



# People & Politics



*Terrance Carroll*

Colorado's first African-American speaker of the House, the grandson of a sharecropper, ended his historic term with the bang of a gavel at the end of the 2010 session of the General Assembly. **Terrance Carroll** was appointed to his legislative seat when **Peter Groff** resigned to move to the Senate. When Carroll, a lawyer, ordained minister and former police officer, became speaker, Groff was Senate president. It was the first time in the United States that two African Americans led the same state legislature. Carroll is ending his legislative career because of term limits. Groff left the Senate in 2009 to head President Obama's faith-based initiatives center for the U.S. secretary of education.

A receipt in a box of Civil War love letters led to the discovery of a rare copy of the Declaration of Independence in Iowa recently. Senator **Dennis Black** located the document, which had been stored at the state archives in obscurity since it had been donated to the state in 1947. In 1843, former President John Quincy Adams commissioned the copies (printed from a copper plate made by J.W. Stone, which is on display at the National Archives) to go in the pocket of a book in the series "American Archives." The Iowa copy was donated by the Rev. Mary Thornton. She is a relative of Mathew Thornton, a delegate to the Continental Congress from New Hampshire and the last signer of the Declaration. Black is writing a book, "A Kiss for Mary," based on the letters. "This is a remarkable and inspirational document that has a true Iowa pedigree," Black said. "Viewing it should inspire us all to contemplate the beginnings of this great nation and cause us to strive to return to the democracy our Founding Fathers envisioned."

**Stevens T. Mason**, Michigan's "boy governor" and the youngest governor in American history, has not rested in peace since his death at 31 in 1843. He was appointed the state's acting territorial secretary at 19 and then acting territorial governor at 22. Influential in moving Michigan to statehood, Mason was elected the state's first governor in 1835 at age 24. As governor he established the University of Michigan in Ann Arbor and initiated an ambitious state improvement plan that included three railroads and a canal. But he retired from politics and moved to New York City to start a law practice. When he died of pneumonia, he was buried in New York. In 1905, his remains were moved to Detroit and buried beside the cornerstone of the first state Capitol under a large bronze statue of himself. In 1955, his ashes were moved to make way for a bus terminal, and now again as part of a reconstruction of a park. But this time, he wasn't exactly where they thought he would be. "We thought we'd find him directly under the statue, but he was a few feet to the side," said the contractor who had to search for the remains. The park renovation will put the governor back in a place of honor with his monument and statue atop.

Illinois is facing a severe budget crisis, and Governor Pat Quinn has an idea to partially plug the hole and protect Lake Michigan at the same time. "If you can't beat 'em, eat 'em," the governor said in announcing an agreement to sell as much as 30 million pounds of Asian carp a year to upscale restaurants in China. Carp are popular in China; in U.S. waterways, not so much. The invasive species, which is native to China and has no predators in American waters, devours food crucial to native fish and poses a huge threat to the entire ecosystem of the Great Lakes, with the potential of destroying a \$7 billion fishing industry as they move up the Mississippi and Illinois rivers. In fact, despite being rebuffed twice by the U.S. Supreme Court, five states filed suit in late July with a lower federal court demanding tougher federal and municipal action to prevent Asian carp from overrunning the Great Lakes.

Former Massachusetts House Speaker **Salvatore DiMasi** is entitled to his pension and immediate payment of some \$40,000 in back benefits, according to a judge's ruling in July. DiMasi, who is under indictment on corruption charges for allegedly profiting from steering state contracts to a software company, resigned in January 2009 after 29 years in the legislature. His \$5,000 monthly pension was suspended in October by the State Retirement Board following the federal grand jury indictment. The judge ruled, however, the board did not have the authority to suspend the pension and furthermore should have conducted a hearing at which DiMasi could have presented his side or waited until there was a verdict in the federal case.

