A recap of the year in Midwest’s legislatures

5 notable trends and developments from 2019: New laws on mental health and drug treatment; a key ruling on redistricting; legal sports betting; and more money for roads

by Tim Anderson (tanderson@csg.org)

Improving children’s access to mental health services

In recent years, legislatures in the Midwest have been putting more resources into programs that give young people better access to mental health services — in school or other settings. That continued in 2019.

In Iowa, with this year’s passage of HF 2456, legislators established the state’s first-ever mental health system devoted to children. A 17-member board of state experts is overseeing this new region-based system.

A mental health services coordinator in each of the 14 regions will ensure young people have access to crisis services, inpatient treatment, outpatient therapy and a 24-hour hotline. Iowa legislators also put more state dollars this year into home and community-based mental health care for children and for school-based services. This year in Ohio, a $675 million Student Wellness and Success Fund was created as part of the state’s new biennial budget. With state grant dollars from the fund, schools will be able to expand the availability of mental health counseling as well as provide staff with training on trauma-informed care. The new state dollars also can go to other types of school-based wraparound services — for example, mentoring, after-school and child-nutrition programs.

Wisconsin legislators, meanwhile, doubled funding for their state’s School-Based Mental Health Services Grants Program, to a total of $6.5 million per year. State dollars go to screening and intervention services, training on trauma-informed care, and school partnerships with treatment providers.

In Minnesota, which has provided school-linked mental health grants for more than 10 years, legislators added a requirement this year (HF 1) that the state Department of Education provide schools with a model curriculum on mental health for grades four through 12, including instruction on suicide and self-harm prevention.

Other state actions this year included:

• Creation of a grant program in Indiana (SB 325) for schools and families to develop plans for at-risk children to receive mental health services.
• A new law in Illinois (HB 2154) making it the first U.S. state to require private insurers to cover certain types of treatment for psychosis, bipolar disorder and other serious mental health conditions among people 26 and under. Under the law, early treatment models involving multidisciplinary teams of mental health professionals must be covered.

Addressing rise in drug addiction, deaths from overdoses

In 2017, more than 15,000 people in the 11-state Midwest died from a drug overdose; that’s nearly triple the total from 2005, according to the U.S. Centers for Disease Control and Prevention.

U.S. rankings on youth mental health — higher-ranked states have lower prevalence of mental illness, higher rates of access care

Deaths from drug overdoses in Midwest

<table>
<thead>
<tr>
<th>State</th>
<th># of deaths in 2017</th>
<th>Change since 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois</td>
<td>2,778</td>
<td>+160.4%</td>
</tr>
<tr>
<td>Indiana</td>
<td>3,852</td>
<td>+203.6%</td>
</tr>
<tr>
<td>Iowa</td>
<td>341</td>
<td>+141.8%</td>
</tr>
<tr>
<td>Kansas</td>
<td>333</td>
<td>+18.2%</td>
</tr>
<tr>
<td>Michigan</td>
<td>2,694</td>
<td>+173.5%</td>
</tr>
<tr>
<td>Minnesota</td>
<td>733</td>
<td>+159.8%</td>
</tr>
<tr>
<td>Nebraska</td>
<td>132</td>
<td>+76.7%</td>
</tr>
<tr>
<td>North Dakota</td>
<td>68</td>
<td>+466.7%</td>
</tr>
<tr>
<td>Ohio</td>
<td>5,111</td>
<td>+311.2%</td>
</tr>
<tr>
<td>South Dakota</td>
<td>73</td>
<td>+82.9%</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>1,177</td>
<td>+127.2%</td>
</tr>
</tbody>
</table>

Source: U.S. Centers for Disease Control and Prevention
Economic Development

Under Ohio mentoring program, more students get chance to explore work in manufacturing

With nearly 700,000 workers employed in more than 12,000 firms, Ohio has the third-highest number of manufacturing jobs in the nation.

