Rethinking mental health

States are examining their mental and behavioral health systems with an eye on money- and life-saving reforms

by Jon Davis (jdavis@csg.org)

A quiet health care revolution is under way as Midwestern states revamp their delivery of mental health services with an increasing focus on behavioral health, which integrates mental health and substance abuse treatment, and an expansion of mental health services to children.

The changes reflect a growing realization that mental health and substance abuse disorders are interlinked; that effective treatment should run along a “continuum of care”; and that the earlier mental illnesses are recognized, diagnosed and treated in young people, the better for individuals and society.

One of the more striking transformations is set to begin in Illinois, which is about to undertake a complete overhaul of mental and behavioral health services for Medicaid recipients.

In May, 19 months after applying for a “Section 1115” Medicaid waiver, the state got approval from the U.S. Centers for Medicare & Medicaid Services to launch 10 pilot projects collectively called the “Better Care Illinois Behavioral Health Initiative.”

The idea, state officials said in their waiver application, is to “rebalance the behavioral health ecosystem” through “the full-scale integration of behavioral and physical health services” to increase the chances that once treated for mental or behavioral health disorders, individuals won’t need to re-engage the system. This approach should reduce the state’s total cost of care.

The initiative’s pilot projects — some of which will be applied statewide while others will be more geographically targeted — will launch later this year for mental and behavioral health disorders, individuals won’t need to re-engage the system, according to a statement from the Illinois Department of Healthcare and Family Services.

“Continuum of care” (or services) is a model of mental and behavioral health treatment that encompasses four main components:

1) Promotion of an environment that encourages people to seek and successfully undergo treatment;
2) Prevention of problems before they occur (such as anti-drinking or anti-drug use campaigns);
3) Treatment; and
4) Post-treatment recovery services to help people live productively and abstain from substance abuse.

For example, because stable housing and employment are crucial for successful treatment, pilot projects in Illinois will help individuals stay in or keep their own homes, and remain employed rather than become homeless and/or unemployed.

Other pilot programs cover residential and inpatient treatment for individuals with substance use disorder (SUD) and SUD case management — with services ranging from withdrawal management in clinical settings, to peer support during recovery, to crisis intervention.

Post-recovery services will include evidence-based home-visiting programs for new mothers whose babies were born with withdrawal symptoms and reside for families (the latter provides scheduled, short-term relief to prevent stressful situations from escalating).

The Illinois initiative’s initial focus will be on behavioral health and integrating that with physical health services, “due to the urgency of the issue as well as the potential financial and human impact.”

“There is also a large financial pay-off in improving behavioral health: Medicaid members with behavioral health needs represent 25 percent of Illinois Medicaid members but account for 56 percent of all Medicaid spending,” the department says.

Focusing on early intervention

States, meanwhile, are increasingly looking to improve access to mental health services for young people. One idea gaining traction in state legislatures is to invest in programs and grants that bring these services to where the students spend much of their time — the schools.

As public awareness and perceptions of mental health evolve, states are taking long, hard looks at how well they deliver mental and — increasingly — behavioral health services, and how improvements can save both lives and money.
Economic Development

Pair of Ohio bills address two hurdles to broadband access in homes, communities across state

In some rural parts of Ohio, access to broadband seems a long way off, with entire areas lacking access to high-speed internet service.

For other businesses and residents, the infrastructure is frustratingly close, but out of reach.

“We have a marble effect throughout the rest of the state — even in suburban and urban areas — where we have a street over here or a cluster of homes over there that cannot get broadband infrastructure built out to them,” Ohio Rep. Rick Carfagna explains.

Two separate bills are being considered this year to address those two distinct problems associated with Ohio’s digital divide.

Under HB 378, the state would use some money from its existing Third Frontier Initiative ($50 million for each of the next two years from the proceeds of bond issues) to help fund broadband infrastructure projects in underserved areas of the state.

“Third Frontier was created to help accelerate the growth of small businesses and technology companies in Ohio,” explains Rep. Jack Cera, who represents a part of the sparsely populated Appalachian region and who is sponsoring HB 378. “Without access to broadband, many of our residents lack the resources to be a part of that exciting opportunity.”

The legislation would create a grant program and allow private businesses, political subdivisions, nonprofit entities and cooperatives to apply. For each project, the grant could not exceed 50 percent of the total project cost or $5 million, whichever is less. These additional state dollars could help grant recipients install new middle-mile or last-mile infrastructure, obtain construction permits, construct new facilities, purchase equipment, or install and test high-speed service.

Carfagna plans for addressing the “marble effect,” meanwhile, is to establish a new partnership between the state, local governments and broadband providers.

“By pooling resources and having all parties place some ‘skin in the game,’ the existing financial barriers become far less intimidating,” he says.

Under HB 281, local governments would identify clusters of unserved homes and issue a request for proposals from providers outlining what it would take to get service to these areas — in particular, what are the existing “cost hurdles”? Then, to overcome these hurdles, the state would offer matching grants to local jurisdictions willing to help pay the costs that private providers are not willing to absorb.

Education

Kansas to phase in funding boost for schools; court to rule on plan’s constitutionality

Over the next five years, the state of Kansas will invest an additional half-billion dollars in its K-12 schools as the result of legislation signed into law earlier this year.

“That amount of money that we have committed to spend is, at least, approaching an appropriate level,” says Kansas Rep. Melissa Rooker, noting that legislators already had increased state funding by $300 million during the 2017 session.

Finding that “appropriate level,” not only in the eyes of the Legislature but also the state Supreme Court, has dominated discussion in Topeka for the past several years.

Last October, following passage of legislation in 2017, the Kansas Supreme Court ruled that the state still had not proven the constitutionality of its finance system. This school-funding case dates back to 2010 and centers on plaintiffs’ contention that funding for Kansas schools is neither adequate nor equitable. (Most states have “education clauses” in their constitutions; Kansas’ language says the Legislature “shall make suitable provision for finance of the educational interests of the state.”)

Under this year’s law (SB 423), per-pupil base state aid will gradually rise from $4,900 in 2018-19 to $5,545 in 2022-23; in subsequent years, that amount will be automatically adjusted based on inflationary changes. More money will be provided for special education, teacher mentoring and wraparound services (based on a child’s health or family needs, for example), Rooker says, and the state will cover the costs for students to take the ACT and ACT WorkKeys assessments.

Also included in the new law is a more robust accountability system — for example, performance audits that make sure the additional state dollars are being spent wisely and that state funding levels are keeping up with the educational needs of students.

The next step for the state and its school districts is another ruling by the Kansas Supreme Court. (Justices already have issued five opinions in Gannon v. State.) Plaintiffs in the case (a group of school districts) say SB 423 does not go far enough, arguing in their May 7 brief with the court that base aid remains inadequate and that inequities are exacerbated by certain provisions in the new law. For example, local tax dollars raised by a school district must equal 15 percent of its total foundation aid.

The state of Kansas counters that the new funding levels are based on previous rulings and guidance by the court, as well as a peer-reviewed, evidence-based analysis of education costs and student outcomes.

