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In the News is a weekly e-mail update from StatesNews featuring top stories in state news each week from our daily news digest, together with resources and information you can use. Each week we spotlight a leading news story from each of our four regions as well as a national story of importance to the states — and provide links to news stories, resources and other material for more information on the issues.

To receive this weekly update, please send an e-mail to Sarah Whitmire, swhitmire@csg.org, or phone her at 606/244-8235.

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Racial quotas banned

Florida is the latest state to eliminate race as a factor in public university admissions. Gov. Jeb Bush Nov. 9 signed an executive order, adopted by the Florida Board of Regents, setting new rules for admissions by fall 2000. Instead of affirmative action, Florida will guarantee admission to its state universities for students in the top 20 percent of every Florida high school senior class. Texas adopted a law with similar provisions in 1997, which has been deemed a success in maintaining a racial mix in colleges. Those in the top 10 percent of their class are admitted without regard to their scores on standardized tests. The Florida governor’s order also barred racial set-asides in state contracts. California voted to end affirmative-action practices in 1995, and the backer of that ballot initiative was promoting a similar vote in Florida.

Florida plans session

Florida Gov. Jeb Bush called a special session of the Legislature to allow death row inmates to choose their method of execution. The Jan. 5 session will consider allowing lethal injection rather than the electric chair. It also will consider streamlining death penalty appeals. A case before the U.S. Supreme Court asks for the electric chair to be declared unconstitutional.

Boot camp dismissed

Georgia is the latest state to do away with its military-style boot camps for juvenile offenders. Orlando Martinez, commissioner of the state’s Department of Juvenile Justice, said Dec. 9 that he wants the 90-day programs to focus on education and vocational training instead of physical activities.

Martinez said the programs simply are not working. “They are not a cost-effective or cost-efficient way of doing business,” he said.

The change is expected to go into effect this summer, Martinez said. Arizona, Colorado and North Dakota also have done away with boot camp programs, and Florida has scaled back similar programs.

Vermont backs same-sex rights

Gay couples must be granted the same benefits and protections given married couples of the opposite sex, the Vermont Supreme Court ruled Dec. 20. The court said the state’s Legislature will determine whether such benefits will come through formal marriage or a system of domestic partnerships.

The court said whatever system the Legislature chooses, that system “must conform with the constitutional imperative to afford all Vermonters the common benefit, protection and security of the law.”

The ruling cannot be appealed to the U.S. Supreme Court because the Vermont court based its decision on the state Constitution. Earlier in the month, Hawaii’s Supreme Court ruled against same-sex marriages.

Testing education

Debate in California has stalled implementation of the state’s high-school exit exam, which is intended to be a significant part of Gov. Gray Davis’ education reform efforts.

A major point of contention is the governor’s insistence on including algebra on the test, though state law does not make algebra a condition of high-school graduation.

Another snag is that at least six commercial testing companies have said they would not attempt to write the exit exam because of the shortness of time before tests would be given. The exam is to be given starting next fall to the Class of 2004.

A number of states either have cancelled or scaled back similar tests, or have been sued by parents over such tests, including Arizona, Arkansas, Florida, Hawaii, Massachusetts, Nevada and Texas.

Online vote planned

Arizona Democratic Party leaders announced they will allow voters to cast ballots over the Internet for the March 11 primary — a first for a presidential primary. Party Chairman Mark Fleisher said the party plans to provide for Internet voting from polling places and home computers.
HMOs and patients’ rights

The Illinois Supreme Court Sept. 30 ruled patients may sue health maintenance organizations over malpractice. The ruling makes HMOs responsible for the actions of the doctors in the plan. The 1999 Illinois Legislature earlier passed laws giving HMO patients more rights, but dropped a provision allowing lawsuits against HMOs. California and Texas in 1999 passed laws allowing patients to sue. California’s law, which takes effect in 2001, allows punitive damages. Meanwhile, UnitedHealth Group, the nation’s second largest insurer, announced in November it would allow doctors to make final decisions about patient care without seeking permission first. The move should reduce delays and rejections in doctor-recommended treatments.

“Save the bay” cooperation

States from the South and the East have agreed to an ambitious plan to continue restoration of the Chesapeake Bay. Maryland, Pennsylvania and Virginia, along with the District of Columbia, agreed Dec. 8 to measures that will allow the bay to be removed from the federal government’s “dirty water” list within 10 years.

Caucuses cancelled

The Louisiana Republican State Central Committee voted Dec. 11 to cancel its Jan. 15, 2000, presidential caucuses. Gov. Mike Foster, a Republican, had argued that the contest lost its meaning when front-runners Texas Gov. George Bush, Arizona U.S. Sen. John McCain and Steve Forbes refused to participate. Gary Bauer had planned on participating. Louisiana will hold a March 14 primary instead to award its GOP delegates.

Feds want names of HIV patients

The federal Centers for Disease Control and Prevention Dec. 9 urged that people newly diagnosed with human immunodeficiency virus — or HIV — infection be reported to state health departments by name, rather than by coded number. The agency said a name-based system, which is the traditional method of disease tracking, would give public officials the simplest and most efficient way of tracking the HIV epidemic.

States already require doctors and hospitals to report the names of people newly diagnosed with AIDS, the advanced stage of HIV infection, to public health departments. By law, the names are kept in confidence, though states contact infected people to determine how they were exposed to the virus.

The CDC now wants states to collect data not just on people newly diagnosed with AIDS, the advanced stage of HIV infection, to public health departments. By law, the names are kept in confidence, though states contact infected people to determine how they were exposed to the virus.

The CDC does not have the authority to compel states to report names of people with HIV. But the centers say such information is critical to devising prevention and treatment programs.

Uncle Sam sues gun makers

The federal government Dec. 7 announced it was joining more than two dozen cities that have filed lawsuits against gun makers. The Clinton administration said it has begun preparing to sue gun makers on behalf of public housing residents.

An estimated more than 500 murders are committed each year in the nation’s 100 largest public housing projects, 70 percent of which involve guns.

U.S. Housing Secretary Andrew Cuomo said the administration’s goal is a settlement, not a lengthy lawsuit. Cuomo said the federal government hopes the pressure its announcement brings will lead gun manufacturers to change how they make and sell firearms.

Thirteen states have banned lawsuits against gun makers, and 17 states have passed “safe storage” laws.
Redistricting not on ballot

The California Supreme Court Dec. 13 knocked off the March ballot a proposed initiative to take redistricting away from state lawmakers. The court said Proposition 24, which also sought to reduce legislators’ pay, violated the state Constitution by dealing with more than one issue. The Court noted that the pay cut provision was added to attract voters who have three times rejected taking away redistricting powers from the Legislature. Most of the $2 million raised to promote the ballot initiative came from Republican supporters.

Vermont subsidy OK

The U.S. Supreme Court Dec. 13 rejected a challenge to Vermont’s practice of limiting publicly funded vouchers for private nonreligious schools. Vermont parents had claimed the vouchers should be available for religious schools. The Vermont Supreme Court had ruled the vouchers would violate the state constitution if extended to religious schools.

Privacy for records

The U.S. Supreme Court Dec. 7 upheld California’s law banning commercial information services from obtaining police records. With its 7-2 ruling favoring California, the court revived a 3-year-old state law that shields people whose names and addresses appear in police records. Journalists, scholars, judges and private investigators obtain these records routinely. However, the law made it a crime to use these names and addresses “to sell a product or service.” The court is considering a second public records case. South Carolina’s attorney general has challenged a congressional ban on states selling data from motor vehicle records.

Violence against, by women

There are nearly 2.1 million violent female offenders (or about 14 percent of all violent offenders) annually in the United States, the U.S. Justice Department’s Bureau of Justice Statistics announced Dec. 5. Three out of four female offenders commit simple assaults, and three out of four female violent offenders attack other women.

The bureau reported that two-thirds of these offenders had a prior relationship with their victims, and about 40 percent of them were thought to have been under the influence of drugs, alcohol or both. For nearly half of the offenders, the violent crime took place at or near the victim’s home or at school.

Male offenders commit an average of 13.1 million violent crimes annually, about one-third of which are committed at home or school.

Super delegates like Gore

Vice President Al Gore’s campaign manager Donna Brazile told the press in November that Gore has the support of more than 500 “super delegates” to the Democratic National Convention. That’s almost one-fourth of the 2,169 votes needed to win the nomination. The party, not the voters, selects 716 of these super delegates, most of whom are state, federal and locally elected officials and party activists.

Arizona adjourns

Arizona lawmakers went home from a December special session without agreeing on how to replace the century-old state mental hospital. Lawmakers could not agree on a plan to pay for a new hospital.

New Hampshire tie

The Dec. 7 election of Republican Thomas Eaton to the seat formerly held by deceased Senate President Clesson Blaisdell has resulted in a 12-12 partisan split. The Senate, long closely divided, was controlled by Democrats 13-11 earlier in the year.
Education leader

The National Education Goals Panel Dec. 2 recognized North Carolina for outstanding progress toward meeting national education goals. The award was presented at a conference celebrating the 10th anniversary of the creation of the national education goals.

The goals call for greater levels of student achievement and citizenship; high school completion; teacher education and professional development; parental participation in schools; literacy and lifelong learning; and safe, disciplined and alcohol- and drug-free schools.

The award was announced one day after Gov. Jim Hunt received the Harold W. McGraw Jr. Prize in Education.

Worthless diplomas

High schools are not preparing graduates for college or the work force, according to a December report by the Washington-based Education Trust. A third of college students had to take remedial courses in reading, writing or math in 1997. The situation isn’t any better for the two-thirds of high-school graduates who never earn a four-year college degree. While colleges and high-wage employers want graduates to have mastered higher-level math, science and English skills, most children graduate high school without taking the required courses to do so.

Surplus, surplus

Surplus were popping up as 1999 edged toward a close. Maryland announced a projected $925 million budget surplus Dec. 14. The surplus is about 10 percent of the state’s $9 billion operating budget. Gov. Parris Glendening said that cutting the inheritance tax is a possibility. neighboring Virginia had early estimates of a possible big surplus as well.

Maine lawmakers also will have a surplus to deal with when they meet in January. Estimates are the surplus could reach $250 million or more.

In Louisiana, however, Gov. Mike Foster in December cut $50 million from the current budget to make up for a revenue shortfall. The state health agency took a $22.5 million cut, which also could mean losing matching federal Medicaid funds.

Unusual election

In January, the Mississippi House will pick a governor for the state. As of December, all signs were that most of the 122 members of the House would support Lt. Gov. Ronnie Musgrove. Democrat Musgrove led Republican Mike Parker by 8,343 votes out of 764,000 cast in November, according to certified returns. Two other candidates received 14,000 votes. That’s only four-tenths of 1 percent of a clear majority of the popular vote.