That number, state Rep. Mark Romanchuk says, could be even higher. “Many good-paying manufacturing jobs are going unfilled,” he notes. Ohio is not alone.

According to the National Association of Manufacturers, 2.4 million manufacturing jobs will go unfilled across the nation over the next decade.

Among the factors: low unemployment, a shortage of qualified workers, and retirement rates that are outpacing the entry of younger workers into this sector. In addition, despite competitive pay and good benefits, manufacturing jobs are often viewed as being low-skilled and undesirable, carrying the image of dirty factories filled with assembly lines and repetitive work.

Ohio policymakers are hoping to dispel these misconceptions by giving more young people early exposure to real-world, on-the-job experiences.

Included as part of this year’s biennial budget bill, HB 166, the Manufacturing Mentorship Program will allow 16- and 17-year-old students to work part-time in manufacturing jobs. Previously, any minor working in a manufacturing facility had to be enrolled in a career technical education program.

Participants in this new Ohio initiative will work under a mentor, and receive training in safety and the use of job-related tools and machinery. While being exposed to potential careers in manufacturing, students also will be encouraged to consider enrolling in career technical education programs.

“Manufacturers can reach out and train a potential employee who is as young as 16,” Romanchuk says, “and the student will learn firsthand what a career in manufacturing looks like.”

He believes many young people will like what they see.

As for the current labor-market challenges, Romanchuk knows them well. He is the owner of a manufacturing and fabrication firm, and represents a part of north-central Ohio with a strong manufacturing base.

At a time when students are encouraged and assisted with career exploration as soon as middle school, Romanchuk sees early exposure to manufacturing as a way to help firms attract workers — by replacing old stereotypes about these jobs with the realities of today’s manufacturing workplace.

Mentored students, meanwhile, will be better positioned for success.

“If they complete the program, there might be a good-paying job that will lead to a long, fruitful career,” Romanchuk says.

Education

Illinois is first state in Midwest to require instruction on consent as part of sex-education curriculum

Last summer, a front-page story in the Chicago Tribune on abuse in Illinois’ largest school sys-
tem came with a one-word headline: “Betrayed.”

The story detailed the extent to which students in Chicago Public Schools had been raped, sexually abused or harassed by adults employed by CPS. Since 2011, the district’s Law Department had investigated 430 such reports; in more than half of these cases, credible evidence of misconduct had been found.

These findings led to immediate calls for better background-check systems and stronger rules to stop and discipline perpetrators. But Illinois Rep. Ann Williams thought something was missing from these two policy remedies. She wanted to find a way of empowering young people themselves — to help prevent all forms of harassment and assault.

Part of her legislative answer: Require the state’s schools to teach consent in any sex-education curriculum that it offers. With this year’s signing of HB 3550, Illinois is set to become the first state in the Midwest with such a mandate in place.

“Consent used to be thought of as simply ‘no means no,’ but we now know it means much more than that,” says Williams, the primary sponsor of HB 3550.

Under the new law, for example, course materials must inform students about the illegal-
ity of adults “in a position of trust, authority or supervision” having sexual relations with a minor. In addition, by providing a detailed definition of consent — and what it’s not — HB 3550 will shape how this subject is taught in schools. It includes the following language:

• individuals who are unconscious or who are incapacitated by alcohol or drugs “cannot consent to sexual activity”;
• “a person can withdraw consent at any time.”

The law calls for “age-appropriate” class instruction on consent in grades six through 12.

Illinois is one of six Midwestern states that does not require schools to teach sex education (see map). As a result, when it starts to take effect next year, HB 3550 will only apply to schools that provide instruction in this subject area.

According to the Guttmacher Institute, seven other U.S. states require that consent to sexual activity be taught as part of a sex-education curriculum.

Some of the more common state-level content requirements include instruction on contracep-
tion, abstinence, healthy relationships and dating violence.

Brief written by Laura Tomaka, staff liaison to the Midwestern Legislative Conference Economic Development Committee. She can be reached at l.tomaka@csg.org. The committee’s co-chairs are Ohio Rep. Dave Greenspan and Nebraska Sen. John McCollister; its vice chair is Indiana Rep. Karlee Macer.