Wisconsin Republicans are on the offensive. The GOP lost control of the Senate in 2006 and the Assembly in 2008. This year, 23 legislators are stepping down and Republicans have fielded candidates in 87 of 99 Assembly districts—38 more than in 2008. But Democrats, who have an 18-15 majority in the Senate and control the Assembly 51-46, believe they have a strong chance of winning 20 open seats in November. If the Republicans do make a clean sweep of the Legislature, "it would be astounding in sheer political terms," according to Mordecai Lee, a former state legislator and University of Wisconsin government affairs professor. "You'd probably have to go back to the Great Depression to see something like it."

Massachusetts Representative **Robert Nyman**, a lawmaker since 1999, died in a drowning accident in his pool in June. Some 200 legislators, the governor and lieutenant governor and U.S. Senator Scott Brown were among the 400 in attendance at his funeral. Former House Speaker **Thomas Finneran** was among those who eulogized the respected and popular lawmaker. "It is a grieving town," he said, "but it is a better town because of friend Robert Nyman." His widow, Rhonda, will take his spot on the ballot in November.

## VOTE-BY-MAIL EXPANDS

As election officials are being asked to do more with less, states are expanding the use of all-mail balloting for local elections to eliminate polling place costs.

In 1998, Oregonians passed an initiative requiring all elections be conducted by mail. In 2005, the Washington Legislature enacted a local-control law giving counties discretion to conduct all-mail elections. Today, 38 of the state's 39 counties vote by mail.

Although 27 states currently allow any voter to choose a mail-in absentee ballot, only 16 states allow some form of all-mail voting: Alaska, Arizona, California, Colorado, Florida, Hawaii, Idaho, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Dakota, Oregon and Washington.

New ballot tracking technology, used in California since 2008, allows absentee voters to verify, online or by phone, that their ballots were received. The federal Military and Overseas Voter Empowerment Act of 2009 now requires all states to use a similar system.

Election officials often say all-mail elections save money. In May, the Oregon secretary of state testified before the U.S. Senate that the 1998 general election—the last one using polling sites—cost \$1.81 per voter, while the mail-in January 2010 special election cost \$1.05 per voter, not accounting for inflation. She also reported a 6 percent increase in turnout since 2000.

The bipartisan 2005 Commission on Federal Election Reform, however, has cautioned that “vote-by-mail raises concerns about privacy, as citizens voting at home may come under pressure to vote for certain candidates, and it increases the risk of fraud.”

Although states such as Oregon have appeared to avoid serious fraud by verifying signatures, others with more mobile populations or a history of election fraud may be at greater risk. In May 2010, a West Virginia county commissioner noted that at least 11 absentee ballots cast in the primary election contained the names of dead voters.

## Cleansing Soap

There's a new formula for dishwashing detergents. Sixteen states have established rules limiting the amount of phosphorus in dishwasher soap for sale on store shelves: Illinois, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, Ohio, Oregon, Pennsylvania, Utah, Vermont, Virginia, Washington and Wisconsin.

Although it breaks down grease, removes stains and softens hard water, phosphorus in detergents can end up in rivers and lakes, where it acts like a fertilizer, increasing algae and aquatic weeds that rob fish and other plants of oxygen.

“Phosphorus is depleting species that sustain our ecological environments,” says Representative Christine Johnson, a lead sponsor of Utah's ban. “By limiting phosphorus in detergents, we hope to support healthy waterways.”

Over the past several years, states passed bans on the sale of high-phosphate detergents but agreed to delay making the limits effective until July 1, 2010, to give manufacturers time to design low-phosphate products. Now, many major dishwashing detergent brands offer products with few or no phosphates.

The bans apply only to the sale of household automatic dishwasher detergents that contain more than 0.5 percent phosphorus. Commercial detergents used in restaurants are exempt. Most soaps for hand-washing dishes do not contain phosphorus. And modern laundry detergent is already phosphate-free because of a 1993 ban.

Other sources of phosphorus contamination include fertilizers, agricultural runoff and industrial cleaners.

## Alcohol for Sale

Although efforts to privatize parts of state alcohol sales systems have circulated for years, some say the budgetary realities of many of the control states is finally forcing the issue. Alcohol beverage control states are those that have a state monopoly over the wholesale distribution and/or retailing of some or all categories of alcoholic beverages, such as beer, wine and distilled spirits.