That was enough to trigger a unique feature of the 1890 state Constitution requiring the decision to go to the state House of Representatives.

In certifying the results, Secretary of State Eric Clark found Musgrove and Parker each had 61 electoral votes according to which one carried each of the 122 House districts. Parker has refused to concede. A count of the Democratic House members leanings by Speaker Tim Ford found that 80 lawmakers are committed to elect Musgrove. Only 29 said they planned to vote for Parker. “If they did anything else (than elect Musgrove), there would be a revolt,” Ford said.

Even though Musgrove won the popular vote, House members in some cases will be voting against the majority in their district when they vote for Musgrove.

If Musgrove is elected Jan. 4, as seems likely at press time, then he would be inaugurated and start the legislative session within a week’s time.

Majority disapproves of racial profiling

The majority of black, as well as white Americans say racial profiling is widespread in the United States. In a new Gallup Poll, 59 percent of adults 18 and older say racial profiling is widespread. In the poll, Gallup defined profiling as the practice by which “police officers stop motorists of certain racial or ethnic groups because the officers believe that these groups are more likely than others to commit certain types of crimes.”

Eighty-one percent of those polled say they disapprove of the practice. The biggest differences regarding racial profiling observed in the survey are by race. Seventy-seven percent of blacks say that racial profiling is widespread, compared to 56 percent of whites.
State legislators and governors see education as a priority in most of their 2000 sessions.

BY ELAINE STUART
Education is the mega issue for 2000 in state legislatures. Just as in 1999, states are focusing on standards, vouchers, accountability, teacher quality and finance.

State Government News queried a sampling of legislators and surveyed governors across the country in the fall of 1999 on what they saw as the key policy and budget items facing 2000 sessions.

Education, economic development, health care and tax relief topped the issues states will consider this year. All states have regularly scheduled legislative sessions except Arkansas, Montana, Nevada, Oregon and Texas. Also coming into play in 2000 are the inevitable effects of presidential and, in many states, state legislative elections as well as preparation for redistricting following the Census. Here’s what the road ahead looks like:

**MIDWEST**

**Minnesota**  Senate Majority Leader Roger Moe said, “You never know what will happen in a session. There is always that ‘bill out of nowhere’ that will occupy your time. Major items will possibly include agricultural issues and personal privacy questions such as the sale and transfer of personal information, especially electronically. An upcoming constitutional topic will be the question of a unicameral legislature in Minnesota.”

Gov. Jesse Ventura has asked the Legislature to place the question of a single-house legislature on the Nov. 7 ballot.

**Michigan**  Senate Majority Leader Dan DeGrow saw electricity deregulation as a potential carry over from 1999. Education, health and managed care will be important issues. On Medicare, the question will be, DeGrow said, “Will we have funded it enough?”

**Nebraska**  Sen. DiAnna Schimek said, “We are still struggling with education funding issues, in terms of fairness. Where does the funding come from? We also have infrastructure needs that we are going to have to continue to fund.”

**North Dakota**  Gov. Ed Schafer’s top issues are job creation and diversification of the economy; education issues including standards, enrollment stabilization, funding in the face of changing demographics; finding the right tax mix and balance; community development and high-tech infrastructure; and water development. Tax relief is a possibility.

**South Dakota**  Gov. William J. Janklow’s staff named as his priorities: early childhood development, effective schools, tax relief, affordable housing and recreational development. The state plans to implement property tax relief.

**Wisconsin**  Gov. Tommy Thompson, CSG past president, said his state is in an enviable position. “Our unemployment is at a record low; the state is returning more than $1 billion in income tax cuts and a rebate check to taxpayers, and it was just announced the number of Wisconsin residents without health insurance fell to a new low of 4 percent.”

The governor will propose a new licensing system that rewards educators who strengthen their skills.

His Pathways to Independence program will help disabled individuals hold a job without fear of losing their health benefits. Thompson said, “These two initiatives, in addition to BadgerCare, which provides affordable health insurance to low-income working families, and Family Care, an innovative redesign of long-term care programs, will help make Wisconsin an even better place to live, work, play and most importantly, raise a family.”

**SOUTH**

**Kentucky**  Gov. Paul Patton, CSG president, said, “As we enter the 21st century, building the intellectual capital of our people through education will be the No. 1 priority in Kentucky. During these next four years we will address the educational needs of our society in every aspect, with a new focus on early childhood development and adult literacy. We’ll invest in more infrastructure, including a comprehensive effort to bring potable water to every Kentucky household. We’ll tackle health care and make our tax system fairer. We’ll protect the environment with a statewide garbage pickup and recycling program. And we’ll improve our economy, targeting the Appalachian region of our state. All of these initiatives are aimed at providing a quality of life for our residents...”
that is second to none.”
Patton is the first Kentucky governor in 200 years re-elected to a successive term, but also is the first Democratic Kentucky governor who will face a Republican Senate.

**Mississippi** Speaker Tim Ford, chair of CSG’s Southern Legislative Conference, doesn’t anticipate the House vote to choose a new governor will distract the session from its main business of deliberating on a budget. Ford said funding prison beds built over the last five years would be a priority along with funding education and mental health facilities.

**Missouri** Speaker Steve Gaw said session priorities include establishing a tobacco trust fund from the proceeds of the settlement between the state and cigarette manufacturers. The proposal possibly could go to the ballot. The session also will consider how to assist family farmers in marketing. It will explore the causes of youth violence, alternatives for transportation funding and measures addressing domestic violence. Also on the agenda are safeguards to protect seniors from abuse and neglect in nursing homes, public school accountability, the loss of accreditation of two large school districts, and consumer protections addressing telemarketing fraud, financial exploitation of the elderly, Internet fraud and privacy, and car-title and pay-day loan services.

**Oklahoma** Gov. Frank Keating’s office sees education reform, especially tougher academic standards, as a major issue. Other top concerns are workers’ compensation reforms, and rural development, including telecommunications infrastructure and health care. The governor supports another cut in the individual income tax, eliminating the franchise tax and estate tax, and cutting auto tag fees.

**South Carolina** Speaker David Wilkins said, “We will continue to make education the No. 1 priority and make schools better by emphasizing accountability and measuring results.” He expects new money to go to teacher recruitment and training, funding alternative schools created last year and funding college scholarships for good students. The session also will take up streamlining state government and removing the sales tax on food on top of last year’s $250 million in property tax relief. The session also will work on implementing legislation for the proposed constitutional amendment on a state lottery. In addition, campaign finance is pending in the Senate.

Wilkins hopes the long-standing dispute over flying the Confederate flag over the Capitol won’t “dominate the session or fragment us so we can’t deal with other issues.” The NAACP has supported a boycott of the state over the flag.

**West Virginia** Senate President Pro Temp Bill Sharpe sees the ban on mountaintop removal in coal mining as the top issue in his state. A federal judge Oct. 20 ordered the practice stopped as a violation of the federal Clean Water Act. Sharpe said that if it stands the court decision will have severe economic consequences for merchants, miners, land development and education. “In West Virginia, mining is everything,” Sharpe said. Counties depend upon taxing mining equipment to fund schools, for example. In a December interview, Sharpe was hopeful that all sides would reach a solution to let miners go back to work.

**WEST**

**California** Senate Majority Whip Richard Alarcón said California must act to maintain its leadership in transportation, education and technological advancements in light of deterioration in its infrastructure and educational system. Alarcón said, “We must rebuild and maintain our infrastructure, rejuvenate our educational system and capitalize on high-tech opportunities. In addition, we must ensure that our educational system does not contribute to the digital divide and that every child is prepared to compete in the job market of the 21st century.”

**Hawaii** Gov. Benjamin J. Cayetano’s office responded that his top issues are civil service reform and modernization, government restructuring, updating regulations, development of high-technology industries, information technology systems that provide speedy, efficient public services, and the impact of e-commerce on state sales tax revenues.

Cayetano supports a tax incentive to spur hotel construction and improvements in the visitor industry. In the past two years, Hawaii approved income tax cuts amounting to $2 billion over a six-year span.

While there’s no regular 2000 session, **Montana** Gov. Marc Racicot’s
staff named as his top priorities: economic development, tax reform, open-space preservation, tax relief, education funding and teacher quality.

**Nevada** is not scheduled to meet this year, but Sen. Maurice Washington said the upcoming Census has far reaching implications. Because Nevada is a fast growing state, it is due for a third seat in Congress. Washington said, “With the Census comes redistricting and party control for the next decade.” The winners will control the purse strings and the budget for education, health and human resources, he said. Nevada is considering privatizing prisons and ways to make state government more efficient and consumer oriented.

**New Mexico** Senate President Pro Tempore Manny Aragon, CSG chair-elect, said the Legislature will re-evaluate prison classification in light of recommendations by a Board of Inquiry into several violent incidents at state prisons. In the 30-day session, the other big issues are education reforms proposed by a task force, government reorganization and implementation of performance based budgeting. “The change to PBB establishes an overall vision for where we want New Mexico to be in four to five years,” Aragon said. He also expects the administration to advocate school vouchers, which were defeated in 1999. Republican Gov. Gary Johnson in November called on people to urge state legislators to legalize drugs.

**EAST**

**Maine** Sen. Anne Rand said, “There will be great discussion over what to do with an unprojected surplus of funds. Other ongoing issues are the discrepancy in economic growth between the western and southern parts of the state.” November estimates put the surplus at $250 million.

Rand also expects debate over how to fashion a patients’ bill of rights.

Rep. Carol Donovan said **Massachusetts** is at the end of a seven-year education funding act and so must revisit its school funding formula. The act resulted from a court case brought by poor urban districts to force equality in education finance. The Legislature will have to renew the current formula or devise a new one. Under the current formula, the bulk of the money has gone to inner-city schools and spending has leveled off for other schools in richer areas. “We have to figure out how to continue this,” Donovan said.

**New York** Sen. Efrain Gonzalez Jr., said the state faces important issues in education and worker training. The state needs to prepare people who otherwise would be left behind. For early 2000, the big issue is ensuring that New Yorkers turn in their Census forms. The Census count is important because the federal government uses it to put money into communities and because the private sector uses it to invest in communities. Gonzalez said, “It’s a major issue that will help us with education, housing and economic opportunities.”

**Puerto Rico** Gov. Pedro Rosselló’s top issues include health care reform by giving 100 percent of people broad, private market insurance protection in 2000. The governor also advocates action on education, including community schools, better teacher salaries, high-tech classrooms and school choice. His new economic development model by coupling sharply lower income tax rates with enhanced investment incentives is yielding sustained growth, as evidenced by a 20-year low in unemployment.