Brief written by Tim Anderson, CSG Midwest staff liaison to the Midwestern Legislative Conference Education Committee. He can be reached at t.anderson@csg.org. The committee’s co-chairs are South Dakota Sen. Jim Bolin and Minnesota Rep. Mary Kunesh-Podein; its vice chair is Ohio Sen. Hearcel F. Craig.
Health & Human Services

Pharmacy benefit managers coming under increasing state scrutiny, regulation

In their quest to bring prescription drug prices under control, many Midwestern states are looking at the role played by pharmacy benefit managers, the third-party administrators of many health plans’ prescription drug programs.

The position (often abbreviated as PBM) is designed to leverage the aggregate purchasing power of health insurance policyholders by negotiating price discounts with pharmacies or prescription home-delivery services, and rebates from pharmaceutical manufacturers.

The Pharmaceutical Care Management Association, at its website, says PBMs are projected to save “employers, unions, government programs and consumers $654 billion — up to 30 percent — on drug benefit costs over the next decade.”

To others, they’re pricey middlemen cutting deals in secrecy and prohibiting insurance companies and pharmacies from discussing costs or reimbursements. The American Medical Association in June called for stronger oversight and transparency of PBMs.

In South Dakota, HB 1137 took effect in July. It limits the amount by which a pharmacy benefit manager can charge or adjust a payment. It also bars them from discriminating against pharmacies participating in health plans authorized to be in the federal Section 340B Drug Pricing Program.

Rep. Spencer Gosch, the law’s prime sponsor, says it was the result of conversations he had on the campaign trail in 2016, during his first run for the Legislature.

“One of the biggest concerns we were running into was our small-town pharmacies, the mom-and-pop places. They didn’t have a bargaining chip for dealing with PBMs; they were too small for that,” he says.

The law, which was unanimously approved, reflects his belief that an upfront negotiated price is the price those pharmacies should pay. There was no industry opposition, which was a bit surprising, he adds.

“We’re not out to ‘get’ anybody, we just want to fix some issues that we’ve been seeing,” Gosch says.

Nebraska’s LB 316, signed into law in April, prohibits pharmacy benefit managers from penalizing a pharmacy or pharmacist for sharing cost information with a consumer.

The state of Michigan is proposing to eliminate the use of Medicaid health plans’ pharmacy benefit managers and instead use a fee-for-service model with a single PBM from the state (the comment period for this proposal closed on Nov. 4). Michigan legislators, meanwhile, are considering HB 4155, under which PBMs would have to register with the state Department of Insurance and be required to submit an annual report with information on the rebates they negotiated with drug manufacturers.

Wisconsin legislators are considering SB 100 and AB 114, which would require PBMs to register with the state’s insurance commissioner, submit annual transparency reports, and give the state insurance commissioner regulatory authority over them.

Criminal Justice & Public Safety

Iowa Gov. Reynolds indicates a focus on criminal justice reform for her 2020 legislative program

A new working group in Iowa will look for ways to reduce recidivism among former offenders and eliminate racial bias from the state’s criminal justice system.

Gov. Kim Reynolds asked the group, chaired by Lt. Gov. Adam Gregg — a former state public defender — to deliver recommendations by December, to inform several proposals she will submit to legislators when they reconvene in January.

The racial disparity in Iowa’s criminal justice system is indicated by Bureau of Justice Statistics and census data from 2017 — black Iowans are incarcerated at a rate 9.5 times higher than white Iowans, which is tied with Nebraska for the second highest rate in the Midwest. Both states trail Minnesota (9.2) and Illinois (8.2).

In a separate study using 2013 data, The Sentencing Project found that one in 17 adult black male Iowans were in prison, also the third highest rate in the nation.