Both bills passed the House this year with high levels of support; as of May, they were under consideration in the state Senate.

Issue Briefs cover topics of interest to the various groups and policy committees of CSG Midwest, including the Midwestern Legislative Conference, Great Lakes Legislative Caucus, Midwest Interstate Passenger Rail Commission and Midwestern Radioactive Materials Transportation Committee.
**Agriculture & Natural Resources**

Preventing farm deaths from tractor rollovers is goal of state-funded grant programs

As a young man growing up in northern Indiana, Bob Kulp fell off a tractor and got run over by it, a nearly fatal accident.

Now a state legislator in Wisconsin, Kulp is looking to get state support for grants that help avoid these and other types of tractor-related accidents (they are the leading cause of farm-related deaths; see pie chart).

Rollovers kill almost 100 farmers a year, according to the National Safety Council, while even more people are permanently disabled from these incidents.

Under Kulp’s proposal (AB 827), state funding would go to cost-share programs that help farmers purchase and install rollover protections. These types of structures (roll bars or roll cages), plus use of a seat belt, are 99 percent effective in preventing injury in the event of a tractor overturn.

All tractors built since the mid-1980s have these structures, but about half of the tractors in use today were built before that time. According to Kulp, many farmers in his district, especially those with small operations, drive older tractors and plan to pass them on for use by the next generation of agriculture producers.

Six U.S. states, including Minnesota, already have grant programs to encourage the installation of rollover protection structures.

Over the past two years, Minnesota legislators have appropriated $250,000 and $150,000, respectively, and also helped raise private funds. (According to the state Department of Agriculture, private funds have been contributed by ADM, AgCountry, AgriBank, AgStar, Cargill, CHS Inc., Land O’Lakes and United FCS.)

The result: Minnesota provides the most financial support of any state for farmers to install rollover protection structures and seat belts.

“The state covers 70 percent of the cost of installing roll bars,” says Rep. Paul Anderson, who helped secure the state appropriation and get agriculture firms to contribute to the public-private partnership.

“We needed to keep the out-of-pocket cost to farmers under $500 to maximize participation,” On average, it costs more than $1,000 to add rollover protections (some kits are more than twice that amount). But with Minnesota’s grant program, the average out-of-pocket expense is $391.

“The program was well received, and all the funding we allocated in the last biennium budget was used,” Anderson says.

A cost-benefit analysis found that the program should pay for itself within three years because of reduced deaths and injuries, and Minnesota reduced its administrative costs by using marketing and website services that already had been set up by the nonprofit New York Center for Agricultural Medicine and Health.

Farm safety also was the subject of a legislatively mandated report done last year by the Minnesota Department of Agriculture. The study found that 30 percent of Minnesota’s workplace fatalities are occurring in agriculture, even though only 2 percent of the workforce is involved in this sector.

The study’s authors included several recommendations to reduce farm injuries and deaths — for example, continuing to help farmers install rollover protections, creating a farm-safety certification program, investigating financial incentives to boost safety measures, and re-establishing a farm-safety faculty position at the University of Minnesota Extension.

In Wisconsin, AB 827 was unanimously approved by an Assembly committee in March. It didn’t go any further this year due to budget constraints, but Kulp intends to push again next year for a state-supported grant program that helps prevent tractor-related deaths on the farm.

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**Criminal Justice & Public Safety**

Nebraska law gives victims of sex trafficking the chance to have criminal records erased

A new law in Nebraska will help victims of sex trafficking clear their records of prostitution or other offenses that were a direct result of their being trafficked. The new statute applies to both convictions (crimes committed by adults) and adjudications (offenses committed by minors).

To have their records cleared, victims must provide evidence, such as phone records, online ads, sworn testimony or other documentation, that shows they were being trafficked at the time the offense occurred. If a court agrees, the conviction or adjudication will be vacated and the record expunged.

Sen. Patty Pansing Brooks says she sponsored the enacting legislation (LB 1132) to help sex trafficking victims eliminate the barriers to housing, employment and education that are often associated with having a criminal record. According to Pansing Brooks, one sex trafficking victim who testified in support of the bill revealed that she had been arrested 196 times.

In recent years, Pansing Brooks and other

include several recom

brief written by Carolyn Orr, staff liaison to the Midwestern Legislative Conference Agriculture & Natural Resources Committee. She can be reached at corr@sarl.us. The committee’s co-chairs are Iowa Sen. Kevin Kinney and Minnesota Rep. Paul Anderson; its vice chair is Illinois Rep. Norine Hammond.

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Brief written by Katelyn Tye-Skowronska. The Midwestern Legislative Conference Criminal Justice and Public Safety Committee is led by two co-chairs, Illinois Sen. Mattie Hunter and Nebraska Sen. Laura Ebke, and a vice chair, North Dakota Rep. Shannon M. Roers Jones. Mike McCabe (mmccabe@cgp.org) is serving as CGP Midwestern staff liaison to the committee.
Iowa legislators cut income taxes, expand sales tax base

In recent years, many proposals to change state tax systems have been introduced and debated during the Midwest’s 2018 legislative sessions, but as of early May, only one major restructuring plan had become law. Iowa’s SF 2417, passed by the Legislature in early May, cuts rates in each of the state’s nine income tax brackets. These modifications take effect in tax year 2019, and a more far-reaching overhaul could occur four years later — a reduction in the number of tax brackets from nine to four and a drop in the top rate (for incomes $75,001 and higher) to 6.5 percent.

Two revenue targets, however, would have to be reached to trigger these changes in tax year 2023: growth of 4 percent in the state general fund between fiscal years 2021 and 2022, and total general fund revenues of $83.3 billion in FY 2022. SF 2417 also conforms with recent changes in the federal tax code; reduces corporate income tax rates (starting in tax year 2021); prepares the state to collect more revenue from remote sales (pending a decision in Wayfair, see story to the right); and expands the sales tax base to include economic activity related to digital goods, ride sharing and subscription services.

In FY 2019, these changes will result in a net reduction of $100 million in state revenue, the Iowa Legislative Fiscal Bureau estimates. That figure could rise to $642 million by FY 2024.

In Nebraska, various proposals to provide property and/or income tax relief failed to garner enough support, and in Kansas, legislators adjourned without passing a proposal to raise the standard deduction for income-tax payers. As of early May, competing proposals in Minnesota were being considered to cut income taxes.

Earlier this year, Wisconsin lawmakers passed SB 798, which provides a $100-per-child rebate to families and creates a back-to-school sales tax holiday from Aug. 1-5. During that time, the sales tax will not apply to clothing and school supplies sold for $75 or less, computer supplies that cost $250 or less, and computers with a price tag of $750 or less. According to the Federation of Tax Administrators, two other Midwest states will have sales tax holidays this year: Iowa and Ohio.