Other priorities are housing, public security and addressing school violence, overcrowding, funding and teacher quality. Rosselló is a past CSG president.

**Vermont** Sen. William T. Doyle said issues are escalating health insurance costs, the pull-out of several health insurers and the cost of prescription drugs. Another issue is the state’s long-term contract with Hydro-Québec, because the state feels it is paying too much for electricity. Vermont also hopes to expand passenger railroad service.

Doyle said Vermont ranks 49th in state aid to higher education. Students rallied at the state capitol for more college aid. Doyle, who chairs the Senate Government Operations Committee, said his committee plans hearings on civic participation, especially among young people.

Thanks to SGN contributors for assisting with this article: Mike Conway, Amy Lindon and Mike Scott.
he murders at Columbine High School in Colorado and similar mass shootings across the country are causing some public officials to look at ways to instill moral behavior in children.

Some are calling for a return to religious values or to a traditional show of respect, while others emphasize broadly based ethical education.

**Religion and schools**

The new emphasis on morals has renewed an old debate over posting the Ten Commandments in schools and other public buildings. For example, U.S. Rep. Robert Aderholt, R-Ala., proposed and the U.S. House passed last June a measure to allow states to permit such displays on public property. Aderholt said, “The recent shootings in Littleton, Colo., provide an unfortunate picture of the terror infested in our schools today, children killing children ... children who do not understand the basic principles of humankind.”

The measure failed to pass the U.S. Senate this year. The U.S. Supreme Court in a 1980 decision, *Stone v. Graham*, struck down a Kentucky law requiring schools to post the Ten Commandments because it violated separation of church and state. Nevertheless, the issue has...
resurfaced in recent years in local school districts and states across the country, including Alabama, Arkansas, Colorado, Florida, Kentucky, Indiana, Mississippi, Ohio and Oklahoma. In Kentucky, the American Civil Liberties Union in November brought suit in several counties and school districts over public posting of the commandments.

The constitutional ban on the establishment of religion also is at issue in the school-prayer debate. Policy-makers in Florida, Louisiana and New Hampshire, for example, view school violence as reason to introduce prayer into the schools.

Other measures don’t appear to cross the line between the separation of church and state, but attempt to evoke politeness. Louisiana legislators last year passed a law compelling students to address teachers as “Sir” or “Madam.”

Character education promoted

A more comprehensive approach is what is known as “character education.” It promotes specific — and, it is claimed, universally accepted — ethical values and character traits. Character education’s premise is that the moral training of the young is an all-engaging endeavor that demands an integrated curriculum and community participation.

Character education focuses on virtues — praiseworthy character traits such as honesty, respect for others and caring. It also strives to cultivate the disposition necessary for citizenship in a democratic society. Character education is, however, silent on religious beliefs and does not address contentious issues such as abortion, the death penalty and euthanasia. The fundamental emphasis is on character traits.

The Character Education Partnership, a national, nonpartisan coalition based in Washington, D.C., devoted to developing moral character in youths, identifies such core ethical values as caring, honesty, fairness, responsibility and respect for self and others. Such values are said by the CEP’s Eleven Principles of Character Education to “transcend religious and cultural differences and express our common humanity.”

Not surprisingly, public interest in character education is growing. In a CEP survey of leaders in teacher education, more than 90 percent of the respondents agreed that core values can and should be taught in schools. CEP polls show 90 percent of the public also agrees schools should teach character traits to students. Further, a recent National Public Radio/Kaiser Foundation/Kennedy School survey reveals that nearly half of its respon-

dents say character development in schools is as important as the teaching of academic skills and career preparation.

This is a movement that is gaining the attention of some prominent state leaders. In a recent speech, Texas Gov. George W. Bush emphasized that he “strongly believe[s] our schools should reinforce good character.” Bush lauds schools that recognize character education to be “a theme throughout the curriculum — in writing, social studies and reading.”

Under the leadership of Lt. Gov. Kathleen Kennedy Townsend, Maryland became the first state to establish a statewide Office of Character Education.

Also, many states are implementing character education programs, spurred in part by a grant program sponsored by the U.S. Department of Education. The Partnerships in Character Education Pilot Project Program has made available since 1995 competitive grants to state educational agencies in partnership with local educational institutions. The awards given so far to 28 states range from $100,000 to $1 million, and the typical annual award is $250,000 to $350,000.

The states’ federally funded projects establish models for character education at selected pilot schools by integrating the development of character in all facets of the curriculum. Typically, there is no single course on character and values. Rather, good character is explored, for example, in literature classes where students read stories about protagonists of noble character, or in social studies and history classes where praiseworthy public figures are considered. Further, good character can even be modeled and practiced in science labs and physical education classes by a conscious emphasis on cooperation, respect and fair play.
There may also be extracurricular community service activities, which put into practice the virtues that the students learn. Additionally, teachers and staff are often expected to exemplify good character so that the virtues are modeled everywhere from the algebra classroom to the school cafeteria.

Teaching morality

Character education is controversial because it “teaches morality” and many people believe that this is not the province of the public schools.

Kristin Fink, Utah’s character education specialist, points out, however, that moral literacy has historically been part of the public school’s mission. Moreover, supporters maintain values taught come from the community and are acceptable to all in that community. Many states have gone to great lengths to ensure parents, students, local businesses and churches are involved in the articulation of the core values taught in their schools.

Kathleen Plato of Washington’s Office of Superintendent of Public Instruction said there is a “bottom-up” approach to defining character. Rather than having a central agency dictate the ethical values taught in a school, local communities decide what it means to have good character.

Washington, which began receiving its federal grant in 1996, selected five pilot schools of varying social, cultural and geographic makeup. It was left to participating schools and communities to determine what good character is and adopt core ethical values in character education. Similarly, North Carolina’s federally funded project assigns to one of its pilot sites, the Charlotte-Mecklenberg school district, the specific tasks of creating and sustaining full community participation in crafting character education. The schools sought input from parents, representatives of child-serving agencies, civic groups, the faith community and the business community. Schools sent 10,000 surveys to Mecklenberg County residents seeking their views of character education.

There is commonality among different communities’ definitions of character. Definitions developed by the urban Seattle Indian Center school, the West Valley School District in suburban Spokane, Mecklenberg County, N.C., and the U.S. Department of Education’s Partnerships in Character Education Pilot Projects program essentially are consistent with each other.

Because the U.S. Department of Education grant funding lasts only up to five years, some state education officials are looking to state legislatures for future aid. According to a survey by the Education Commission of the States, 16 states have enacted policies that address character education in public schools. Ten states now mandate character education: Alabama, Arkansas, California, Florida, Georgia, Indiana, Nebraska, Tennessee, Utah and Virginia.

Utah’s code, for example, reads: “Honesty, temperance, morality, courtesy, obedience to law, respect for the Constitution of the United States and the state of Utah, respect for parents and home, and the dignity and necessity of honest labor and other skills, habits, and qualities of character that will promote an upright and desirable citizenry and better prepare students for a richer, happier life shall be taught in connection with regular school work.”

Charles Haynes, of the Freedom Forum First Amendment Center and member of board of directors of the Character Education Partnership, said legislators “understandably are trying to respond to a crisis among young people [and] character education is the most important way to address the problem.”

To aid legislators, Haynes and the CEP are drafting suggested guidelines for implementing character education policy. Good policy, Haynes said, would allow for local control in developing the program and defining good character, and it would avoid mandating that a specific program be adopted by all districts. Further, good policy would encourage a comprehensive approach to character education, involving all aspects of school and of the community. In addition, state support for teacher training and staff development would ensure a more solid foundation for the implementation of character programs.

The Character Education Partnership recognizes 11 principles as key to character education. Haynes said, “Any legislation that takes into account these 11 principles will be good legislation.”

Resources

The 11 principles of character education can be found at CEP’s Web site, www.character.org.

The U.S. Department of Education anticipates another round of applications for Partnerships in Character Education Pilot Project Program grants. For information call Beverly Farrar at (202) 219-1301, or e-mail beverly_farrar@ed.gov.

Center for the Advancement of Ethics and Character — education.bu.edu/charactered

Character Counts — www.charactercounts.org

Character Education Partnership — www.character.org

A better way to elect a president

Our nation’s presidential nomination system is failing. Presidential hopefuls are dropping off the roster before the game even starts. The dream that anyone can grow up to be president of the United States is a warm, fuzzy fantasy. But, in reality, the cost to run a successful presidential campaign has more than doubled over the past decade. We have moved away from low-cost caucuses to high-cost primary elections. In addition, the system is front-loaded. Only those candidates with enough up-front money to run in a dozen states at once can play.

Many states have moved their primary elections to earlier dates for 2000 in an effort to gain a louder voice. This simply makes a longer campaign season for the general election, which brings us right back to the money game.

Media coverage focuses on the horse-race mentality of which candidate raises the most money and runs the most ads, not on the issues. Quite frankly, the race today is about money and momentum. Ideas and organization are for political theorists, not those seeking the nomination. The voters’ perception of momentum is based on poll figures, not public support for a candidate’s stand on issues.

This perverse system impacts not only the quality of the candidate but the electoral process itself. That is why the National Association of Secretaries of State has developed and is promoting a system of rotating regional presidential primaries.

Are you tired of your state being ignored? The rotating system treats all states fairly and gives voters across the country the opportunity to have substantive influence over the selection of partisan nominees for president. Every voter in the country, not just those in the early rounds of primaries, will have an impact with this plan.

Through the establishment of a regional primary system, each region has an opportunity to be first in the process of selecting presidential delegates. Supporters assume that this system would be voluntary with the individual states and not mandated by the federal government.

The process is designed to begin with the presidential election in 2004. States must enact legislation enabling participation in the rotating regional primary system no later than Jan. 1, 2002. NASS would coordinate the establishment of regions and a lottery determining the original order of the primaries. Regional presidential primary dates would be the first Tuesday in March, April, May and June. The order of the primaries would rotate so that each region would have the opportunity to begin the process. Whichever region goes first in 2004 would move to the end of the line in 2008.

The rotating plan would leave unchanged the traditional campaign kick-offs in Iowa and New Hampshire, which would be followed by four regional contests: East, South, Midwest and West.

Rotating regional primaries would lengthen the time for primary elections, but not for campaigns. Voters would have more time to learn about the candidates and the candidates would have to raise and spend less money. Presently, the primaries are bunched up and only well-financed candidates can afford simultaneous national ad campaigns. Candidates could set up a month-long camp in each region and focus on the issues facing the citizens of that region.