Beth Skinner, director of the Department of Corrections, who previously worked for the CSG Justice Center, says racial bias is a systemwide issue for criminal justice requiring policymakers, law enforcement, the parole board, and others to collaborate for meaningful change.

As for how her department is addressing racial bias, she says, “First and foremost, we’re doing diversity training, we’re training all of our staff in implicit bias starting this month, we have an advisory group that advises on hiring, recruitment and other strategies around disparities so our staff can reflect the population that we serve.”

A similar working group was formed in 2015 by former Gov. Terry Branstad. This panel’s recommendations led to HF 2064 (of 2016), which allowed low-risk, nonviolent drug offenders to be eligible for parole after serving half of their mandatory minimum sentences. It also created a mandatory minimum sentence for child endangerment leading to death, and an aggravated misdemeanor charge for certain robberies, giving the justice system more sentencings flexibility.

HF 2064 increased the number of offenders receiving parole and work releases, but high recidivism rates led to the state’s 2019 prison population being the highest in eight years, 8,473 inmates this year vs. 8,778 in 2011. Reducing this recidivism is a key task of the current working group.

Skinner points to several factors that have contributed to high recidivism, including poor in-community treatment, judiciary discretion, and over-supervision of low-risk offenders. She went on to say, “One thing that we’re really concerned about and focusing on is technical revocations. Half of our recidivism rate is for people returning on technical revocations, not new crimes but for violating the conditions of their supervision.”

Reynolds also reaffirmed her commitment to a possible constitutional amendment that would restore voting rights for offenders who have completed their sentence.

The amendment (HJR 14) nearly passed last year; the House approved it 95-2, but it died in the Senate Judiciary Committee. Constitutional amendments in Iowa must pass two consecutive legislatures and then be approved by Iowans in a statewide election.

Iowa and Nebraska are the only two Midwestern states that don’t automatically restore voting rights after an offender have completed their prison sentence, parole, and/or probation.

Pharmacy benefit manager (PBM) laws in the Midwest, as of January 2019

Black/white incarceration ratios* in Midwestern states (2017)

<table>
<thead>
<tr>
<th>State</th>
<th>Black/white incarceration ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iowa</td>
<td>6.7:1</td>
</tr>
<tr>
<td>Nebraska</td>
<td>6.6:1</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>5.7:1</td>
</tr>
<tr>
<td>Illinois</td>
<td>4.8:1</td>
</tr>
<tr>
<td>Michigan</td>
<td>4.1:1</td>
</tr>
<tr>
<td>Minnesota</td>
<td>3.4:1</td>
</tr>
</tbody>
</table>

* Ratios indicate the greater frequency with which black citizens are incarcerated than white citizens. Incarceration rates were calculated for black and white populations.

Source: CSG Midwest calculations based on Bureau of Justice Statistics, U.S. Department of Justice, and American Community Survey, U.S. Census Bureau

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Rural hospitals straining, closing under increasing financial stress

Rural hospitals are a critical component of communities across rural America, but they’re in trouble: 16 in the Midwest have closed since 2010 and a recent study by Navigant suggests 139 more are at financial risk of closure. The National Rural Health Association says that 42 percent of rural hospitals in the Midwest are operating in the red.

While the profitability of urban hospitals has increased over the last five years, that of rural hospitals has decreased. In Kansas, one of 14 states that have not expanded Medicaid, 86 percent aren’t profitable.

Illinois Rep. Tom Demmer, who is director of strategic planning at Katherine Shaw Betha Hospital in Dixon, says the reasons are complex and numerous: Rural residents are on average older and have lower incomes and greater rates of chronic illnesses than urban residents, while higher rates of uninsured, Medicare and Medicaid patients lead to greater levels of uncompensated and under-compensated care.

The 2017 edition of an annual study by the U.S. Centers for Disease Control and Prevention showed that from 1999-2014, the age-adjusted death rates for unintentional injuries were approximately 50 percent higher in rural areas than urban areas.

