

Whew and WOW!

*Gay rights, safer
handguns and
cheaper prescription
drugs highlighted
stunning
breakthroughs in
public policies by state
legislatures and
governors this year.*

BY ELAINE STUART



Forget that it is an election year. Legislators and governors in a number of states have thumbed their noses at conventional wisdom and wrestled with contentious issues, including gay rights, gun control and prescription-drug prices.

Vermont legislators showed political courage by not flinching from resolving the gay-rights issue thrown in their laps by the state's Supreme Court. Last December, the court ruled same-sex couples deserve the same legal protections as heterosexual unions. Despite opinion polls and town meetings indicating widespread public opposition, a majority of lawmakers voted to make Vermont the first state to recognize legal unions between same-sex couples.

"I've never seen a vote that required more courage," Senate President Pro Tem Peter E. Shumlin, a Democrat, said when the bill passed in April.

Speaker Michael J. Obuchowski, a Democrat, said at session's end in May, "You demonstrated in this House, in a nonpartisan . . . fashion, you can tackle, we can tackle, the toughest issues that can be dished up to us and do it in a graceful, respectful, thoughtful and dignified way."

Democratic Vermont Gov. Howard Dean, a supporter of the law, who like many legislators is up for re-election this fall, noted the political risk. In remarks to the House, he said, "I believe

we did the right thing. We'll all find out if the voters will concur in November."

The first civil unions took place July 1.

Other states acted on gay rights in a more narrow fashion. Washington state employees will be able to add same-sex partners to their health insurance plans in 2001 in a change request-

then, handguns must be sold with external trigger locks. S.B. 211 also requires ballistic fingerprinting of guns to help police investigate gun crime.

The governor signed the precedent-setting legislation in Annapolis in April with President Bill Clinton at his side. Acknowledging the national attention, Glendening said, "Today, we set a new agenda for gun safety, not only for Maryland, but for the entire nation."

The Senate bill passed the House 83-57 despite a television commercial attacking it by the National Rifle Association. The commercial used footage of Glendening fumbling with a gun lock for a few minutes at a March 22 news conference and asked, "If your family's safety is threatened, how much time will you have to unlock the firearm you depend on for protection?"

Other states also considered gun-safety measures. The Rhode Island General Assembly in June passed a law requiring retailers to provide a trigger lock with every gun sold and increased penalties for gun crimes.

Massachusetts this year became the first to regulate handguns under consumer-protection laws. The attorney general announced the state would enforce a three-year-old state law banning cheap handguns and requiring handguns sold in the state to include childproof locks, tamper-proof serial numbers and safety warnings.



Shown in session (l to r) are Kentucky Senate President David L. Williams, the first Republican to hold the post, and House Minority Floor Leader Danny Ford, a Republican.

ed by Gov. Gary Locke, a Democrat. The California Legislature this year passed what supporters said was the first state law banning discrimination against potential jurors because they are gay. However, California voters March 7 banned gay marriages.

Triggering a movement

In a gutsy move, Maryland Gov. Parris N. Glendening, a Democrat, convinced lawmakers to make the state the first to require built-in locks on new handguns, effective in 2003. Until



The Maine Legislature wants to seek price discounts for prescriptions.

New York Attorney General Eliot Spitzer filed suit June 26 against the firearms industry. His is the first such suit by a state, although more than 30 cities and counties have sued gun makers seeking to hold them liable for gun violence.

Breaking barriers

Under a new law, Maine will become the first state to negotiate lower prices for medications for residents who do not have public or private prescription benefits. If negotiations with drug companies fail to reduce prices, the state will impose price controls in three years.

Speaker Steven Rowe, a Democrat, said the state will use its purchasing power to let all people share in savings enjoyed by health maintenance organizations and Medicaid. Maine Senate Majority Leader Chellie Pingree, a Democrat, spearheaded the bipartisan consensus to adopt the bill, which passed the Senate unanimously and House by 133 to 11. Legislators from 21 other states in June announced campaigns to adopt similar plans.