**E-commerce retail sales as a % of total retail sales, 2007 to 2017**

Source: Federal Reserve Bank of St. Louis

**Sales tax as % of total state tax collections in 2017**

Source: Federation of Tax Administrators

**What’s at stake? Estimated revenue gains for state and local governments if given expanded authority to collect taxes on remote sales**

<table>
<thead>
<tr>
<th>State</th>
<th>Low estimate</th>
<th>High estimate</th>
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<tbody>
<tr>
<td>Illinois</td>
<td>$383 million</td>
<td>$626 million</td>
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<tr>
<td>Indiana</td>
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<td>South Dakota</td>
<td>$53 million</td>
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<tr>
<td>Wisconsin</td>
<td>$123 million</td>
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*Calculations are for 2017. Source: U.S. Government Accountability Office, November 2017

Iowa's tax restructuring plan had become law.

**State and local revenue collections per capita and as a % of personal income in state (2015)**

<table>
<thead>
<tr>
<th>State</th>
<th>Per capita</th>
<th>% of personal income</th>
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<tbody>
<tr>
<td>Illinois</td>
<td>$7,375</td>
<td>15.1%</td>
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<td>Indiana</td>
<td>$6,018</td>
<td>14.9%</td>
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<tr>
<td>Iowa</td>
<td>$7,536</td>
<td>17.1%</td>
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<tr>
<td>Kansas</td>
<td>$6,972</td>
<td>15.0%</td>
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<td>Michigan</td>
<td>$6,242</td>
<td>15.3%</td>
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<td>Minnesota</td>
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<td>Nebraska</td>
<td>$7,301</td>
<td>15.2%</td>
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<tr>
<td>North Dakota**</td>
<td>$12,155</td>
<td>27.4%</td>
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<tr>
<td>Ohio</td>
<td>$6,496</td>
<td>15.4%</td>
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<tr>
<td>South Dakota</td>
<td>$5,708</td>
<td>12.5%</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>$6,670</td>
<td>15.1%</td>
</tr>
</tbody>
</table>

*Figures only include own-source revenue; federal transfers are excluded. The U.S. medians are as follows: $6,670 per capita and 15.1 percent of personal income.

**North Dakota revenue collections are unique in the Midwest because of the amount generated from oil and gas production.

Source: Federation of Tax Administrators

From Quill to Wayfair, Midwest’s states at center of legal questions over collection of taxes from remote sales

In 2017, because they lacked the authority to require the collection of sales taxes on remote sales, states and local governments lost up to $13 billion.

With one Midwestern state leading the way, this legal and fiscal landscape could change soon, depending on how the U.S. Supreme Court rules in South Dakota v. Wayfair.

For now, a 1992 decision, Quill Corp. v. North Dakota, is the law of the land. It says that, minus congressional action, a state can only require businesses with a substantial presence, or nexus, to collect and remit the sales tax. That ruling has affected not only state tax bases, but the competitiveness of Main Street businesses as well — particularly with the rise of electronic commerce (see line graph).

Four years ago, The Council of State Governments, in partnership with the State and Local Legal Center and members of the Big Seven organizations representing state and local governments, filed an amicus brief criticizing Quill, which prompted Justice Anthony Kennedy to ask for a case to overturn the ruling.

“If the Supreme Court wanted to leave the Quill rule in place, it probably would have simply refused to hear South Dakota v. Wayfair,” says Lisa Soronen, the center’s executive director. Justices heard oral arguments in the case in April.

If states do get this expanded authority, it’s unclear exactly how much more they will collect in sales taxes; studies trying to estimate the impact have reached very different conclusions. Late last year, the U.S. Government Accountability Office pegged the increase as being somewhere between $8 billion and $13 billion a year (see table for state-specific figures for Midwest) that equates to between 2 percent and 4 percent of total state and local revenue collected via the sales tax.

While the rise of internet sales since Quill is well known, the work of states in creating a simpler, more uniform system of sales tax collection has received less attention.

But for nearly two decades, states have worked with one another and businesses on developing, implementing and fine-tuning the Streamlined Sales Tax Agreement. Twenty-three U.S. states (including all but Illinois in the Midwest) are currently full members of this agreement, which took effect in 2005.

“It represents a thoughtful, carefully worked-out compromise where all the parties involved looked at the undue burdens [related to sales tax collection], worked with the business community to identify them, and then found solutions,” says Craig Johnson, executive director of the Streamlined Sales Tax Governing Board.

Does requiring remote sellers to collect sales taxes place an undue burden on interstate commerce? That is a fundamental question before the Supreme Court, and in his argument for overturning Quill, South Dakota Attorney General Marty Jackley points to the Streamlined Sales Tax Agreement — and his state’s membership in it — as evidence of today’s more uniform, simpler compliance system.

In Wayfair, the court will determine the constitutionality of South Dakota’s SB 106. Passed two years ago, it requires most retailers without a physical presence in the state to remit the state’s sales tax. The law applies to sellers with 200 or more annual transactions in South Dakota or whose gross revenue from sales in the state exceed $100,000.

Article written by Tim Anderson, CSG Midwest publications manager. He can be reached at tanderson@csg.org.

From Quill to Wayfair, Midwest’s states at center of legal questions over collection of taxes from remote sales

**E-commerce retail sales as a % of total retail sales, 2007 to 2017**

Source: Federal Reserve Bank of St. Louis
Pay for South Dakota legislators tied to state’s median income

by Laura Tomaka (ltomaka@csg.org)

For the first time in 20 years, South Dakota legis- lators are in line to receive a pay raise — big news in a state that has had one of the lowest legislative compensation levels in the nation. Starting next year, the salaries for South Dakota’s 105 part-time legislators will be adjusted annually to equal 20 percent of the state’s median household income. That means a jump in annual pay from $6,000 in 2018 to an estimated $10,200 in 2019.

“In my six years as a legislator, I never saw a clear pathway to increasing legislative pay because too many legislators either did not support it or would not vote for a pay increase,” says Rep. Leslie Heinemann, sponsor of HB 1311. But this year, for the first time, he sensed a willingness by large numbers of legislators to take on and decide the pay issue themselves. (An alternative bill would have sent the proposal to voters.)

Under the South Dakota Constitution, a two-thirds vote in the House and Senate is required to “fix the salary of any or all constitutional officers, including members of the Legislature.”

HB 1311 comfortably met that threshold in both legislative chambers. According to Heinemann, low legislative pay has had a negative impact on candidate recruitment in his home state.

“Many of those who want to run just can’t do it because it’s too big of a sacrifice,” he says. His hope is that the wage boost gives more people the chance “to serve in the citizen Legislature.”

“South Dakota is the first Midwestern state to tie legislative compensation to median household income. In Nebraska, where pay for legislators is set in the state Constitution, a proposed constitutional amendment (LR 295CA) was introduced this year to set these salaries at 50 percent of median income. This change would result in an increase from $12,000 a year to $28,000. The amendment, however, failed to advance.

In 2016, Minnesota voters approved a legislatively referred constitutional amendment that created an independent, citizen-run board to determine legislator pay. One year later, that board (the Legislative Salary Council) increased annual salaries from $33,140 to $45,000 — the first pay increase for Minnesota lawmakers since 1999. This state panel based the new compensation level on inflationary changes over the previous 18 years.