The advantages of this idea are obvious. Rather than decide the nomination in a chaotic process in a few weeks in February and March, the parties could do the job in a more deliberative way over the course of four months. Rather than have to raise the megabucks necessary to compete in simultaneous primaries on opposite coasts in the electoral giants of New York and California, as will be necessary in 2000, candidates would find the primaries in such large states more evenly spaced.

No plan will please everybody, but this one seems worth exploring seriously.

NASS will be working with The Council of State Governments, the National Governors’ Association, the National Conference of State Legislatures and the Republican and Democratic parties to prepare legislation on this issue.

Democracy has become an avenue for economic development in some states and we do not want to cheapen democracy in this manner. The money game is turning people off politics so, we must remember we need all voters to determine a winner.

For more information on the rotating regional primary contact: Kansas Secretary of State Ron Thornburgh, (785) 296-4575, rontssmail.wpo.state.ks.us; California Secretary of State Bill Jones, (913) 653-7244, bjones@ss.ca.gov; Massachusetts Secretary of State Bill Galvin, (617) 727-9180, cis@sec.state.ma.us.

Ron Thornburgh is the Kansas secretary of state
As federal and state lawmakers have shifted from focusing on narrow environmental issues to a more inclusive approach, state agencies have scrambled to integrate their management efforts. In the areas of water quality and quantity, states are developing cooperative, comprehensive programs that address human health, fish population, water supply and other issues.

These new approaches have created demands for new training. State agency staff, elected officials, environmental groups, business representatives and others need to know about assessing water resources, links between land use and water quality, management strategies for different situations and economic, social and cultural issues.

The Environmental Policy Group at CSG’s Center for Leadership, Innovation and Policy has developed training programs to assist states with their watershed assessment, planning and management needs.

**Working on watersheds**

**BY BARRY TONNING**

Working on watersheds education, partnering with the news media and basic watershed planning. More than two dozen of these workshops have been delivered nationwide over the past three years. Workshops are tailored for each audience, and usually include a mix of topics over a three to six hour period. CSG and Tetra Tech, Inc. developed the workshops, which feature guidebooks that outline the topic, case studies and additional resources.


All the training programs highlight how states can integrate the multitude of water-related programs into a comprehensive, coordinated, cooperative approach.

For more information, call Malissa McAlister at (606) 244-8243 or visit www.csg.org/clip/policy/environment.htm. McAlister is a member of CSG’s CLIP, which promotes policy development, leadership training and innovative state programming. CLIP develops state problem-solving initiatives with intergovernmental, philanthropic and corporate partners.

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**Seeking Executive Director**

The duly elected Board of Directors acting on behalf of the National Conference of State Fleet Administrators (NCSFA), is soliciting proposals for an “Executive Director.” NCSFA is a professional association whose membership primarily extends to public sector fleet management organizations. The purpose of this solicitation of bids is to obtain a private Contractor, individual and/or firm to represent NCSFA as their “Executive Director.” The scope of this position shall be to manage the association’s day-to-day business affairs, operations, marketing, member networking, and annual conference planning. All interested persons wishing to submit a proposal, please contact President Elect, Steven Saltzgiver during regular business hours to obtain a Request for Proposal (RFP) document. (8:00 am-5:00 pm MDT) Telephone: (801) 538-3452, Fax: (801) 538-1773, E-mail: ssaltzg@ fo.state.ut.us. Closing date: January 31, 2000.
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<th>State</th>
<th>Governor</th>
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<th>Treasurer</th>
<th>Attorney General</th>
<th>Secretary of State</th>
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<td>M. Jodi Reil (R)</td>
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<td>Richard Blumenthal</td>
<td>Susan Bysiewicz</td>
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<td>Mazi Hirono ***</td>
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<td>Alan G. Lance</td>
<td>Pete T. Cenarrusa</td>
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<td>Jim Ryan</td>
<td>Jesse White</td>
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<td>Frank L. O'Bannon (D)</td>
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<td>Sue Anne Gilroy</td>
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<td>Tom J. Vilsack (D)</td>
<td>Sally J. Pederson (D)</td>
<td>Michael L. Fitzgerald</td>
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<td>Stephen Henry (D)</td>
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<td>Albert B. &quot;Bert&quot; Chandler III</td>
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<td>Mike Foster Jr. (R)</td>
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<td>John Kennedy</td>
<td>Richard P. Leyoub</td>
<td>W. Fox McElfresh</td>
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<td>Andrew Ketterer</td>
<td>Dan A. Gwadowsky</td>
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<td>Maryland</td>
<td>Parris N. Glendening (D)</td>
<td>K. Kennedy Townsend (D)</td>
<td>Richard N. Dixon</td>
<td>J. Joseph Curran Jr.</td>
<td>John T. Willis</td>
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<td>Argeo Paul Cellucci (D)</td>
<td>Jane M. Swift (R)</td>
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<td>Michigan</td>
<td>John Engler (R)</td>
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<td>Mae Schunk (Reform)</td>
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<td>Amy Tuck (D)</td>
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<td>Maya B. Kara</td>
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<td>Maureen O'Connor (R)</td>
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<td>Rick Perry (R)</td>
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<td>Mary M. Morris</td>
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<td>Anne P. Petera</td>
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<td>Joe Meyer (R) **</td>
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* Senate President • ** Secretary of State • *** Duties performed by Lieutenant Governor
## 2000 Legislative Sessions

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<th>State</th>
<th>Convene</th>
<th>Length (in days)</th>
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<td>105</td>
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<td>Guam</td>
<td>10-Jan</td>
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<td>(671)472-3443 or (671)472-3472</td>
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<td>Kansas</td>
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<td>9- Apr</td>
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<td>Louisiana</td>
<td>24-Apr</td>
<td>7-Jun</td>
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<td>8-May</td>
<td>NA</td>
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<td>NA</td>
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<td>Oregon</td>
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<td>(800)332-2313 (IN), (503)986-1187 (OUT)</td>
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<tr>
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<td>4-Jan</td>
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<td>Puerto Rico</td>
<td>7-Jan</td>
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<td>(787)723-4112 or (787)723-5021</td>
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**Bill-status hot line**
- IN (In state); OUT (Out of state); H (House); S (Senate)

---

**Party Control**
- Republican
- Democrat
- Independent
- Nonpartisan
- Independent
- Reform

For rapid responses to state government research questions, call CSG’s States Information Center toll free at (888) 274-4742.

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conference calendar

For more information, call the number listed. “CSG” denotes organizations affiliated with CSG. Direct new entries or corrections by the first of the month to:

Amy Lindon
The Conference Calendar
CSG
P.O. Box 11910
Lexington, KY 40578-1910
alindon@csg.org

Visit CSG’s Web site, www.csg.org, or www.StatesNews.org, to see updated information and links to other organizations and host cities.

FEBRUARY 2000

February 12-15 — Saturday-Tuesday CSG/National Conference of Lieutenant Governors (NCLG) State Federal Meeting — Washington, DC — Willard Inter-Continental — (Manning, Lexington) (606) 244-8171, gmanning@csg.org
February 13-16 — Sunday-Wednesday CSG/National Association of State Treasurers (NAST) Legislative Conference — Washington, DC — Willard Inter-Continental — (Hamilton, Lexington) (606) 244-8174
February 13-16 — Sunday-Wednesday CSG/American Probation and Parole Association (APPA) Winter Training Institute — Nashville, TN — Opryland Hotel (Meeks, Lexington) (606) 244-8205
February 25-March 1 — Friday-Wednesday CSG/National Emergency Management Association (NEMA) 2000 Mid-Year Conference — Crystal City, VA — Hyatt Regency Crystal City — (Hensley, Lexington) (606) 244-8162, mhesley@csg.org

APRIL 2000

April 26-30 — Wednesday-Sunday CSG Spring National Committee and Task Force Meetings — Napa Valley, CA — Napa Valley Marriott — (Hines, Lexington) (606) 244-8103, whines@csg.org

MAY 2000

May 6-10 — Saturday-Wednesday CSG/NASTD Eastern Region Meeting — Mystic, CT — Hilton Mystic Hotel — (Britton, Lexington) (606) 244-8187, kbritton@nastd.org
May 7-10 — Sunday-Wednesday CSG/National Association of State Treasurers (NAST) Southern State Treasurers Conference — Point Clear, AL — Grand Hotel Marriott — (Hamilton, Lexington) (606) 244-8174

JUNE 2000

June 17-21 — Saturday-Wednesday CSG/National Association of State Treasurers (NAST) Western State Treasurers Conference — Juneau, AK — Westmark Barnard Hotel — (Hamilton, Lexington) (606) 244-8174
June 24-28 — Saturday-Wednesday CSG/National Association of State Facilities Administrators (NASFA) Annual Conference and Trade Show — Burlington, VT — Radisson Hotel (Stone, Lexington) (606) 244-8181, mstone@csg.org

JULY 2000

July 5-9 — Wednesday-Sunday CSG/Bowhay Institute for Legislative Leadership (BILLD) Madison, WI — TBD — (Tomaka, Lombard/IL) (630) 810-0210
July 7-11 — Friday-Tuesday CSG/NASTD Western Region Meeting — Whitefish, MT — Grouse Mountain Lodge — (Britton, Lexington) (606) 244-8187, kbritton@nastd.org
July 19-23 — Wednesday-Sunday CSG/National Conference of Lieutenant Governors (NCLG) Annual Meeting — Dorado, PR — Dorado Hyatt (Manning, Lexington) (606) 244-8171, gmanning@csg.org
July 23-26 — Sunday-Wednesday CSG/American Probation and Parole Association (APPA) 25th Annual Training Institute — Phoenix, AZ — Downtown Hyatt (Swinford, Lexington) (606) 244-8194

AUGUST 2000

August 2-6 — Wednesday-Sunday CSG/Early Regional Conference (ERC) Annual Meeting — Providence, RI — Westin Hotel (Sokolow, New York) (212) 912-0128
August 3-5 — Thursday-Saturday CSG/National Association of State Treasurers (NAST) College Savings Plan Network & State Debt Management 10th Annual Conference — Chicago, IL — Westin Hotel (Hamilton, Lexington) (606) 244-8174
August 5-9 — Saturday-Wednesday CSG/Southern Legislative Conference (SLC) Annual Meeting — Biloxi, MS — Hotel to be announced (Cousineau, Atlanta) (404) 266-1271

SEPTEMBER 2000

September 23-26 — Saturday-Tuesday CSG/National Association of State Treasurers (NAST) Northeast State Treasurers Conference — Charleston, WV — Embassy Suites (Hamilton, Lexington) (606) 244-8174
September 24-26 — Sunday-Tuesday Southern Governors’ Association Annual Meeting — Little Rock, AR — Excelsior Hotel (Purdy, DC) (202) 624-5897, lizpurdy@sso.org

