

892. *Foucha v. Louisiana*, 504 U.S. 71 (1992).

A Louisiana statute allowing an insanity acquittee no longer suffering from mental illness to be confined indefinitely in a mental institution until he is able to demonstrate that he is not dangerous to himself or to others violates due process.

Justices concurring: White, Blackmun, Stevens, O'Connor, Souter

Justices dissenting: Kennedy, Thomas, Scalia, Rehnquist, C.J.

893. *Quill Corp. v. North Dakota*, 504 U.S. 298 (1992).

Application of the state's use tax to mail order sales by an out-of-state company with neither outlets nor sales representatives in the state places an undue burden on interstate commerce in violation of the "negative" or "dormant" Commerce Clause. A physical presence within the taxing state is necessary in order to meet the "substantial nexus" requirement of the Commerce Clause.

894. *Chemical Waste Management, Inc. v. Hunt*, 504 U.S. 334 (1992).

Alabama's fee for in-state disposal of hazardous wastes generated out-of-state is invalid as a direct discrimination against interstate commerce. Alabama failed to establish that the discrimination against interstate commerce is justified by any factor other than economic protectionism, and failed to show that its valid interests (*e.g.*, protection of health, safety, and the environment) can not be served by less discriminatory alternatives. The fee is not supportable by analogy to quarantine laws, since the state permits importation of hazardous wastes if the fee is paid.

895. *Fort Gratiot Sanitary Landfill, Inc. v. Michigan Nat. Resources Dep't*, 504 U.S. 353 (1992).

Waste import restrictions of Michigan's Solid Waste Management Act violate the Commerce Clause. The restrictions, which prohibit landfills from accepting out-of-county waste unless explicitly authorized by the county's solid waste management plan, directly discriminate against interstate commerce and are not justified as serving any valid health and safety purposes that can not be served adequately by nondiscriminatory alternatives.

896. *Kraft Gen. Foods v. Iowa Dep't of Revenue*, 505 U.S. 71 (1992).

An Iowa statute imposing a business tax on corporations facially discriminates against foreign commerce in violation of the Commerce Clause by allowing corporations to take a deduction for dividends received from domestic, but not foreign, subsidiaries.