In most other Midwestern states, legislators vote on their own salary levels. However, Indiana uses a statutory formula that sets the pay of legislators at 18 percent of that of trial court judges; in Wisconsin, a joint legislative committee approves legislative pay by either adopting or amending recommendations made by the state’s director of employment relations.

Pay for Midwest’s state legislators

<table>
<thead>
<tr>
<th>State</th>
<th>Salary</th>
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</thead>
<tbody>
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<td>Illinois</td>
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<tr>
<td>Indiana</td>
<td>$25,416 a year</td>
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<tr>
<td>Iowa</td>
<td>$25,000 a year</td>
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<tr>
<td>Kansas</td>
<td>$48.66 per session day, plus $7,083 for session expenses</td>
</tr>
<tr>
<td>Michigan</td>
<td>$71,685 a year</td>
</tr>
<tr>
<td>Minnesota</td>
<td>$45,000 a year</td>
</tr>
<tr>
<td>Nebraska</td>
<td>$12,000 a year</td>
</tr>
<tr>
<td>North Dakota</td>
<td>$495 a month, plus $177 per session day and interim committee days</td>
</tr>
<tr>
<td>Ohio</td>
<td>$60,584 a year</td>
</tr>
<tr>
<td>South Dakota</td>
<td>$30,200 a year (takes effect in 2019)</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>$50,950 a year</td>
</tr>
</tbody>
</table>

Wisconsin has three separate certification programs: one for women, a second for minorities, and a third for disabled veterans. Under state law, any certified minority business enterprise may be awarded a state contract if its bid is no more than 5 percent higher than the apparent low bid but no more than 5 percent lower than the most advantageous offer. This preference does not extend to women-owned businesses. It is extended, however, to businesses owned by disabled veterans.

In recent years, Minnesota has ramped up strategies to close the gap between the state’s total number of minority- and women-owned businesses and the percentage of state contracts awarded to them. Under current administrative rules, “a certified targeted group, economically disadvantaged area or veteran-owned small business may be awarded up to a 6 percent preference in the amount offered over the lowest responsible offer from another vendor.”

For large projects, Minnesota establishes subcontracting goals for the contractors to hire these “targeted” businesses. And under Minnesota’s Equity Select program, state agencies can directly select certified diverse businesses on any purchase or contract up to $25,000, without competitive bidding.

In Nebraska, preference is given to contract bidders from economically distressed areas that have been designated by the state as enterprise zones.

Article written by Tim Anderson (randersonn@csg.org), CSG Midwest publications manager. Question of the Month highlights an inquiry sent to the CSG Midwest Information Help Line: csgm@csg.org or 630.925.1922.

QUESTION OF THE MONTH

QUESTION: What policies are in place in this region to increase the number of state contracts going to minority- and female-owned businesses?

No state in the Midwest requires that a certain percentage of contracts be given to minority- or women-owned businesses. (Outside the region, Connecticut requires that 6.25 percent of the value of state and local government contracts go to companies owned by women, minorities or individuals. However, at least three states have specific goals set in statute: Illinois, Ohio and Wisconsin.

Illinois’ “aspirational goal” is to have 20 percent of the value of state contracts awarded to businesses owned by minorities (11 percent), women (7 percent) and people with disabilities (2 percent). Each agency and university must file a compliance plan that outlines goals for awarding contracts to businesses owned by individuals in these demographic groups. The plans are reviewed and approved by the Illinois Business Enterprise Program Council.

Ohio’s set-aside goal is 15 percent for minority-owned enterprises. In Wisconsin, meanwhile, the Department of Administration is directed to work toward two goals: 5 percent of the total value of contracts and subcontracts going to minority businesses, and 1 percent to disabled veterans.

One common strategy among most states is to require disparity studies that review statistical trends and help agencies meet various statutory goals or requirements.

In addition, nearly every state in the Midwest provides some type of targeted technical assistance and administrators a certification program for minority- and female-owned businesses. Under Indiana law, the Department of Administration must operate a Division of Supplier Diversity to “promote, monitor and enforce the standards for certification of minority and women’s business enterprises.” Indiana also has a Governor’s Commission on Minority and Women’s Business Enterprises. Created by statute, and composed of representatives from every region of Indiana, this commission works with certified minority- and female-owned enterprises and sets goals for participation by these businesses in state-funded contracts and subcontracts.

Barriers to contracts: Obstacles most commonly cited by minority-owned businesses

- Lack of networking opportunities
- Required bonding levels and/or insurance requirements for project
- Not receiving timely payment
- Lack of access to capital
- Discriminatory attitude

Source: Minority Business Development Agency (based on review of disparity studies done by state and local governments).
States focusing on children as they look at reforming their mental health systems

In the wake of shootings such as the incident earlier this year at a Florida high school, more attention is being paid to not just the physical safety of students and young people, but also to their mental health needs.

In Wisconsin, Gov. Scott Walker in March called a special session of the Legislature to address school safety issues. AB 843, the $100 million package he proposed — and that legislators approved — included:

• Creation of a new Office of School Safety, and inclusion of trauma-informed care and adverse childhood experiences among the training options to be offered by the office.

• Amending state bullying-notification statutes to require that parents or guardians be notified within 48 hours of a bullying incident involving their child. The law had previously required notification but did not have a specific time requirement.

The legislation included a $3.25 million fund from which schools can apply for grants next summer to partner with community providers to get their students access to mental health services, as well as about $1 million to fund training for school staff in recognizing mental health challenges, referring kids for additional help, and using approaches that are sensitive to trauma that kids may have experienced.

It also allocated about $3 million for the 2018-19 school year to help districts boost social worker staffing levels, which fall below industry recommendations across the state.

Wisconsin’s state budget also includes $1.25 million in funding for state health officials to create one or more shelters, known as “crisis stabilization facilities,” for children. The state, through grant funding awarded to nonprofits, currently operates three such shelters, where adults nearing a mental health crisis can temporarily stay to receive support and hopefully avoid hospitalization.

Gov. Walker’s wife, Tonette, leads Fostering Futures, an initiative she began in 2011 to raise awareness about how childhood traumas can shape a person’s life. Currently, it aims to prevent and reduce childhood trauma and toxic stress while working to improve the well-being of children and their families.

Earlier this year in Iowa, Gov. Kim Reynolds created the Children’s Mental Health Board to take a comprehensive look at what resources are available and develop a strategic plan to better help children with mental health issues.

Gov. Reynolds in March signed a significant expansion of mental health services: HF 2456, which creates six new regional “access centers” to help people who are having mental health crises, but don’t need hospitalization.

The law also adds “assertive community treatment” teams, which go out into communities and help residents with serious mental illnesses stay on their medication and in treatment so they don’t spiral out of control and need hospitalization.

And the law encourages development of “subacute” treatment facilities, which could take patients who are ready to be released from hospitals but still need significant oversight.

Outside the Midwest, New York is becoming the first state in the country to require school districts to incorporate mental health into their existing health-education curricula for elementary and high schools, thanks to A 3887, which was approved by legislators and signed into law in 2016.