OCTOBER 2000

November 15-18 — Wednesday-Saturday CSG/CSG-West Annual Meeting — San Diego, CA — Hyatt Islandia (Duvalchelle, San Francisco) (415) 974-6422

DECEMBER 2000

December 6-10 — Wednesday-Sunday CSG 2000 Annual Meeting and State Leadership Forum — Dearborn, MI — Dearborn Hyatt Regency (Hines, Lexington) (606) 244-8103, whines@csg.org

JULY 2001

July 14-18 — Saturday-Wednesday CSG/Southern Legislative Conference (SLC) Annual Meeting — Savannah, GA — Hotel to be announced (Cousineau, Atlanta) (404) 266-271, slc@csg.org
July 29-August 1 — Sunday-Wednesday CSG/Midwestern Legislative Conference (MLC) 56th Annual Meeting — Lincoln, NE — The Cornhusker (McCabe, Lombard) (630) 810-0210

SEPTEMBER 2001

September 9-11 — Sunday-Tuesday Southern Governors’ Association Annual Meeting — Lexington, KY — Marriott Griffin Gate Resort (Purdy, DC) (202) 624-5897, lizpurdy@sso.org

JULY 2002

July 6-10 — Saturday-Wednesday CSG/Southern Legislative Conference (SLC) Annual Meeting — New Orleans, LA — Hotel to be announced (Cousineau, Atlanta) (404) 266-1271, slc@csg.org

AUGUST 2003

August 9-12 — Saturday-Tuesday CSG/Southern Legislative Conference (SLC) Annual Meeting — Fort Worth, TX — Hotel to be announced (Cousineau, Atlanta) (404) 266-1271, slc@csg.org
Coffee plants that yield naturally decaffeinated coffee beans. Citrus crops resistant to freezing temperatures. Shrubs that produce naturally sweetened strawberries. These and other crops of the future are being created through genetic engineering, revolutionizing the food industry.

However, unbeknownst to many consumers, many genetically modified foods have been on the market since 1994, when the Flav'r Sav'r™ slow-ripening tomato became the first GM food approved by the U.S. government for sale. Today, many crops grown in the United States are genetically altered, and some of the most common processed foods, including breakfast cereals, soft drinks, tortilla chips and margarine, contain GM ingredients.

GM foods are creating an international stir among consumers in Europe, Japan, India, Australia and New Zealand over the possible dangers they

Consumers’ and farmers’ concerns over genetically modified foods – called “Frankenfood” by some – is causing states to take a second look at this thriving, emerging technology.

By Sandra Kiil Leber

Sandra Kiil Leber is a senior policy analyst for the Eastern office of The Council of State Governments, sandra@csgeast.org.
Many companies fear American consumers, who have virtually been unaware they were eating GM foods, are awakening to the controversy — particularly following a flurry of publicity surrounding a recent study published in the May 1999 issue of *Nature*.

The study concluded that pollen from GM corn may kill larvae of Monarch butterflies. The increased concern in this country is prompting state policymakers to begin addressing these issues.

**GM foods on the rise**

Genetic engineering provides the ability to deliver a desired trait to an organism by cutting and splicing specific genetic fragments from another organism. The technology can be used to produce foods with longer shelf-life, greater taste and more cosmetic appeal. Agriculture biotechnology companies also are using genetic engineering to improve the efficiency and profitability of farming operations. They are creating crops resistant to pests, weed killers and other agricultural plights to help reduce chemical use and increase crop yields.

Today, the federal government has approved more than 50 genetically engineered crop plants covering 90 million acres, or one-fourth of U.S. cropland, according to a September 1999 article in *Consumer Reports*. More than 35 percent of all corn and nearly 55 percent of all soybeans are genetically engineered. Also, about one-third of all dairy cattle are given hormones produced by biotechnology to increase milk production, according to the article.

In the future, biotech companies intend to produce foods that are nutritionally enhanced or modified to fight cancer through genetic engineering. More significantly, with its ability to increase crop yields, some assert that biotechnology could solve world hunger. With these extraordinary possibilities, why is GM food so controversial?

**Environmental and health risks**

Although studies performed so far are inconclusive, opponents of GM food question the long-term consequences of GM foods to the earth’s biodiversity. GM crops, it is feared, may upset the natural-selection process and become weeds invading and damaging natural ecosystems, or genes may escape to wild relatives creating uncontrollable “superweeds.” In addition, insects that are overexposed to pest-resistant crops engineered with genes from a natural bacterium may develop resistance to environmentally friendly pesticides. The most significant concern, however, is the unknown dangers GM crops pose to other organisms, such as the Monarch butterfly.

Concerns also exist over potential human health risks of GM foods. Some researchers worry that humans may be exposed to higher levels of natural plant toxins inadvertently enhanced through genetic manipulation, or that people may unknowingly be exposed to foreign proteins to which they may be allergic. In addition, some believe that consumption of GM foods may contribute to the growing concern over antibiotic resistance. Scientists often link a “marker gene” resistant to antibiotics together with the desired trait to assess whether a genetic engineering attempt is successful. Some believe bacteria living in the human gut may develop resistance to antibiotics from ingesting foods with these marker genes.

**Regulation of GM foods**

Despite these risks, federal regulators have determined that GM foods are no different than foods produced through traditional breeding techniques and that they are safe for human consumption and the environment. Therefore, the federal policy toward biotechnology essentially has been to promote new developments by relying largely on industry self-reporting and minimal regulatory oversight by three agencies — the Food and Drug Administration, the Department of Agriculture, and the Environmental Protection Agency. Critics claim this patchwork regulatory approach has too many loopholes and leaves the profit-oriented industry virtually unregulated despite the...
unknown risks.

States, too, have viewed the biotech industry as a lucrative economic development opportunity, and have promoted the industry’s growth through tax incentives and funding programs for research and development. However, some states have also attempted to address concerns over emerging biotechnology developments.

Maine, for example, established a Commission on Biotechnology and Genetic Engineering. The commission is authorized to assess risks to the public and the environment, study the adequacy of state and federal laws governing releases of GM organisms into the environment through field trials and establish permitting standards for releases. Other states, including Florida, Minnesota, Oklahoma and Washington, instituted permitting requirements for releases of GM foods and crops. West Virginia and Nebraska also have permitting programs, but they exempt from state permit requirements environmental releases for which a federal permit has been issued. Other states, including Wisconsin and Illinois, merely require notification of a release.

More recently, legislators in New England are considering more far-reaching proposals. Maine Rep. Joanne Twomey submitted a bill for the upcoming 2000 session to impose a moratorium on the use of genetically altered seeds or plants in that state. “There is a multitude of health and environmental concerns, and we can’t wait for the federal government to act,” she said.

“A key question in Maine is who is going to be responsible for cross-pollination that occurs with crops grown by organic farmers?”

Twenty-five percent of the farms in Maine are certified organic growers, and they could lose their certification should GM genes escape into their crops.

In the 1999 session, legislators in Vermont and New Hampshire addressed specific concerns over “terminator” technology, developed for GM crops by several companies to produce sterile seeds after one use so as to prevent piracy. Although the Vermont House Resolution, HR 116, was not adopted, the New Hampshire bill, HB 291, was enacted. New Hampshire established a three-year committee to study “the threat to biodiversity as a result of the sterility trait flowing via pollen from ‘terminator’ crops to surrounding plants, rendering them sterile.” The committee filed its first report in October.

New Hampshire Rep. Marie Rabideau said she introduced the legislation because she was concerned “the use of any type of this technology would threaten farmers that save seeds as well as species in the wild that cross breed [with crop plants].”

She said, “Because of this legislation, more and more people are asking questions about GM foods in general...
World Wide Web sites

More information on the issues in this article is available on the following sites:

Industry
www.monsanto.com
www.pioneer.com
www.novartis.com
www.dupont.com
www.mycogen.com
www.astrazeneca.com
www.bio.org/welcome.html
www.acpa.org

Federal agencies
U. S. Food and Drug Administration Center for Food Safety and Applied Nutrition — vm.cfsan.fda.gov/~lrd/biotechm.html
U.S. Environmental Protection Agency — www.epa.gov/

Other
Union of Concerned Scientists — www.ucsusa.org/agriculture/biotech.html
Greenpeace — www.greenpeace.org/~geneng
Mothers for Natural Law — www.safe-food.org/-campaign/about.html

and the [related] health concerns.”
She is considering introducing legislation for the 2000 session to require that GM foods be labeled as such.

Labeling GM foods

Despite urging by consumers groups for labeling of all GM foods, the FDA requires no labeling unless the foods contain known allergens. Some states have attempted to impose their own labeling requirements, but these efforts so far have been unsuccessful. A labeling bill, LD 713, introduced in Maine in the 1999 session was defeated. A 1994 Vermont law enacted to require labels for dairy products from cows treated with hormones was overturned in 1996 in federal court, International Dairy Foods Assn. vs. Amestoy, on the grounds that labeling regulation merely to satisfy consumer concern is a constitutional violation of commercial free speech. Recently, the USDA promoted voluntary labeling to help defuse the controversy. However, it is unclear whether the industry will engage in voluntary labeling, because labels may scare consumers into not buying their products.

International response

In contrast to U.S. policy, many other countries have imposed mandatory labeling requirements in response to the international consumer uproar. The European Union has effectively imposed a moratorium on the import of GM crops. Because about one-third of American crops are exported, the trade implications of these actions are enormous, and are before the World Trade Organization.

Corporations around the world are changing their policies in response to trade threats and consumer criticism. In April, British food production companies, Unilever (UK) and Nestlé (UK), along with Tesco, the largest grocery store chain, announced that they would phase out foods made from GM crops. The two largest American baby food companies, Gerber and H.J. Heinz Co., announced they would not use GM corn or soy ingredients in their products. Kirin Brewery Company and Sapporo Breweries in Japan declared they would use only non-GM corn in making their beer. And Archer-Daniels-Midland Co., the self-proclaimed “supermarket to the world,” in September announced that it will require segregation of GM and conventional crops.

Markets exist for most of the GM corn and soy crops being harvested this season. However, these recent industry decisions create doubt for the viability of next year’s GM products for both the foreign and domestic markets. These issues merely add to the precarious economic future for agriculture in the United States. Policy-makers will increasingly face concerns over GM foods from farmers and consumers as these issues continue to gain national and international attention.

CSG resources

A plenary session at the 1999 CSG Annual Meeting and Leadership Forum in Quebec on Dec. 6 discussed agriculture in the Seattle Round of the World Trade Organization negotiation and exports of genetically modified food products. For more on the session, contact Cindy Lackey at CSG, (606) 244-8163.

