of the circuit’s biggest events.” Hackney is immediate past president of NCSL.

Connecticut Representative **Joseph Mioli** has his eye on an unusual prize—a seat in the Italian Parliament. The three-term lawmaker, who came to the United States at age 21, is not seeking re-election, but instead has set his sights on becoming one of 315 elected members of the Senate of the Republic (Italian, that is) as an overseas representative. The 72-year-old Mioli holds dual citizenship and would represent North and Central America. He’s encouraging his colleague Senator **Toni Boucher**, also born in Italy, to seek dual citizenship so she can vote for him by mail. “It would be an honor to do that for him,” Boucher said. “He has attained the American dream.”

South Carolina House Speaker Pro Tem **Harry Cato** lost his bid for re-election in a stunning defeat in the Republican primary in June. The former chair of the Labor, Commerce and Industry Committee, Cato has served in the legislature for 20 years. He was defeated by Tom Corbin, who describes himself as a conservative Christian businessman. Corbin won 59 percent of the vote.

VOTER TURNOUT FOR REGISTERED CITIZENS

In 2008, 146 million people, or 71 percent of voting-age citizens were registered to vote. Of them, almost 90 percent voted in the presidential election. That is, however, only 64 percent of all voting-age citizens.



Registered
Voted

Source: U.S. Census Bureau, Current Population Survey, November 1996, 2000, 2004 and 2008.



AND THE WINNER IS...

The Washington Legislature's website is the winner of the 2010 Online Democracy Award sponsored by the Legislative Information and Communication Staff Section and the National Association of Legislative Information Technology, both staff sections of NCSL.

Initiated in 2005, the award recognizes a state legislative website that makes democracy user-friendly in an exceptional way. A committee made up of members of the staff sections judges sites based on design, content and use of technology.

The Washington Legislature's website won for providing extensive information that is easy to find and understand. According to the judges, some of the notable winning features of the Washington Legislature's website include:

- ◆ Complex technology that works well together.
- ◆ Detailed explanations on Web pages about functions and features.
- ◆ Voluminous reports and data available on the site.
- ◆ Good search functions and easy-to-find information.
- ◆ Print and Spanish versions of Web pages available.
- ◆ Student pages geared to different grade levels.
- ◆ Site accessibility and prominent ADA information.

Previous winners include the Tennessee General Assembly in 2009, the Texas Legislature in 2008, the New Jersey Legislature in 2007, the Minnesota Legislature in 2006 and the Utah Legislature in 2005.

Legislators Are Educated

Of all state lawmakers nationwide, 71 percent have at least a bachelor's degree, and 40 percent have an advanced degree, according to Adam Brown at Brigham Young University. Brown collected the data from Project Vote Smart, a nonpartisan organization that collects biographical information on elected officials.

Although 12 percent of the education data of state legislators is "unknown," it appears Virginia and California have the highest percentage of legislators with at least a bachelor's degree at 89 percent and 87 percent, respectively.

Full-time legislatures have a larger percentage of members with at least a bachelor's degree at 79 percent than do part-time legislatures at 66 percent.

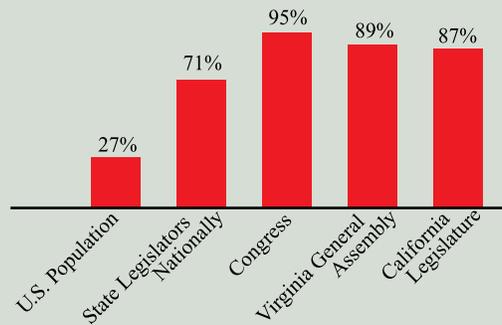
Regionally, there is little difference among legislators' education. The Southeast has 73 percent with at least a four-year degree, followed by the Northeast and Midwest at 71 percent, and the West and Southwest at 70 percent.

Although state legislators have less formal education than Congress (95 percent of the U.S. House and Senate have at least a four-year degree), they do have more education than the average U.S. citizen. According to the Census Bureau, in 2007, only 27 percent of U.S. adults age 25 or older reported a bachelor's degree or higher.

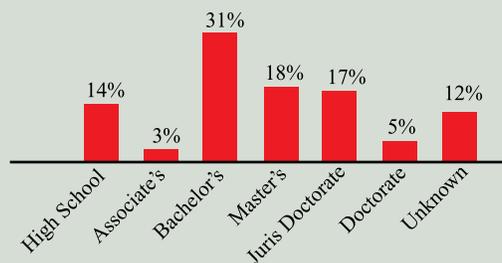
Here are some other interesting facts from the study:

- ◆ The Ohio legislature has the highest percentage of lawyers in the country, 32 percent of its legislators have a Juris Doctorate.
- ◆ More Oregon lawmakers have attained master's degrees at 33 percent than anywhere else.
- ◆ The Nebraska Legislature has the largest number of legislators with doctoral degrees, at 12 percent.