The idea isn’t mandating a completely new class that must be fit into existing school schedules, but to update health classes with a mental health component, says John Richter, director of public policy for the Mental Health Association of New York.

“Our thinking was, if we could get the legislature to say, ‘Schools should be teaching this,’ we could get legislators to give schools a green light.”

**Examples of recent legislation, other activity in Midwest related to mental and behavioral health policy**

**In March, Illinois Gov. Eric Holcomb signed HB 1007, which authorizes the creation of nine opioid-addiction treatment centers (so no resident has to drive more than an hour for treatment) and expands flexibility for mental-health worker licensing by requiring the state’s Office of Medicaid Policy and Planning to centralize and streamline the process for verifying workers’ credentials, so that one credentialing decision applies to all Medicaid programs.**

**In Iowa, lawmakers unanimously approved SF 2115, which requires school districts to provide at least an hour of annual suicide prevention and “postvention” (the coordinated response following a student’s suicide) training for teachers and staff who have regular contact with students. In addition, school personnel will learn how to identify suicide risk factors and strategies to mitigate toxic stress response.**

**Part of Michigan’s new school funding law (SB 432) creates and funds a $10 million pilot program to create Mental Health Intervention Teams in select schools. The schools will partner with local community mental health centers “to improve social-emotional wellness and outcomes for students by increasing school access to counselors, social workers and psychologists statewide.”**

**Some lawmakers are examining access to the state’s mental health services in a 2018 interim study. Committee members are reviewing available services and their capacities; how the law encourages development of “subacute” treatment facilities, which could take patients who are ready to be released from hospitals but still need significant oversight. The task force must report to the governor and Legislature every six months.**

**According to the Mental Health Association of New York, the state’s primary mental health crisis centers are still need significant oversight. The Minnesota Department of Human Services estimates that 14,971 students will be served by these programs by the end of the current school fiscal year.**

**In 2017, North Dakota Gov. Doug Burgum signed SB 208, which broadened options for teacher training to include behavioral health topics such as trauma, social and emotional learning, suicide prevention and bullying. The law also established a task force on children’s behavioral health to identify gaps in care and ways to fill them, and to ensure that services are seamless, effective and not duplicative. The task force must report to the governor and Legislature every six months.**

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**In South Dakota, legislators are examining access to the state’s mental health services in a 2018 interim study. Committee members are reviewing available services and their capacities; how the law encourages development of “subacute” treatment facilities, which could take patients who are ready to be released from hospitals but still need significant oversight. The task force must report to the governor and Legislature every six months.**

**In 2017, South Dakota’s state budget included $7 million for initiatives aimed at increasing mental health services and access to services for students and young people.**
light’ to teach this,” Richter says. “We’d like to see schools really embrace it and not only weave it into existing health classes, but go a little further and create a schoolwide climate of mental health wellness,” he adds.

**Systematic statewide reform?**

State legislators also have been considering myriad bills to improve, expand or better fund their entire mental and behavioral health systems.

Michigan legislators, as detailed by Rep. Klint Kesto in the April edition of Stateline Midwest, are Mulling seven bills aimed at improving the state’s mental health services and easing a mental-health worker shortage in the state. HB 5085 would dedicate a portion of state liquor tax revenue to local community mental health agencies, while HB 5439 would create a state database of available psychiatric beds that could be tapped by health care facilities and providers to help ensure beds are available to those who need them.

In Minnesota, the Governor’s Task Force on Mental Health issued its final report in November 2016. Among its recommendations: Create a comprehensive mental health continuum of care, and convene a group to examine how the system can be better governed.

The task force also recommended using a cultural lens to reduce mental health disparities by working with tribal authorities and minority communities to develop strategies for doing so.

Its report also called for promoting mental health awareness and mental illness prevention, and implementing short-term improvements to acute care capacity (the number of available inpatient psychiatric beds).

Assistant House Majority Leader Roz Peterson says HF 2945, which would remove a requirement that providers of “intensive residential treatment services” must have contracts with a host county agency, to instead require that the “IRTs” facility give specific information to the state health commissioner, is a result of the report.

The idea is to make it easier for such facilities to open where they’re most needed, she adds.

A pending omnibus education spending bill, HF 4328, includes an additional $5 million for school-based mental health grants and aims to better align school systems with their counties’ health systems (in Minnesota, counties provide social services), Peterson says.

“The focus is on getting the right service at the right place at the right time,” she adds.

In April, North Dakota’s Department of Human Services and the Human Services Research Institute — a national research group that studies mental health, substance abuse prevention, developmental and intellectual disabilities, and children and family services — released a 249-page study of the state’s behavioral health system with 66 recommendations aimed at shifting the system away from an over-reliance on residential and inpatient services.

The report calls on the state to aspire to a “good and modern behavioral health system” by refocusing money and effort on awareness education to reduce misconceptions and stereotypes of mental illness, investing in prevention and early intervention services, and expanding outpatient and community-based services.

It also calls for expansion of telehealth services, creation of partnerships with tribal governments to improve health parity, and development of a comprehensive plan to implement the recommendations.

The report further recommends that the state continue implementing criminal justice reform.

This summer, an interim study group of South Dakota legislators will take a deep dive into their state’s mental health system and report back to their colleagues before the Legislature’s next session begins in January.

The group will look at the current scope of mental health services in South Dakota, funding — including whether new dollars are needed or if resources should be better allocated — current benchmarks and best practices, to then ask what (if anything) the Legislature should do, says South Dakota Sen. Deb Soholt, who is serving as chair of the group.

“What we want to do is get a clear look at what is happening … get a sense of the landscape,” Soholt says. “What is working? Where should we spend our money? What treatment modalities actually work for our citizens?”

Sen. Alan Solano, a member of that group who is also CEO of Behavior Management Systems, a Rapid City-based community mental/behavioral health provider, says he hopes to get “a better understanding of where we have gaps in the continuum of care … and develop strategies as a state for how we fill those gaps.”

He also hopes the study will help legislators get a better grip on staffing needs — something Solano says he sees in his own organization as older, experienced employees retire while not enough new people are entering the field.

That problem is exacerbated by South Dakota’s “rural/frontier” nature as the need for service is growing, he adds.

“We’ve seen in our organization a pretty steady growth. Not necessarily exponential growth, but just a steady increase as awareness grows and mental health is mainstreamed,” Solano says.

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**Funding parity remains a work in progress in the Midwest**

The U.S. Mental Health Parity and Addiction Equity Act (a.k.a. the federal parity law) of 2008 requires health insurance plans to cover behavioral health benefits and physical health benefits equally.

Under the law, health insurance plans cannot have higher co-payments and other out-of-pocket expenses for behavioral health benefits than they do for other medical benefits; cannot put higher limitations on the number of visits or days of coverage for behavioral health care than they do for other medical care; and cannot use more-restrictive managed-care practices for behavioral health benefits than they use for other medical benefits.

The law does not require that all health insurance plans cover behavioral health care, but if they do, the coverage must be comparable to what’s in place for other medical care.