To develop a basic understanding of sound science, legislators can turn to A State Official’s Guide to Sound Science (Order #C191-9800). It is available for $20 by calling the CSG publication sales department at (800) 800-1910 or visiting the CSG online store at www.csg.org.
Public opinion about the importance of a college education is at an all-time high for Americans. And if the historical “boom and bust” cycle of higher education finance holds true, state governments are likely to face policy choices that range from bad to worse. Options like raising taxes, cutting services or taking money away from other public services are the alternatives facing elected officials. These are the conclusions from a recent study by Harold Hovey of State Policy Research, Inc.

Most of us would prefer to believe that the current economic cycle will continue, sparing us of these choices. This leap of faith, however, would require that long-term trends in public finance and in higher education finance are an anomaly. The risk is great in believing that the good times are here to stay, and that the last 30 years of public finance are the anomaly. Re-
A recession could curb access to higher education.

Producing educational opportunity for Americans at a time when personal aspirations are growing and economic imperatives for education and training are greater will not serve our democracy or economy well.

State fiscal conundrum

To maintain current levels of opportunity and service in higher education, state and local governments will need to increase spending by slightly more than the percentage increase in the total personal income of all Americans. Unfortunately:

• State revenues will not increase as fast as personal income.
• Projected state revenues will not be sufficient to maintain current service levels.

Under current tax policies, state and local revenues will not grow as quickly as total personal income. This problem is largely the result of states’ reliance on sales taxes and fees. “Every growth of 10 percent in personal income,” Hovey said, “is associated with growth of about 9.5 percent in state and local tax revenues.”

Hovey reported, “With revenues growing more slowly than personal income and outlays growing faster, state and local governments have a structural deficit in funding current services. This mismatch between what would be needed to continue current programs and revenues from current taxes is about 0.5 percent a year. That is, to maintain current services, state and local governments nationwide would have to increase taxes by about 0.5 percent. Alternatively, they could maintain current tax systems and keep budgets balanced by holding spending growth to about 4.5 percent annually rather than the 5 percent needed to maintain current services.”

By year eight in Hovey’s fiscal projection, the structural deficit will average just less than 4 percent nationwide, but will vary depending upon the state (see Table 1). Even without a major economic downturn, 39 states will experience gaps between the cost of maintaining current public services and the revenues they can expect under current tax policy. The robust national economy has masked this problem recently, but it will become more evident in the next few years.

A recession could mean a real crisis. Hovey said, “If extraordinarily good times were followed by normal times, it might be possible for states to make fiscal adjustments in less than a crisis environment. However, extraordinarily good times are usually followed by corrections in the private economy called recessions. When they occur, states often are caught in a situation where their budgets are hugely out of balance.”

Boom or bust

The historic trends in public funding for colleges can be described as “boom or bust.” During economic recessions, higher education takes dis-
proportionate cuts in public funding, usually accompanied by steep increases in tuition. During economic prosperity, higher education has benefited disproportionately — with state revenues growing more rapidly than in other areas of state government. However, over the long run, even during the good times of the late 1990s, higher education’s overall share of revenue from state government has been shrinking.

Hovey said, “In other words, higher education isn’t competing successfully with the attractions of other forms of state spending.”

Hovey projected that state spending for higher education would have to increase faster than state spending in other areas to maintain current services. While total state funding will need to increase by about 5 percent annually to maintain current levels for all services, state funding will need to increase by about 6 percent for higher education to maintain current service levels there — largely due to enrollment increases. This means that even if state revenues were growing by the 5 percent needed to maintain services, states would need to increase the percentage of higher education funding annually just to maintain current services there. Table 2 provides a breakdown of the “annual advantage,” or the extra percentage growth required over and above funding for other state services, for each state to maintain services for higher education. Positive numbers under “Annual advantage” mean states will have to increase spending faster for higher education to maintain current services.

### Outlook

For most states, maintaining current service levels for higher education will require either increasing taxes or favoring higher education over competing public-service demands, such as elementary and secondary education, health, welfare or prisons. According to Hovey’s findings, “neither possibility is likely.” Since the percentage of state budgets dedicated to higher education has declined over the past decade, continuing to fund current service levels for higher education would represent a significant shift in state budget trends.

If higher education is to successfully provide opportunity for the increased enrollment growth predicted in about half the states, or to improve other services offered, plans for the future must be developed while the economy is strong and resources can be redirected toward high priority areas. If this is not done, the current strong economic environment will create more difficult choices in the future.

Patrick Callan, president of the National Center for Public Policy and Higher Education, said, “Higher education budgets that increase the state cost per student in good times usually add to the cost of maintaining services in hard times. In their current heady financial circumstances, some states may be increasing their higher education expenditures in ways that will increase the difficulty of maintaining essential, core services in the future.”

As a result, the recent increases in state support of higher education reflect only the standard responses to extraordinarily strong fiscal conditions. These increases “will disappear,” Hovey concluded, when the “fiscal conditions disappear. Both will disappear soon.”

### Table 1: State and local surplus or shortfall as a percent of baseline revenues in year eight of fiscal projections

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<th>Rank</th>
<th>State</th>
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# Table 2: Percentage change in spending to maintain current services

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Electronic identification

BY CHESTER HICKS

Which states have legislation regarding digital signatures?

In an era of electronic commerce, communication and correspondence, states have recognized the importance of authentication of electronic documents through the use of digital signatures. As of November 1999, at least 29 states had legislation regulating the use of digital signatures.

A digital signature is but one type of electronic signature. Other types of electronic signatures include digitized renditions of inked signatures and biometric signatures using fingerprints or retinal scans, which may be scientifically traced to a particular person. Digital signatures are the most established types of electronic signature. Most state laws and methods on this technology address digital signatures.

A digital signature is a number that is transmitted with an electronic message to identify the message’s sender or recipient. Because the number provides authentication to a document, it has the same function as a written signature. Thus, the number is called a “digital signature” — but it is not a digitized handwritten signature.

A digital signature is a pair of mathematical programs called a “key pair.” Each “key” is merely a long sequence of 0s and 1s, or binary digits. A key may also be represented as an alphanumeric sequence that is much shorter than the binary sequence, yet still very long. A key pair consists of a “public key” and a “private key.” The two keys are mathematically related, but one cannot be used to determine the other. Either key can, however, be used to scramble, or encrypt, a message. The other key in the pair is the only key that can be used to unscramble, or decrypt, the information.

For example, a computer user can create a key pair using widely available software. The key-pair owner can then freely share his or her public key with others. Anyone wishing to communicate with the key-pair owner uses the key-pair owner’s public key to encrypt a message and send it to the key-pair owner. The recipient, the key-pair owner, uses his or her private key to decrypt the message. Because only one private key will decrypt a message encrypted with the matching public key, the sender is assured that only the intended recipient may read the message.

Therefore, a digital signature involves two steps — creation and verification. The signer creates the digital signature by applying the private key of the sender to the contents of the message. The receiver then verifies the message by referring to the message and the public key.

The authentication of digital signatures intertwines technology and the law. Signatures have special significance in legal transactions. Certain formalities are generally required for legal transactions to be considered valid. These legal purposes are achieved if the signer and the document can be authenticated and the transaction is marked by an event. A signature should indicate who signed the transaction and should be difficult for anyone else to reproduce without authorization.

Legislation addressing the use of digital signatures varies. Utah’s SB 188, reprinted in The Council of State Governments’ 1997 volume of Suggested State Legislation, amended the Digital Signature Act of 1995. The law, which was the first to authorize the use of digital signatures, governed the use of public and private key pairs and certification authorities.

Other states that have adopted legislation include California, Mississippi, New Mexico, Virginia and Washington. The laws of each vary greatly. For example, California law governs only digital signatures affixed to communications with public entities. The law provides that a digital signature has the same effect as a manual one if it is unique to the person using it, capable of verification, under the sole control of the person using it and linked to the substance so that any alteration invalidates the signature. On the other hand, some states have general legislation pertaining to electronic signatures, with digital signatures as merely one alternative.

The emerging technology of digital signatures can provide a computer-based alternative to traditional signatures for a wide variety of transactions. With a secure key pair, a message can be transformed to a code that remains private until it is received at its intended destination. With this key pair also comes verification of the contents of the message itself. A number of approaches have recently been enacted as states address the regulation of electronic authentication. In the 21st century, lawmakers will continue to be left with the challenge of deciding how best to deal with this technology that is sure to have a profound impact on the lives of their citizenry.

For more information on this or other topics, contact The Council of State Governments’ States Information Center at (606) 244-8253 or e-mail sic@csg.org or visit CSG online at www.csg.org.

Chester Hicks is Southern regional coordinator with CSG’s States Information Center.
CSG names leaders for 2000

Three governors and three legislators, from both parties and from every geographic region of the country, will serve as The Council of State Governments’ leaders for 2000. These officers steer the actions of the organization, which serves all elected and appointed officials in every branch of government in all states, U.S. territories and some Canadian provinces.

New officers are Kentucky Gov. Paul Patton, president; Idaho Gov. Dirk Kempthorne, president-elect; Maryland Gov. Parris Glendening, vice-president; Illinois Rep. Tom Ryder, chair; New Mexico Senate President Pro Tempore Manny Aragon, chair-elect; and Virginia Sen. John Chichester, vice-chair. The nonpartisan, nonprofit association is led by a president, who is a governor, and a chair, who is a state legislator. CSG elected its new leaders at its Annual Meeting and State Leadership Forum held in Québec City, Québec, Dec. 3-7.

Ryder, who succeeds Puerto Rico Sen. Kenneth McClintock as chair, said the organization will continue to look closely at the impact of e-commerce on sales tax revenues in the year ahead. CSG also must reach out to a new generation of legislators in an era of term limits. Ryder said, “New legislators are struggling to learn what they can in their own state, but we think CSG can provide a wonderful opportunity for those who are brand new to government.”

CSG is the only organization where governors, legislators, attorneys general and other officials can sit down together. Ryder said, “This is a fabulous organization that provides opportunities for us to be the type of leaders we can be.”

Patton said CSG will continue its emphasis on workforce development. CSG also will initiate a new project promoting alternative dispute resolution to help solve conflicts. “CSG is a good, healthy, vibrant organization and I look forward to the next year,” Patton said.

Outgoing president Wisconsin Gov. Tommy Thompson said in addition to launching in 1999 an initiative on workforce development, CSG organized a mission to the Republic of China for state officials from across the country. In the first such visit ever, state leaders met with the second-ranking official in China. CSG lets states work together to address needs, Thompson said.

“CSG is an organization that is badly needed in American politics,” Thompson said. “We need the civility we learn and exhibit at these meetings.”