The Hawaii Legislature this session became the first state lawmaking body to authorize the use of marijuana as a medical treatment. Ballot initiatives that have passed in five other states allow restricted medical use of marijuana. Hawaii also broke new ground in 1999 by passing a law allowing the state to be the first in 50 years to allow the planting of

industrial hemp seed as an agricultural crop.

New York in June became the first state to pass a law that requires cigarettes to meet fire-safety standards.



Maryland Gov. Parris Glendening signed handgun-safety legislation in a ceremony that attracted President Clinton.

The goal is to have cigarettes self-extinguish rather than burn continuously when they are not puffed. Firefighters had lobbied for the bill for the past 18 years because cigarettes are

the leading cause of fatal fires in New York.

Opponents of capital punishment made unprecedented gains this year. In January, Illinois Gov. George Ryan, a Republican, imposed a moratorium on executions in his state until he is certain only the truly guilty are subject to capital punishment. Since 1987, the state has exonerated 13 people who were on death row. The New Hampshire Legislature voted to repeal the death penalty, but Democratic Gov. Jeanne Shaheen vetoed the measure. A measure to repeal capital punishment is being circulated for a public vote in Oregon. As of March, 113 bills dealing with capital punishment had been introduced in a total of 27 state legislative sessions.

The growth of the Internet in all facets of life from commerce to crime has led to new legislation. Virginia became the first state to pass the Uniform Computer Information Transactions Act to establish a legal framework for computer and electronic information. Maryland also passed the law this session. In addition to making it easier to do

business on the Internet, many states addressed use of the Internet to conduct crime and fraud.

Florida continued to implement the first statewide school-voucher program, pending appeal of a court decision to halt the program.

In addition to issues big and small, sessions

also sometimes address creatures great and small. Tennessee Sen. Steve Cohen, a Democrat, sponsored legislation that made his state the first to recognize pets as more than inanimate

personal property. After another dog attacked and killed his dog, T-Bo, in his own yard, Cohen found he could not recover more than vet bills and the cost of a replacement dog. The new law allows a pet owner to seek up to \$4,000 in damages for loss of companionship and affection for the negligent or unlawful and intentional killing of a pet. Barbara Newell of the Animal Legal Defense Fund said, "It's about time this happened and all the other states are behind."

New Jersey lawmakers voted in June to stop the Fish and Game Council's plan for the state's first bear hunt in 30 years.

Electoral and political firsts

Arizona pioneered voting over the Internet in its March Democratic presidential primary. Of 76,000 Democrats who voted, more than 35,000 voted online. In a disappointment for supporters, the first Western presidential primary consisted of only three states.

For the first time this year, Maine politicians can opt to campaign with public financing under the state's Clean Election Act. Participating candidates agree to forgo private financing after raising qualifying contributions. More than one-fourth of legislative candidates qualified for public financing in Maine. This year also is the first test of Vermont's new law for public financing of campaigns.

In Virginia, Republicans took over the state capitol in Richmond with a first-ever majority in the House of Delegates, in addition to controlling the governorship, lieutenant governorship and state Senate.

In Kentucky, a Republican majority was in control of the state Senate for the first time. At the same time, Demo-



Tennessee Sen. Steve Cohen shown with the pet that inspired a new law.

cratic Gov. Paul Patton was first to serve a second consecutive term in two centuries in Kentucky.

At last

Some issues seemed to defy resolution even when agreement was reached.

The South Carolina Legislature agreed to move the Confederate flag that had flown over the Capitol dome since 1962, as well as Rebel flags in each chamber. The National Association for the Advancement of Colored People, however, continued its economic boycott of the state.

A lawsuit filed by the NAACP over the Confederate symbol on the state flag resulted in a surprise ruling by the Mississippi Supreme Court in May. The court said that the state officially had no flag because when state laws were codified in 1906, there was no inclusion of the 1894 flag.

Most legislatures had adjourned by July, having passed state budgets and thousands of new laws. They hammered out agreements on education funding, tobacco-settlement funds, taxes, tax cuts and countless contentious issues. Legislators up for election in November will find out whether they earned a "wow" from voters for all their efforts. ★



With Republicans in charge of the House, Democrats of the Senate and Gov. Jesse Ventura, the first Reform Party governor, Minnesota prevailed in tripartisan politics in 2000.