At least five control states—Mississippi, Pennsylvania, Vermont, Virginia and Washington—introduced legislation this year that addressed privatization of alcohol sales or called for more study of the issue. Most of the bills failed; however, an effort is underway in Washington to place two initiatives on the ballot. And discussion of the topic continues in these and other control states.

Proponents of privatization claim it will increase state revenues and offer consumers more choice. Opponents are concerned about less government control and the expansion of liquor outlets and sales.



Note: Montgomery County, Md., is a control county.  
Source: National Alcohol Beverage Control Association, July 2010.

# SECONDHAND SMOKE ALARM

Secondhand smoke—a mixture of exhaled smoke with gases and particles from burning cigarettes, cigars or pipes—causes about 50,000 deaths a year in the United States. It contains at least 250 toxic chemicals, including more than 50 that can cause cancer. Secondhand smoke exposure increases the risk of heart disease and lung cancer by up to 30 percent in nonsmokers.

A growing number of state legislatures are addressing concerns about secondhand smoke by enacting smoke-free laws or smoking restrictions for public places. When smoke-free laws go into effect, research shows an immediate and significant drop in hospital admissions for heart attacks.

Concerns that smoke-free laws hurt restaurant and bar revenues have been debated, but research over a number of years generally shows a positive effect or no decline in total restaurant and bar revenues.

Some states with smoking restrictions allow smoking in designated or separately ventilated areas. A 2006 surgeon general's report, however, found separating smokers from nonsmokers, cleaning the air and ventilating buildings cannot entirely eliminate secondhand smoke exposure. Additional evidence reviewed by the Institute of Medicine of the National Academies of Science suggests that even the lowest levels of smoke exposure can harm health.



Note: The law in the U.S. Virgin Islands becomes effective on Nov. 15, 2010. South Dakota's law was deferred pending a vote in November 2010. Arkansas, Georgia and Tennessee exempt bars and restaurants that don't admit people under age 18 (Georgia) or 21 (Arkansas and Tennessee).

Source: NCSL, July 2010.



## Digging for Dimes— IN REST STOPS, BULL SEMEN AND TACOS

The steep drop in state revenues appears to be subsiding, but lawmakers still face the difficult task of closing state budget gaps. In the past year, they have considered and adopted budget-cutting measures ranging from across-the-board cuts to tax policy adjustments. To shore up state coffers, here are some of the more unique ideas.

### IDEAS THAT PREVAILED

- ◆ Colorado lawmakers, aiming to recoup \$100 million, removed several tax exemptions and credits, including the exemptions restaurants received for the cost of purchasing condiments and take-out containers; tax breaks ranchers got when buying pesticides and bull semen; and incentives bulk mailers enjoyed for printing coupon booklets.
- ◆ Wisconsin adopted “Taco Tuesday” at all state prisons, saving 10 cents a meal.
- ◆ Missouri clarified that yoga and Pilates classes are recreational rather than spiritual services and thus subject to a sales tax.
- ◆ The Wisconsin Supreme Court determined symphony tickets are subject to the sales tax since a concert is more entertainment than education.
- ◆ The Oklahoma State Penitentiary cut expenses for its annual prisoner rodeo to save \$120,000.

### IDEAS UNDER CONSIDERATION

- ◆ California is currently considering the sale of digital advertising space on license plates.
- ◆ Wyoming is trying to get the Interior Department to trade land, minerals or mineral royalties for 1,366 acres the state owns within Grand Teton National Park. If the feds don't agree to a deal soon, the governor is threatening to sell the property.
- ◆ Georgia lawmakers are looking at privatizing rest stops.

### IDEAS THAT STALLED

- ◆ Tennessee lawmakers defeated a proposal to tax complimentary breakfasts offered by hotels.
- ◆ The Illinois Senate voted against a proposal to eliminate free bus rides for seniors. A proposal there to sell the state's executive air fleet for \$22 million also failed.
- ◆ Mississippi defeated a proposal to allow some advertisements on school buses.
- ◆ Illinois' governor backed off on a proposal to collect sales taxes on Internet downloads.