PERCENTAGE WITH AT LEAST A BACHELOR'S DEGREE



EDUCATIONAL LEVEL OF STATE LAWMAKERS NATIONALLY



CHECK OUT more information on legislators' education levels and other demographic information at www.ncsl.org/magazine

A DROP-OUT PROBLEM

Only two-in-three high school students graduate, according to The Alliance for Excellent Education. And half of the nation's dropouts come from just 12 percent (or 2,000) of the country's high schools.

According to the alliance's latest report, "Prioritizing the Nation's Lowest-Performing High Schools," within these lowest-performing high schools (sometimes known as dropout factories), only 60 percent or fewer freshmen progress all the way to their senior year three years later.

"The lowest-performing high schools are located in every state; in urban, suburban, rural, and small-town America; in large high schools and small. Their one unifying characteristic is that they disproportionately serve our nation's poor and minority students," the report says.

SKIERS' SAFETY A CONCERN



Legislators targeted the slopes in 2010, introducing bills dealing with safety for skiers. Even though the number of fatalities and serious injuries has remained stable in the past decade, two issues have caught the concern of legislators: helmet use and out-of-bounds skiers.

Lawmakers in California, New Jersey and New York introduced bills this year that would require young skiers and snowboarders to wear helmets. New York legislators also considered a bill that would require helmet use for all ages. None has passed so far.

A particular area of contention is who would enforce such requirements; some of the New York bills would put the onus on the ski resort operators, who generally oppose these bills.

Another safety concern for legislators involves skiers and riders ignoring out-of-bounds markers.

Washington Senator Jim Kastama, a volunteer ski patrol member at Crystal Mountain, has seen first-hand how risky this behavior can be. "Even though it is against the law to cross rope lines in dangerous areas, there is no penalty whatsoever," he says. "Ski patrol often has to follow violators into these areas, putting their own lives at risk. But the people doing this know there is no penalty."

Alaska, for example, allows ski patrol members to collect information from offenders, which can then be forwarded to law enforcement to issue a citation. Kastama is considering introducing similar legislation in 2011, with a fine of up to \$1,000 for those who cross rope lines. He believes that building awareness of the proposed law through signs posted at chairlifts and media coverage would be the best way to cut-down on scofflaws.

"Our goal is to not have to issue any fines," says Kastama.

A NATIONAL ISSUE

	Percentage of High Schools Considered Lowest-Performing	Percentage of High School Students Attending a Lowest-Performing High School
Alabama	11%	11%
Alaska	20%	11%
Arizona	13%	12%
Arkansas	4%	5%
California	14%	16%
Colorado	10%	9%
Connecticut	6%	7%
Delaware	35%	39%
District of Columbia	19%	23%
Florida	35%	36%
Georgia	34%	32%
Hawaii	25%	26%
Idaho	3%	3%
Illinois	12%	16%
Indiana	4%	5%
Iowa	1%	2%
Kansas	4%	7%
Kentucky	10%	10%
Louisiana	16%	14%
Maine	2%	1%
Maryland	13%	13%
Massachusetts	10%	9%
Michigan	12%	14%
Minnesota	3%	2%
Mississippi	15%	13%
Missouri	5%	6%
Montana	5%	2%
Nebraska	3%	10%
Nevada	49%	60%
New Hampshire	3%	1%
New Jersey	4%	4%
New Mexico	36%	33%
New York	14%	21%
North Carolina	22%	19%
North Dakota	4%	4%
Ohio	10%	10%
Oklahoma	7%	10%
Oregon	1%	2%
Pennsylvania	9%	9%
Rhode Island	17%	17%
South Carolina	45%	40%
South Dakota	5%	10%
Tennessee	10%	11%
Texas	14%	21%
Utah	4%	1%
Vermont	2%	1%
Virginia	8%	9%
Washington	6%	8%
West Virginia	2%	1%
Wisconsin	6%	6%
Wyoming	4%	2%
National	12%	15%

Sources: Everyone Graduates Center at Johns Hopkins University and the National Center for Education Statistics, from 2007-08 school year. In "Prioritizing the Nation's Lowest-Performing High Schools," pages 7-8.