The meeting in Québec was the first in CSG’s 66-year history held outside the borders of the United States. “The reason is that we are more than neighbors,” Thompson said.

More than $1 billion in commerce takes place every day between Canada and the United States, making Canada the states’ largest trading partner.
Québec has been a member of CSG’s Eastern Regional Conference for a decade and became CSG’s first international associate in 1995.

Québec Prime Minister Lucien Bouchard said Québec has strong ties with U.S. states in areas such as trade, tourism and the environment, and that Québec is the United States’ eighth largest trading partner.

Jean-Pierre Charbonneau, president of the Québec National Assembly, said, “It is important for elected officials of different jurisdictions to have a dialogue.”

Delegates also heard from Canadian Prime Minister Jean Chrétien, Jean Charest, leader of the official opposition, and other top Québec and Canadian officials.

More coverage of the CSG annual meeting will appear in next month’s edition.

School reform and changing technologies were the focus Oct. 22-23 when directors and staff members representing the Midwest’s non-partisan legislative service agencies gathered in Chicago for their annual meeting.

Hosted and chaired this year by Ben Barrett, director of the Kansas Legislative Research Department, the meeting featured a visit to the Chicago Board of Education, where participants were briefed by the board’s chief executive officer, Paul Vallas. Vallas detailed the ongoing effort to reform the Chicago public school system, work that has drawn national attention since its inception four years ago.

Other meeting highlights included a panel discussion on the impact of new technologies in state legislatures and a presentation focusing on generational differences in the workplace. Participants also discussed ways to better serve new legislators in an era of term limits and high legislative turnover. For more information, call Jackie Kocinski CSG’s Midwestern Office at (630) 810-0210.

Members met with the Bonneville Power Administration’s Judy Johansen to discuss BPA’s current status and future. The projected debt reduction plan and challenges faced by the administration with regard to fish recovery and river governance changes comprised a major part of the legislators’ agenda.

Spokesmen from the Northwest Power Planning Council and the Washington Public Utility Districts also offered their comments on the administration’s ownership and administration issues, including the balance between the safety of fish populations and the region’s economic viability. Lawmakers were encouraged to develop a consensus among Northwestern political leaders prior to asking Congress to make any changes in BPA management.

The Council on River Governance also was briefed on the new regional approach to power management, which was developed by Oregon Gov. John Kitzhaber and Montana Gov. Marc Racicot. This approach would require a working agreement among governors, legislators, tribes and federal agencies. The proposal still is under discussion among the governors of Idaho, Montana, Oregon and Washington.

Lawmakers formed the council under the auspices of CSG-WEST 18 months ago to collaborate on concerns they share across state borders with regard to the governance of the Columbia and Snake River Basin. This river system supplies more than 50 percent of the Northwest’s power through the Bonneville Power Administration. The council’s next meeting will be held in April in Montana.
$3.2 million awarded to communities for sex offender management

The U.S. Justice Department Oct. 28 awarded $3.2 million to communities for sex offender management under the Comprehensive Approaches to Sex Offender Management Program, administered by the department’s Violence Against Women Office.

Fifteen of the 28 awards are planning grants to assist jurisdictions in developing comprehensive, collaborative approaches to managing sex offenders. Teams of representatives from law enforcement, prosecution, courts, corrections, probation, social services and victim organizations will identify strengths and weaknesses in sex offender management systems and assess the staff and equipment necessary to identify, track and treat sex offenders. Planning funds also will be used to gauge the need for training probation officers and other criminal justice personnel, treatment providers and victim advocates about sex offender management. The other 13 grants will help communities implement such strategies or enhance current programs.

The Center for Sex Offender Management will administer the remaining funds, which will be used for training and technical assistance for the grantees and other interested jurisdictions. The Center for Effective Public Policy, located in Silver Spring, Md., manages the project along with the American Probation and Parole Association, which is located at CSG headquarters in Lexington, Ky. More information about the project can be found at www.csom.org, or by calling APPA’s Margaret Griffin at (606) 244-8212.

New NASTD leadership named

ail Wekenborg, state data center manager for Missouri, will lead the National Association of State Telecommunications Directors in 2000 as its first female president. Wekenborg succeeds Matthew Brown of West Virginia, who will serve as immediate past president. Jerry Fossum, associate director of telecommunications for North Dakota, will serve as vice president. David Ballard, Kentucky director of Network Services and Telecommunications, is the association’s new secretary/treasurer.

Named at the NASTD Annual Conference in Kansas City in September were the incoming regional presidents. Jeanne Spinosa of Rhode Island (East) and Linda Nelson of Florida (South) will serve as each region’s first female president. Other regional presidents are Tim Steiner of Ohio (Midwest) and Carl Hotvedt of Montana (West). Each will serve through the NASTD Annual Conference Aug. 26-31, 2000, in Boston. NASTD is an affiliate organization of The Council of State Governments.

CSG co-hosts environmental summit

Leading members of the academic research community and business executives, state and federal environmental executives and leaders of nongovernmental organizations met in Washington, D.C., Nov. 2-3. CSG co-hosted the Environmental Management Systems Research Summit, a national meeting on current and future directions of environmental management systems. These systems address the environmental impacts of a company or organization and offer the possibility of incentive-based environmental management as an alternative to the traditional command-and-control approach.

Attendees discussed the impacts of management systems on business, communities, the environment and public policy. A national management systems research action plan is being developed as a result of the summit.

The Multi-State Working Group on Environmental Management Systems, another co-sponsor of the summit, and CSG’s Center for Leadership, Innovation and Policy plan to jointly establish a Policy Academy on Environmental Management Systems, to provide training and support for state, national or business sector teams interested in developing and implementing performance-based environmental management system programs. For more information, call Malissa McAlister at (606) 244-8243.

Legislative briefing

SG’s Center for Leadership, Innovation and Policy hosted a legislative briefing on the revised Interstate Compact for Adult Offender Supervision, Nov. 16-17, in Chicago. Moderated by Nevada Sen. Maurice Washington, the forum examined revisions to the 62-year-old compact. Representatives from 41 states, five U.S. territories and the District of Columbia were present. CSG, in collaboration with the National Institute of Corrections, has taken the lead role in amending the Interstate Compact and ensuring that it remains an effective management tool for those adult parolees and probationers who travel to, or are supervised in, states other than where they were sentenced. For more information, contact John Mountjoy at (606) 244-8256 or jmountjoy@csg.org.
State Trends wins award

The CSG publication State Trends recently earned a 1999 Gold Circle Award from The American Society of Association Executives. State Trends won a certificate of achievement, the second-place award, in the newsletters/bulletin category, which had 37 entries.

State Trends concisely reports on emerging issues that state officials should put on their radar screens. Each edition of the quarterly publication identifies topics making their way onto state government agendas across the country, highlighting the most creative policy and program responses.

CSG distributes complimentary copies of State Trends to every state legislator in the country, as well as to select executive-branch leaders. By identifying trends in state government and sharing best practices in responding to those trends, State Trends exemplifies CSG’s commitment to sharing information across state governments so officials can learn from one another.

This is the second consecutive Gold Circle Award for State Trends. ASAE, the leading membership organization for the association management profession, uses the awards program to recognize excellence in association communication programs.

The latest issue of State Trends is available free of charge online at CSG’s Center for Leadership, Innovation and Policy Web site, www.csg.org/clip. To order the latest issue, call the CSG publication sales department at (800) 800-1910 or visit the CSG online store, www.csg.org/store.

Increasing organ donations

According to the U.S. Health Resources and Services Administration, as of July 1999 more than 64,000 people await organ transplants. Yet, in 1998, fewer than 6,000 people donated organs and nearly 5,000 people died awaiting a transplant.

CSG’s Center for Leadership, Innovation and Policy is participating in a joint project with the National Conference of State Legislatures to help state officials evaluate and seek to improve their state’s donation strategies. The project, funded by a grant from the U.S. Health Resources and Services Administration, will develop a resource manual for states on organ and tissue donation. The resource manual will outline existing initiatives, model statutes, potential barriers and recommended strategies to increase donations.

The resource manual is expected to be available in the summer of 2000. For more information, call Trudi Matthews at (606) 244-8157.

U.S. legislators go to Europe

CSG recently nominated several legislators to participate in a three-week study mission in Europe sponsored by the German Marshall Fund of the United States. While four state leaders were selected initially, two were designated as 1999 American Marshall Memorial Fellows. Ohio Rep. Kevin Coughlin and Maine Rep. Michael Saxl are fellows for the inaugural year of the program. The German Marshall Fund plans to make this an annual opportunity and as one of the fund’s key national partners, CSG will continue to make nominations.

CHIP teleconference

CSG’s Center for Leadership, Innovation and Policy recently held a Health Policy Monitor teleconference entitled, “Eliminating Barriers to Enrollment in CHIP: Successful Strategies from the States.” More than 50 people from more than 30 states discussed challenges to enrolling more children in the Children’s Health Insurance Program.

Dr. Lillian Gibbons, director of outreach for the Center for Medicaid and State Operations, U.S. Health Care Financing Administration and Laura Summer, deputy director of the National Academy on an Aging Society were keynote speakers.

To receive a copy of the Health Policy Monitor, a publication that summarizes the teleconference, call Trudi Matthews at (606) 244-8157.

BILLD sponsors thanked

The Midwestern Office of CSG thanks sponsors of the 1999 Bowhay Institute for Legislative Leadership Development program, created to help legislators develop the skills necessary to become better policymakers. The institute is named in honor of the late James Bowhay, former director of the CSG Midwestern office.

CSG thanks the following foundations and corporations that supported the 1999 BILLD program: Gold Sponsor: the Ameritech Foundation; Silver Sponsors: GTE, AT&T, Glaxo Wellcome Inc.; Hoechst Marion Roussel, Merck & Co., Novartis Pharmaceuticals; Pfizer Inc, and the Philip Morris Management Corporation; Bronze Sponsors: Bayer Corporation, EDS Corporation, and Johnson & Johnson; Patrons: Rhone-Poulenc Rorer and Enron Corporation.

Thirty-three legislators from 11 Midwestern states participated. For more information, call Laura A. Tomaka at (630) 810-0210.
14th annual Toll Fellowship Program

CSG hosted its 14th annual Henry Toll Fellowship Program Sept. 25-30, in Lexington, Ky. The 1999 Toll Fellow class was a creative and diverse group of 39 leaders representing 33 states and U.S. territories.

Named in honor of CSG’s founder, Henry Toll, the program brings together a selected group of state officials from all branches of state government and all regions of the country for an intensive five-day intellectual “boot camp,” offering information and perspectives that go beyond any one state’s borders.