The catch, according to ParityTrack (a website co-sponsored by The Kennedy Forum and the Scattergood Foundation), is that parity laws “do not apply to all plans in the same way, and not all types of health insurance are covered by the federal parity law or a state parity law.”

The Midwest doesn’t fare well under ParityTrack’s rankings of states’ parity legislation or regulation: Only Illinois is listed as “promising” in both categories. For legislation, Indiana, Kansas, Minnesota, Nebraska and Wisconsin are rated “neutral” while Iowa, Michigan, North Dakota, Ohio and South Dakota are rated as “needs work.”

While the federal parity law is a good idea, “in practice, implementation has been a lot more piecemeal,” says Rebecca Farley David, vice president of policy and advocacy at the National Council for Behavioral Health.

States are moving ahead of the federal government in applying parity laws to policies not regulated by the federal law, she says.

“Parity has not been the tool that has completely lifted prior restraints … and a lot of folks are really disappointed by that,” David says. “The positive thing is that states are moving forward, but more needs to be done.”

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**Regulatory landscape in Midwest for mental health funding parity**

*States are scored based on answers to several dozen questions about their regulations and program requirements regarding funding parity for mental health.*

Source: ParityTrack.org

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Additional Resources:

- Direct Link to the ParityTrack.org report on the Midwest for Mental Health Funding Parity
- Direct Link to the study by the National Council for Behavioral Health on State Parity Law and Regulations
For nearly two decades, Terry Goodin has been serving in two of his home area’s most visible leadership positions — state representative in the Indiana House, superintendent of a K-12 school district.

In 2017, Goodin’s legislative colleagues in the House Democratic Caucus gave him a third responsibility, that of minority leader. The southern Indiana native has always viewed these leadership roles as interconnected, with the experience of being a superintendent informing his work as legislator, and vice versa. In fact, that job as a school administrator helped convince Goodin to run for office in the first place, because he saw how deeply and often policies made in the Statehouse were impacting his schools, students and staff.

He wanted to be part of the decisions being made, and with the recent ascension in leadership, he has an even greater chance to help shape the work and priorities of his caucus and the legislature.

In a recent interview with CSG Midwest, Rep. Goodin discussed his multiple responsibilities, his work as minority leader, and his vision for Indiana. Here are excerpts:

Q: What do you view as some of the qualities and characteristics of an effective leader, and how would you describe your style in the legislature?
A: I feel like there isn’t a lot of difference between being a good legislator and a good leader. The qualities are similar. You should work hard, care about others, and listen to their thoughts and ideas. You need to understand that the members of your caucus all come from different areas of the state. Their thoughts, and the concerns of their respective communities, can be quite different than the ones you bring to the table from a different area of the state. As a leader, you also have to be willing to make the tough choices and tough decisions. Others may not always agree, but you have to be able to explain your reasoning and move on.

Q: How has your experience as an educator impacted your approach to working with your colleagues in the legislature? Are there some lessons that were applicable?
A: Being an educator has given me a huge leg up. When working with constituents, I can reflect back to when I was in the classroom with 35 or 40 different personalities every period. When I became an administrator, I worked not only with the students, but with parents, school board members, other administrators and the community. The experience of social and personal interaction that I gained as an educator has tremendously impacted the way I work with individuals in the legislature, and how to communicate in a way that is comfortable for them.

Q: In late fall of 2017, you were elected to be the leader of your caucus. What made you decide to run for caucus leader, and how did you go about pursuing the leadership path?
A: I don’t know if you ever decide to run for leader, like you decide to run for office. What happens is that the trust and confidence that your colleagues have in you actually lifts you up into that position. Sometimes it is better if colleagues come to you to consider running for leader, rather than you simply deciding to run.

Being a member of the state Budget Committee (a five-member body composed of one legislator from each caucus along with the state budget director), as well as the Ways and Means Committee, gave me a good perspective to sit in the leader’s seat. I had a good perspective about Indiana’s policies, because I could see how and where we are spending our money and whether it is being spent in the most efficient way.

Bio-sketch of Rep. Terry Goodin

- minority leader in Indiana House since 2017; first elected to legislature in 2000
- superintendent for southern Indiana’s Crothersville Community Schools; previously served as a teacher and school administrator
- raises beef cattle on family farm
- he and his wife, Darrie, have three children

“How disagree if you have to, but make the disagreements about policy and not personalities.”

Q: What are some of the most rewarding parts of being a legislator?
A: I honestly believe that I give people a voice in the Statehouse who feel like they have no voice. I am very accessible, and I feel like I give people in my southern Indiana district, who often have no dealings with Indianapolis, a way to be heard and to work through red tape and other frustrations with government.

Q: What are some of your biggest frustrations with the legislature, or what would you most like to change?
A: I don’t get frustrated with the legislature. It’s a process and it’s a system. There is always room to tweak things and make them a little better. If you start getting frustrated with the process, you probably should question whether it might be time to move on to your next role. While the wheels of government move slowly, it is structured such that way deliberately, keeping in mind that there is always room to improve bipartisanism.

Q: What do you see as some of your state’s biggest challenges and opportunities over the next 15 to 20 years?
A: Our challenges in Indiana are not unlike those in other states with similar demographics. We need to particularly focus on job training and workforce development. We sometimes have a tendency in Indiana to rest on our laurels, but we have to remember that we need to always continue to move forward and make things better for all Hoosiers.
Helping schools help disabled students

My ‘Better Bottom Line’ gives schools $1,000 per student, if they’re successfully employed or in job training one year after graduation

by Wisconsin Assembly Assistant Majority Leader Rob Brooks (Rep.Rob.Brooks@legis.wisconsin.gov)

A few months into my inaugural term, I had the opportunity to meet with two high school students, Autumn and Nathan, and their transitional teacher, Josiah. Our conversation centered on their employment experience as students with disabilities. Both Autumn and Nathan had such fervor and enthusiasm for work and were appreciative of the teacher who had made their employment possible.

I have always considered our youth to be Wisconsin’s greatest resource, and this meeting especially confirmed my belief. Autumn and Nathan made me hopeful about our state’s future and sparked an idea on how to ensure that theirs, and other students’, remained bright.

That was the reason behind a budget motion that I authored last session (2015-16): My “Better Bottom Line Initiative” seeks to improve employment outcomes for young adults with disabilities, allowing them to contribute to our economy.

The proposal offered a $1,000-per-pupil incentive payment to school districts that can show that they are preparing their students with disabilities for the workforce or post-secondary education or training courses.

Schools are required to report their outcomes for students for one year after graduation to receive payment. Students must be working or enrolled in a training program or college to qualify for the program.

In turn, schools can use this incentive payment to improve their transition programs with activities such as purchasing a van for transporting students to jobs, adding more teachers or paraprofessionals to support job development, offering more resources for college preparation and Advanced Placement courses, creating ACT study sessions for students with disabilities, and learning how to use data to further develop quality special-education programs.