Rivers at Risk



The conservation group American Rivers recently released its annual list of what it considers the 10 most endangered rivers facing man-made threats. The rivers and their threats:

1

UPPER DELAWARE RIVER, PENN., N.Y.
Natural gas extraction

2

SACRAMENTO-SAN JOAQUIN RIVER DELTA, CALIF.
Outdated water and flood management

3

GAULEY RIVER, W.V.
Mountaintop removal coal mining

4

LITTLE RIVER, N.C.
New dam

5

CEDAR RIVER, IOWA
Outdated flood management

6

UPPER COLORADO RIVER, COLO.
Water diversions

7

CHETCO RIVER, ORE.
Mining

8

TETON RIVER, IDAHO
New dam

9

MONONGAHELA RIVER, PENN., W.V.
Natural gas extraction

10

COOSA RIVER, ALA.
Hypower dams

Where Voters Must Show ID

The federal Help America Vote Act passed in 2002 called for all states to require identification from first-time voters who register to vote by mail. More than a dozen states have enacted major legislation since then, and 26 now have more comprehensive voter identification requirements than mandated by the federal law.

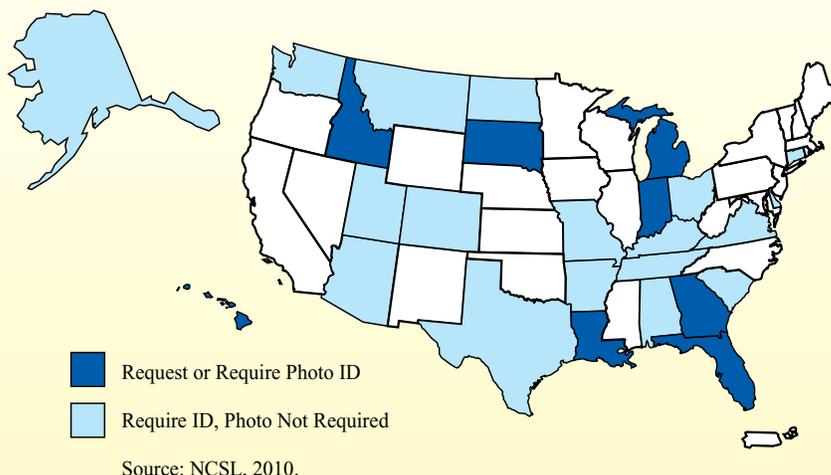
Eight states currently request or require voters to show a photo ID. Eighteen accept other forms of identification that do not necessarily include a photo. No state, however, turns away a voter who cannot produce identification from the polls; all states have some sort of recourse for voters without identification to cast a vote. In Georgia and Indiana, for example, voters without ID cast a provisional ballot, and must return to election officials within a few days and show a photo ID in order for their ballots to be counted.

Several of the new laws requiring an ID have been challenged in court. Arizona's Proposition 200, passed by referendum in 2004, requires voters to present proof of citizenship and identification. In 2006, a coalition of plaintiffs challenged the law on constitutional grounds. The federal district court denied their claim for a preliminary injunction, but the Ninth Circuit Court of Appeals reversed and granted the injunction. On Oct. 20, 2006, the U.S. Supreme Court vacated the Ninth Circuit decision, clearing the way for the voter identification requirement. Also in 2006, several nonprofit organizations successfully challenged Georgia's photo identification law in federal court. After the legislature amended the law to authorize the distribution of free photo ID cards, however, the same court reinstated the ID requirement.

In Missouri, the state Supreme Court struck down a photo ID requirement on state constitutional grounds. While ID is still required, the list of acceptable documents is now broader and includes some without a photo—for example, a current utility bill or bank statement. In Ohio, under a federal court consent order, the secretary of state suspended the requirement that all absentee voters provide ID with their ballots for the November 2006 election. Following the consent order, a modified ID requirement for all voters became effective in 2008.

Indiana's photo ID law was upheld by the U.S. Supreme Court in April 2008. In September 2009, a state appellate court struck down the law, however, on state constitutional grounds. That case is now before the Indiana Supreme Court. And the Michigan Supreme Court ruled in mid-2007 that a voter ID law originally passed in 1996 and reenacted in 2005 (but never implemented due to opposition by the state's attorney general) was constitutional and enforceable.

REQUIREMENTS FOR VOTER ID



CHECK OUT More specifics on what forms of identification are acceptable and the options available to voters who cannot present identification at www.ncsl.org/magazine.