Rural hospitals also lose money on every Medicare, Medicaid, or state insurance plan patient. Rob McLin, CEO of Good Samaritan Hospital in Vincennes, Indiana, says that on a national average, Medicare pays hospitals 88 cents for every dollar spent while Medicaid pays 90 cents.

When a patient comes into a rural hospital with a trauma injury, the hospital generally stabilizes the patient and transfers him or her to a trauma center. The hospital’s portion of the total bill is submitted to the patient’s insurance company and applied to the patient’s deductible. If the patient can’t pay the deductible, the hospital takes the loss, while care at the trauma center is covered by insurance because it is beyond the deductible.

The Affordable Care Act, which encouraged a move away from the traditional fee-for-service model, also is hurting rural hospitals. The ACA also made at least 88 cents for every dollar spent while Medicaid pays hospitals 90 cents. When a patient comes into a rural hospital with a trauma injury, the hospital generally stabilizes the patient and transfers him or her to a trauma center. The hospital’s portion of the total bill is submitted to the patient’s insurance company and applied to the patient’s deductible. If the patient can’t pay the deductible, the hospital takes the loss, while care at the trauma center is covered by insurance because it is beyond the deductible.

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According to the Interstate Medical Licensure Compact, which redesigned how the state allocates Medicaid funds, Illinois, Indiana, Kansas, Minnesota and Nebraska have laws allowing reimbursement for remote patient monitoring. Leading the way in 2015 was the “Minnesota Telemedicine Act” (SF 1458) that ensures telemedicine parity as well as coverage of “store and forward” telehealth, which involves collecting and sharing clinical information electronically. North Dakota is the only other Midwestern state covering “store and forward,” having added this option in 2019 (SB 2094).

Illinois, Ohio and Wisconsin are the only Midwestern states lacking telehealth parity laws, which ensure that virtual care delivery is reimbursed at the same rate as in-person care.

Claudia Eisenmann, CEO of Gibson General Hospital in Princeton, Ind., a specialist in turning around struggling hospitals, agrees with Demmer about the importance of telehealth and says participation in the Interstate Medical Licensure Compact — under which licensed physicians can qualify to practice medicine across state lines, and be reimbursed for their services — is “absolutely essential.”

“With the compact we can access the best specialists across the nation, because we are not going to get these specialists to move to small towns,” she says.

Indiana and Ohio are the only Midwestern states not in the compact.

Recruiting health care providers to rural communities is another area of concern, says Demmer. The shortage of rural healthcare providers is about four times that in metropolitan areas. In addition to rural training tracks in medical school, all Midwestern states provide tuition reimbursement programs, which vary from $20,000 per year for two years in Minnesota to $200,000 for three years in South Dakota.

According to the National Health Service Corps’ 2016 Participant Satisfaction Survey (released in January 2017), these state-funded programs have been extremely successful, with 88 percent of participating professionals still in the rural practice one year after their obligation, and 44 percent remaining for five years or more.

Article written by Carolyn Orr, CSG Midwest publications manager. She can be reached at carolyn@strawridgefarm.us.
Wisconsin Assembly rule change brings veto overrides into focus

by Jon Davis (jddavis@csg.org)

In early October, Wisconsin’s Assembly gave itself the ability to take an unlimited number of votes on overriding a gubernatorial veto of legislation. The 61-35 vote in October approving the change was strictly along party lines. Minority Leader Gordon Hintz told Wisconsin Public Radio that the move was a “power grab”, Assembly Majority Leader Jim Steineke said the change simply gives legislators more flexibility in reacting to changes in public opinion.

The governor can still veto any bill, he added, and the two-thirds majority vote requirement will still be in place.

The new rule allows reconsideration of a veto override to be taken “any number of times during the biennial legislative session on any floor day at which a quorum is present and at any time during a floor day,” according to a Wisconsin Legislative Reference Bureau memo. Under previous rules, the Assembly could try only once to override a gubernatorial veto, the memo states.