This pay-for-performance fund does not serve solely as an incentive to school districts that assist students with disabilities in achieving their educational and employment goals. Rather, it helps cover what can be extraordinary startup costs of securing a youth’s first work experience: transportation to the job, time for a transition teacher to meet with local businesses, or a job coach to help train workers.

The performance payment amount was decided upon after receiving input from constituents and stakeholders, who understand these essential costs and the need for reimbursement.

All districts across the state are eligible to obtain funds, if they meet the requirements.

I understand that we have a long way to go in Wisconsin — for some groups of students with disabilities, more than one-third report never participating in any further education, training or employment one year out of school. The Better Bottom Line Initiative moves opportunities for students with disabilities in a positive direction.

Big boost for incentive in new budget

Most Wisconsin school districts do not have the targeted transition programs necessary to connect students with local businesses, and teachers receive little training on how to partner with the private sector to drive workforce needs. Data show that youths with disabilities who leave school unprepared for adult life often spend a lifetime in poverty and become reliant upon public benefits.

Research has shown that when students with disabilities have one paid position before graduation, their chance of obtaining long-standing employment as adults doubles. Two paid job experiences increase their likelihood of employment fivefold.

This initiative gained significant support from school districts, educators and students, statewide, but my proposal received just $100,000 in the 2015-17 biennial budget. School districts that were successful in meeting the goals of the initiative received only $75 per pupil instead of the originally proposed and announced incentive payment of $1,000 per student.

While I was grateful that the Better Bottom Line Initiative was included in the 2015-17 budget, I knew that I would continue fighting for a higher funding level. I needed to find a way to turn the goal of a $1,000-per-pupil incentive payment into a reality.

My constituents sent me back to Madison for a second term, and that meant I could work toward additional funding for the Better Bottom Line Initiative.

When the 2017-19 budget season approached, I worked diligently with disability advocates, school districts, local businesses, and workforce development groups to formulate a plan to obtain more funding for this pay-for-performance program.

I submitted a budget motion and letter to the governor emphasizing the need for increased funding.

Our persistence and hard work paid off, and Wisconsin’s current state budget included $7.6 million to help school districts to connect disabled students with jobs. I was most grateful that my proposal is now funded adequately.

Improving Wisconsin’s economy and addressing our workforce needs continues to be one of my top priorities.

My proposal helps students with disabilities continue to be strong players in the workforce and will provide school districts with the tools they need to help their students flourish.

My role in ensuring the success of our students has been one of the most rewarding experiences during my time as a legislator. I look forward to exploring additional ways to achieve these goals in future legislative sessions.

Rep. Rob Brooks has been a member of the Wisconsin Assembly since 2014. He was chosen as assistant majority leader in 2017.

Submissions welcome

This page is designed to be a forum for legislators and constitutional officers. The opinions expressed on this page do not reflect those of the Council of State Governments or the Midwestern Legislative Conference. Responses to any FirstPerson article are welcome, as are pieces written on other topics. For more information, contact Tim Anderson at 630.925.1922 or tanderson@csg.org.
Leaders of the MLC’s Six Interstate Policy Committees

**Agriculture & Natural Resources**
- **Vice chair**: Nebraska Sen. Launa Ebke

**Criminal Justice & Public Safety**
- **Vice chair**: Nebraska Sen. John McCollister

**Economic Development**
- **Committee chairs**: Michigan Sen. Ken Horn, South Dakota Sen. Kevin Kiley
- **Vice chair**: Ohio Rep. Dave Greenspan

**Education**
- **Vice chair**: Nebraska Sen. John McCollister

**Health & Human Services**
- **Vice chair**: Manitoba Minister Kevin Goertzen

**Midwest-Canada Relations**
- **Committee chairs**: Ontario Speaker Dave Levac, Michigan Sen. Jim Stamas
- **Vice chairs**: Manitoba Minister Kevin Goertzen, Ontario Speaker Dave Levac

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**MLC Annual Meeting: Things to Know**
- Premier event for the Midwest’s legislators will be held July 15-18 in Winnipeg and will feature mix of policy sessions and guest speakers
- Family-friendly event with daytime activities for guests of all ages and evening events for all
- Register at csgmidwest.org by June 11

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**Interstate policy committees play big role in MLC Annual Meeting agenda**

Groups of state, provincial legislators planning sessions for conference’s first two days

On the first two days of this summer’s Midwestern Legislative Conference Annual Meeting (July 15-18) in Winnipeg, Manitoba, the MLC’s six interstate committees will host sessions that allow legislators to learn from each other and leading policy experts. Scheduled topics include:

- Access to mental health services, including in K-12 schools;
- The future of manufacturing and entrepreneurship in the Midwest;
- Hemp production and water quality;
- North American Free Trade Agreement negotiations; and
- Early learning and education; and
- State reforms of their criminal and juvenile justice systems.

Lawmakers from 11 Midwestern states and four Canadian provinces serve on these MLC policy committees, which are led by legislative chairs and vice chairs (see below).

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**2 more speakers added for MLC Annual Meeting**

An expert on state energy policy and a specialist on media relations have been added to the list of featured speakers for this summer’s Midwestern Legislative Conference Annual Meeting in Winnipeg, Manitoba.

Bill Ritter, the former governor of Colorado and current director of the Center for the New Energy Economy, will lead a July 17 plenary session on the future of renewable energy. His center provides technical, research and strategic assistance to legislators and other state energy leaders; its goal is to help facilitate the nation’s transition to a clean energy economy.

On July 18, the last day of the four-day MLC Annual Meeting, Adam Schrager will lead a workshop for legislators on how to work with the media. Schrager is an author as well as an investigative producer and reporter at WISC-TV in Madison, Wis.

The addition of Ritter and Schrager adds to an already impressive list of MLC speakers:

- Gary Doer, former Manitoba premier and former Canadian ambassador to the United States, will deliver the opening keynote address. He will provide his perspective on the distinct, important relationship between Canada and the United States (which represents the largest bilateral trade partnership in the world), as well as the role of the Midwest’s states and provinces in this partnership.
- Amy Walter, national editor of the Cook Political Report, will preview what’s at stake in this November’s U.S. elections and explore key factors likely to determine partisan control of the U.S. Congress, state legislatures and governors’ offices.
- Roberta Bondar, the first Canadian woman and neurologist to fly in space, will speak on “The Art of Leading Through Continuous Change.”
- Brian Tennyson will provide historical perspective on the U.S.-Canada relationship. Listed in the “Who’s Who in Canada,” he is a noted expert on early-20th-century Canadian political history.
CSG Midwest secures Joyce Foundation grant for work of Great Lakes Caucus

A new two-year grant from the Chicago-based Joyce Foundation will further the work of state and provincial legislators in protecting and restoring the Great Lakes. With staff support from CSG Midwest, the nonpartisan, binational Great Lakes Legislative Caucus:

- facilitates the regional exchange of ideas and information on key Great Lakes issues;
- strengthens the role of state and provincial legislators in the policymaking process; and
- promotes the restoration and protection of the Great Lakes.