CSG is accepting applications for the 2000 Henry Toll Fellowship Program. Application deadline is March 24. For more information, contact Debbie Powell at (606) 244-8249 or dpowell@csg.org.

How to be a Toll Fellow

Active state government officials and staff in the legislative, executive and judicial branches may apply to become a Toll Fellow. Applicants must be nominated by a top state official from the same branch of government and the same state as the nominee. A national committee of state officials selects 10 Toll Fellows and two alternates from each CSG region. Applicants must be able to attend the week-long leadership development session held each fall in Lexington, Ky., home to CSG’s headquarters. For more information, call Debbie Powell at (606) 244-8249, or e-mail her: dpowell@csg.org or apply online, www.csg.org.

New working group for ERC

Twenty-six state officials from across the country gathered in Washington, D.C., Oct. 29 to discuss the increasing demands being placed on the criminal justice system by adult offenders with mental illnesses. This was the first meeting of a newly created working group coordinated by the CSG’s Eastern Regional Conference, and it included a cross-section of legislators, corrections commissioners, judges, prosecutors, police chiefs, victims advocates and others concerned about the issue.

The goals of the working group are: 1) to identify the most pressing issues facing states regarding adult offenders with mental health needs; 2) to prepare recommendations to Congress and relevant federal agencies, describing federal measures to facilitate states’ efforts to address the issue and; 3) to develop suggestions for state legislatures, which are under increased pressure to address this problem.

The meeting was sponsored by several agencies within the U.S. Department of Justice, the U.S. Department of Health and Human Services and private foundations, including the Center on Crime. The working group will reconvene to review a draft of recommendations proposed at the initial meeting. For more information, contact Michael Thompson at (212) 912-0128 or mthompson@csg.org.

NATIONAL ASSOCIATION OF SECRETARIES OF STATE

The National Association of Secretaries of State (NASS) is seeking motivated individuals to fill two professional positions located in Washington, D.C. Founded in 1904, NASS has over 50 member jurisdictions and provides programs and services to assist secretaries of state in the performance of their duties. Over the years the responsibilities of the office of secretary of state have evolved to include a variety of fields. Some of the common duties shared by secretaries of state include election oversight, campaign finance administration, corporate and UCC lien filings, securities administration and notary public commissions.

EXECUTIVE DIRECTOR

The Executive Director works independently directing the operations of the organization under the supervision of the NASS president and executive committee. The position is responsible for financial management, member services, conference planning, programs, issues advocacy and public relations. The position exercises supervision over a small staff. The minimum qualifications for the position are a bachelor’s degree and 5 years of progressively responsible experience in public management or a related field. The ideal candidate will possess excellent communication and organizational skills and will have experience in management, financial administration and public relations.

CONFERENCE & PROGRAM PLANNER

The Conference & Program Planner works under the supervision of the NASS Executive Director. The position is responsible for planning organization conferences and meetings, including site selection, programming, budgeting, contracts and printed materials. The position also assists the Executive Director with other organization responsibilities, including office management, member services, programs, and publications. The minimum qualifications for the position are a bachelor’s degree and 3 years of progressively responsible experience in public management or related field. The ideal candidate will possess excellent communication and organizational skills and will have experience in public relations.

Send resume and salary requirements by January 19, 2000 to:
NASS Search Committee
ATTN: Hon. Dan A. Gwadosky, Chair
Office of the Secretary of State
148 State House Station
Augusta, Maine 04333-0148
(207) 626-8406

1999 Toll Fellow Class
Planning against disaster

BY JACK J. GALLT

Floods, hurricanes, tornadoes, earthquakes, random shootings, acts of terrorism and, of course, the Y2K computer problem have made headlines with alarming frequency. Many are reassessing disaster preparedness as a result. Government is no exception. State and local agencies have enhanced their emergency management capabilities in the event of a wide range of natural and man-made disasters.

State governments play an essential role in preparing for, mitigating against, responding to and recovering from disasters. State spending on emergency management has increased steadily over the last decade and in fiscal 1997 amounted to $2.77 billion, an average of $61.56 million per state. Pre-disaster activities have witnessed the largest growth and account for nearly two-thirds (63 percent) of that spending. It is clear that states are focusing more of their efforts and resources on prevention, or at least on better preparedness.

The bombing of the Alfred P. Murrah Federal Building in Oklahoma City in April 1995 was a wake-up call for many in the public sector, particularly those responsible for designing, constructing, operating and maintaining government facilities. The vulnerability of state capitols, government offices and other public buildings is complicated by the fact that these facilities belong to the people. The concept of an open and accessible government remains an important principle, but must be balanced by the safety and security of personnel and facilities. In response, states have taken a variety of preventive measures such as constructing access barriers, implementing employee identification systems, and increasing employee training and awareness programs.

Reducing the risk of disaster is an important first step in developing an effective emergency management program. Yet no amount of prevention can eliminate the possibility of a disaster. States also must have comprehensive response and recovery plans that can be implemented during or immediately following an emergency situation.

The Washington State Department of General Administration recently has developed such a plan for the 33 buildings and 4.2 million square feet that comprise the state Capitol campus in Olympia and satellite campuses in Tumwater and Lacey. The plan covers all emergencies and ensures no interruption of vital government services. The goal is to protect people and property and provide a framework for response and recovery efforts. An earthquake in the Puget Sound area in July 1999, just a few days before the plan’s final draft was approved, was a gentle reminder of the need to be prepared.

A month later, Salt Lake City was the unlikely scene of a tornado that tore through the heart of downtown during the lunch hour. Trees and cars near the state Capitol suffered the heaviest damage. The Utah Division of Facilities and Construction Management responded quickly to aid people, clear damage and repair nearby buildings. Within an hour of the tornado, contractors with trucks and supplies such as plywood were on the scene. By 5 p.m., a preliminary assessment of damage and a status of repairs were delivered to the governor. Call it good fortune or good disaster preparedness, but the division had just conducted a disaster drill the week prior to the tornado.

Coordination of activities and developing partnerships to maximize limited resources is essential to any successful emergency response and recovery effort. State and local agencies must be able to work together and understand their respective roles and responsibilities. Many disasters, however, can severely strain existing state and local resources and require additional outside assistance.

Nowhere was this more evident than in North Carolina when Hurricane Floyd made landfall in September 1999 and left 48 people dead, affected thousands of people and caused an estimated $5.5 billion in damage. Despite the heroic efforts of state, local and federal agencies, additional assistance was necessary to deal with the sheer magnitude of the storm and the 20 inches of rain it brought. The state turned to the Emergency Management Assistance Compact, a mutual aid agreement ratified by 27 states and one territory. Fourteen states from as far away as Montana provided assistance, including more than 300 disaster specialists, donation managers, helicopter rescue units, crisis counselors, veterinarians and public safety personnel.

Lessons learned from recent events have better prepared states. Investments made now to protect people and property will pay off the next time disaster strikes.
Electronic commerce

BY KEON S. CHI

In the past few years, the number of businesses and consumers shopping online has increased at an astonishing rate. Two years ago, for example, only 5 million households purchased goods and services via the Internet. In the next four years, an estimated 49 million U.S. households are expected to shop electronically. Online retail sales of $20 billion in 1999 are expected to increase to $184 billion by 2004. Today’s typical electronic customers are male, better educated and have higher incomes, but the gap in buyers based on gender, age and Internet access — the so-called “digital divide” — is narrowing. More women, teen-agers and people without household Internet access are expected to join the rising tide of e-commerce.

Much is speculation, however. U.S. Secretary of Commerce William M. Daley wrote in The Emerging Digital Economy II, “We are not able to give a complete picture of the Internet’s effects on our economy.”

To develop rational tax policies on e-commerce at all levels of government, Congress passed and President Clinton signed the Internet Tax Freedom Act of 1998. The act created the Advisory Commission on Electronic Commerce and charged it to report to Congress by this April. In the meantime, the federal government placed a three-year moratorium on state and local taxation on e-commerce.

Representatives of state and local government organizations argued before Congress that the moratorium unfairly pre-empted their authority. At Advisory Commission meetings, state and local governments have called for levying state sales and use taxes on e-commerce on several grounds:

- Internet remote sellers should not be given a tax advantage over and should be treated the same as local merchants.
- Imposition of sales and use taxes on e-commerce is necessary for a level playing field for all customers.
- If left untaxed, e-commerce as it grows would further erode the sales-tax base of many state and local governments.
- Although dealing with numerous taxing jurisdictions is challenging for multistate, remote sellers, there is software available to do the job.
- If states and local governments cannot collect sales and use taxes on e-commerce, the substantial revenue losses would affect public services.

Opponents of e-commerce taxation contend that sales and use taxes on e-commerce would reduce the volume of online retail sales, negatively affecting the economy.

The strongest arguments against taxing e-commerce relate to the administrative burdens imposed on sellers by differing tax rates and tax collections for more than 7,000 state and local taxing jurisdictions.

So, the issue is: How can state and local governments reform their sales tax systems to deal more effectively with e-commerce? Many reformers propose the following:

- Adopt uniform policies on tax rates (such as a single tax per state), vendor registration, tax remittance and audit requirements, exemptions for business purchases and definitions of products and services.
- Simplify state and local sales and use tax systems by eliminating tax compliance burdens for remote sellers, especially in tax returns, payments, tax audits, tax-rate monitoring and record-keeping requirements.
- Shift e-commerce sales tax administration to third-party entities, such as software and credit card companies. For example, software would automatically figure out the sales tax on an Internet purchase based on destination and then charge it to the buyer’s credit card. The credit-card company would then isolate and transfer the taxes to the state or local taxing jurisdiction.
- Adopt uniform legislation on e-commerce taxation either on a regional or national basis by states themselves before Congress makes permanent the current moratorium on e-commerce taxation.

States should be aware of what is taking place in Congress with regard to e-commerce. Recently, Congress passed a resolution urging the U.S. government to seek an international ban on e-commerce taxes. Some members of Congress filed bills to outlaw any attempts to impose sales taxes on online purchases.

States should resist a tax-free zone for e-commerce. Creating such a tax-free zone would be the beginning of the end of state and local sales taxes in most states.

Finally, states should review the proceedings and final report of the Advisory Commission on Electronic Commerce. They should work with representatives of state and local government organizations to launch regional or national campaigns to streamline current sales and use tax systems to preserve their authority to tax e-commerce.

Note: Available is a new CSG report Electronic Commerce Revenue Implications for States, C200-9900, $20 from publications sales, (800) 800-1910 or CSG’s online store, www.csg.org.
Get your position, issue or product in front of all the nation's state government leaders. Advertising closes on the tenth of each month. Call 606-244-8118 now (kratliff@csg.org).

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