“Mason’s Manual of Legislative Procedure,” to which most chambers turn for situations not governed by their own rules, allows legislatures to reconsider a veto override vote. As the LRB’s memo notes, Mason’s asserts that “it is permissible to reconsider a vote refusing to pass a bill over the executive veto.”

Setting partisan rancor aside, the Assembly’s new rule appears to be unique among Midwestern legislative chambers in its explicit character; however, other chambers do allow multiple votes on veto overrides.

For example, there are no limits in the Michigan Legislature, Legislative Council Administrator Jennifer Dettloff says.

The Illinois Senate can take as many shots at overriding a veto as it wants because motions to override are just that, motions, not legislation, says John Patterson, spokesman for Senate President John Cullerton.

In the Illinois House, all votes have two chances, either via motions to reconsider or to concur, and a veto override would very likely be treated the same way, House Clerk John Holiman says. Motions can be introduced twice, but if they fail on the second try, they’re dead, he adds.

North Dakota’s legislative rules don’t specifically limit the number of times a veto override may be voted upon, but do generally limit reconsideration of a measure to once during a legislative day, says John Bjornason, director of North Dakota’s Legislative Council. Measures can be reconsidered on subsequent days, he adds.

Tim McDermott, director of the Iowa Legislative Services Agency’s Legal Services Division, says both the state Constitution and the Legislature’s Joint Rule 23, which governs the consideration of vetoes, are silent on the question of how many override votes may be taken.

While both chambers refer to Mason’s Manual, McDermott notes the House adds a caveat: Mason’s takes on procedure are only used “in all cases where they are not inconsistent with the standing rules of the house, joint rules of the house and senate, or customary practice of the house.”

In Ohio, both House and Senate rules allow one override vote only, unless someone voting in the majority asks for reconsideration; this request must be made within two legislative days. House rules then allow for a reconsideration vote to be immediate or deferred to a later date, House Clerk Brad Young says.

Capital Closeup is an ongoing series of articles focusing on institutional issues in state governments and legislatures. Previous articles are available at csgmidwest.org.

QUESTION: Do any states in the Midwest ban the use of handheld devices while driving?

As of September, Illinois and Minnesota were among the 15 U.S. states that banned all drivers from using handheld devices, according to the Governors Highway Safety Association. These are all primary enforcement laws, which means that police can stop drivers for violating the ban; no other infraction needs to have occurred. (With secondary offenses, officers must have first stopped the driver for another violation.)

The two Midwestern states’ laws took effect this summer: Illinois’ HB 4846 (from 2018) and Minnesota’s HF 50. Elsewhere in the region, states’ “hands free” statutes apply only to young and/or novice drivers — a secondary offense in Nebraska and South Dakota, a primary offense in Indiana, Iowa, Kansas, Michigan, North Dakota, Ohio and Wisconsin.

State directors of highway safety have had some difficulty in tracking data for vehicle accidents due to distracted driving. They hope this will be remedied by enhancing training for officers and requiring more detail on accident reports. That additional detail will allow states to track exactly what types of distracted driving are causing accidents — use of handheld devices, eating or drinking, adjusting audio systems, grooming, etc.

In recent interviews with CSG Midwest staff, traffic safety directors in several states provided recommendations for legislators working on bills to prevent accidents due to the use of handheld devices.

First, they said, don’t rely on enforcement alone; cell phones are a part of the culture now, so changing driver behavior requires more than a new law. Public outreach is needed. For example, laws on distracted driving should be publicized before and after they go into effect, via media campaigns and highway signs.

Second, keep the legislative language on hands-free driving simple. This makes it clear to motorists and law enforcement.

Third, make the use of a handheld device while driving a primary offense. This allows law enforcement to stop more violators and prevent more accidents.

Fourth, review insurance data from your state. Look at insurance premiums and the causes of any rate increases. In at least one state, rate increases were traced back partly to more accidents due to the use of handheld devices while driving. That data was an important factor in passing a handheld ban.