One upcoming activity that will be funded by the Joyce Foundation grant is a Great Lakes-St. Lawrence Policy Institute on Sept. 21-22 in Erie, Penn. At that event, legislative participants will explore policies to keep drinking water free of lead and other contaminants.

Currently, about 240 state and provincial legislators are members of the Great Lakes Legislative Caucus. Membership is free and open to any lawmaker representing the eight U.S. states and two Canadian provinces in the Great Lakes basin.

Membership services include state and federal legislative trackers of water policies, a quarterly newsletter, and in-person and web-based policy training opportunities. Legislators also have the chance to advocate on behalf of the Great Lakes via resolutions and sign-on letters.

Great Lakes Legislative Caucus

Every year, the caucus holds an annual meeting in a different Great Lakes state or province. This year’s meeting will be held Sept. 21-22 in Erie, Penn. Please visit greatlakeslegislators.org to access the member enrollment form or learn about activities and upcoming events. For more information about the caucus, contact Lisa Janairo: ljanairo@csg.org.

An executive committee of legislators from each Great Lakes state and province leads the work of the caucus, with Michigan Sen. Darwin Booher serving as chair.

The Joyce Foundation is a nonpartisan, private charitable foundation that supports evidence-informed policies to improve quality of life, promote safe and healthy communities, and build a just society for the people of the Great Lakes region.

Caucus leaders map out group’s future, policy agenda

Leaders of the Great Lakes Legislative Caucus traveled to the Chicago suburbs in April for a two-day strategic planning session. Nine of the 10 jurisdictions in the Great Lakes basin were represented at the meeting. Participants worked on a draft strategic plan for 2018-2022 and a policy agenda, along with communications and financial stability plans. Subcommittees of legislators will continue to work on future plans and submit their findings to the full caucus at its annual meeting on Sept. 21-22 in Erie, Penn.

In memoriam: Former Michigan Sen. Patricia Birkholz

The Midwestern Legislative Conference mourns the passing of former Michigan Sen. Patty Birkholz, who died on May 3 at age 74.

A western Michigan native, she served three terms in the Michigan House of Representatives before being elected in 2002 to the first of two terms in the Michigan Senate.

While serving as chair of the Senate Natural Resources and Environmental Affairs Committee, Birkholz was a tireless advocate of legislation to help protect Michigan’s natural resources, including the Great Lakes.

After leaving the Legislature, she was appointed by Gov. Rick Snyder to serve as director of the state’s Office of the Great Lakes. She was also appointed by President Barack Obama to serve on the National Sea Grant Advisory Board, a position she held until her death.

Over the years, Senator Birkholz was an active member of The Council of State Governments at both the national and regional levels.

She was the founder and longtime chair of the Great Lakes Legislative Caucus beginning in 2003 and served as chair of the Midwestern Legislative Conference in 2007.

A 1997 graduate of the MLC’s Bowhay Institute for Legislative Leadership Development, she also served on the MLC Executive Committee through the end of her tenure in the Senate.

Sen. Birkholz is survived by her three sons and their families, including two granddaughters, as well as a sister and her sister’s husband.

In memoriam: Former Michigan Sen. Patricia Birkholz

Patricia Birkholz

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After raise in sales tax, South Dakota teachers get $5,000 boost in pay

During the first year of a South Dakota law that raised the state's sales tax rate in order to boost teacher pay, average salaries increased by nearly $5,000 — to $54,979 in 2016-17.

This change means the state no longer has the lowest average teacher salaries in the country; it now ranks 40th, according to the most recent study done by the National Education Association. South Dakota Gov. Dennis Daugaard notes, too, that his state ranks 29th when the averages are adjusted to reflect state and local tax burdens as well as regional price parity data.

In 2016, with passage of HB 1182, the South Dakota Legislature increased the state's sales tax rate from 4.0 percent to 4.5 percent. This marked the first change in the rate since 1969. (South Dakota does not have a state income tax.)

In the Midwest, two states (Illinois and Michigan) rank above the national average and one (South Dakota) to set a minimum salary of $40,000 a year for full-time teachers.

In Ohio, new process of redistricting puts focus on bipartisanship

Ohio voters overwhelmingly gave approval in May to a legislatively referred constitutional amendment that encourages a bipartisan approach to how congressional maps are drawn.

Ohio's SB 2892, which takes effect with the next round of redistricting, the state General Assembly will get the first chance at drawing new U.S. House district lines. Any plan must receive a three-fifths "yes" vote in both the Ohio House and Senate, including support from at least half of the members of each of the state's two largest political parties. The plan also would require gubernatorial approval.

If the General Assembly does not approve a plan, congressional redistricting is turned over to a commission: the governor, secretary of state, state auditor and four legislative representatives from both parties. Any commission-drawn map will require "yes" votes from at least two Republican and two Democratic members. If the commission cannot reach an agreement, the General Assembly regains control of the process. At this stage, a new map can be approved with a simple majority vote, but it would then have to comply with several "anti-gerrymandering requirements" and expire after only two general elections.

Voters in a second Midwestern state, Michigan, may vote in November on a proposal to create a 13-member Independent Citizens Redistricting Commission.

Second state legislature in Midwest passes ‘fetal heartbeat’ bill

Starting July 1, Iowa will have "the toughest abortion law in the country," Des Moines Register reports. SB 359 requires doctors to test for a fetal heartbeat; if one is detected, an abortion cannot be performed, except when required to preserve the life of the pregnant woman or protect her from "serious risk of substantial or irreversible impairment of a major bodily function."

According to the American Pregnancy Association, a fetal heartbeat can be detected as early as between 5 1/2 and 6 1/2 weeks. North Dakota legislators passed a fetal heartbeat bill four years ago, but that measure was struck down in federal court. The constitutionality of Iowa's SB 359 also will be challenged.

Forty-three states ban some abortions after a certain point in pregnancy, the Guttmacher Institute notes in its national review of laws. In the Midwest, these prohibitions apply at the point of "viability" in Illinois and Minnesota (exceptions made to protect the life or health of the woman) and Michigan (exception only in case of life endangerment). Bans in Indiana, Kansas, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin take effect at 20 weeks postfertilization, with exceptions for cases in which continuation of the pregnancy threatens the woman's life or physical health.

Driverless vehicles focus of Nebraska law, Ohio executive order

Nebraska's LB 989, signed into law in April, allows for these vehicles to operate on state roads. The new law also prevents local governments from imposing its own performance standards or levying taxes specific to autonomous vehicles. Another provision in LB 989 allows for operation of an "on-demand driverless-capable vehicle network" — for example, a Lyft- or Uber-type service that uses driverless vehicles.

According to the Insurance Institute for Highway Safety, Nebraska joins Michigan and nine other U.S. states in allowing for the full deployment of driverless cars.

In May, Ohio Gov. John Kasich signed an executive order that allows for testing of autonomous vehicles on any public road or highway in the state. "The sooner these vehicles are safely fine-tuned, "Kasich says, "the sooner they can make a significant reduction in the 40,000 traffic deaths we have in this country every year." His order also creates a voluntary Autonomous Vehicle Pilot Program for local governments to work with companies in advancing related technologies.