Question of the Month response by Ilene Grossman, CSG Midwest assistant director. She can be reached at igrossman@csg.org. Question of the Month highlights an inquiry sent to the CSG Midwest Information Help Line: csg@csg.org or 630.925.1922.
Recap of year in Midwest’s legislatures: 5 notable trends and developments

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Curbing drug deaths, addiction (story continued from page 1)

Nationwide, since 2011, drug overdose deaths have been the leading cause of injury death in the United States; they now far exceed deaths from suicide, car crashes and firearms.

Most of the nation’s 70,000 fatal drug overdoses in 2017 were caused by the use of opioids. According to the CDC, the increased availability and use of illegally manufactured fentanyl (a synthetic opioid) has driven much of this increase.

But the use of legally prescribed drugs for pain relief also has played a role in the rise of opioid addiction. According to the National Institute on Drug Abuse, of those who began abusing opioids in the 2000s, 75 percent reported that their first opioid was a prescription drug.

Myriad strategies already have been implemented by states: expanding treatment options (through the use of specialty drug courts, for example); establishing state-run databases that monitor patient and prescriber behavior; setting limits on prescriptions for painkillers; and allowing pharmacists to provide naloxone (the opioid-overdose reversal drug) to individuals at risk of an overdose.

In Minnesota this year, legislators created a $20 million Opioid Stewardship Fund (HF 400), with money for it coming from a new state fee on opioid manufacturers and distributors. A newly established advisory council will decide which local treatment and recovery programs to fund, and will also implement a statewide plan to curb opioid addiction and overdoses.

In other Midwestern states, concerns center on the center of methamphetamine use and abuse. In South Dakota, for example, more than 3,000 people were arrested for meth offenses and 13 people died from use of the drug in 2018. The use of meth also is a factor in half of the violent crimes committed in the state.

This past session, the Legislature-appropriated state dollars for meth addiction and awareness campaigns, invested more money in treatment, and added more state troopers to stop the illegal drug trade. South Dakota legislators also formed an interim committee to study the problem and develop strategies for legislative action in 2020.

Here are some other notable actions taken this year in the Midwest to curb drug abuse:

• Earlier this year, the Michigan Department of Health & Human Services made available to the public a nonopioid directive form — a notification from patients to doctors that they do not want opioids administered to them. Once filled out and submitted to a health professional, the form must be included in a patient’s medical records. This form is the result of legislation passed in late 2018 (HB 5152).

• Illinois’ SB 1828, signed into law in August, allows organizations across the state to operate clean-needle-exchange programs. By expanding the availability of these programs, legislators hope to reduce the spread of blood-borne illnesses and connect more individuals to substance-abuse treatment.

• Ohio’s new biennial budget (HF 166, signed into law in July) calls for the state to add at least 30 new drug or other specialty courts over the next biennium. These courts emphasize treatment for substance abuse or a mental health disorder. Legislators also invested more state dollars to expand the reach of Ohio START, a program to help young people impacted by the substance-abuse issues of a parent.

Along with rules that strongly encourage bipartisan support of any new redistricting plan, the Ohio Constitution now has language banning maps that favor or disfavor political parties.

3

U.S. Supreme Court ends lawsuits that challenged partisan gerrymandering

A new round of redistricting is only a few years away, but in 2019, legal battles continued over how the current political maps were drawn by three of the Midwest’s state legislatures.

Plaintiffs in separate cases challenged the constitutionality of the redistricting plans established in Michigan, Ohio and Wisconsin. The plaintiffs’ contentions: The maps were gerrymandered to favor one political party and dilute the voting power of individuals from the other party.

But in June, the U.S. Supreme Court effectively ended these federal cases, as well as others like them that sought an end to partisan gerrymandering.

“These claims present political questions beyond the reach of the federal courts,” the justices ruled this year in Rucho v. Common Cause, a case based on a legal challenge to Maryland’s and North Carolina’s redistricting plans. “Federal judges have no license to reallocate political power between the two major political parties.”

Even with this ruling, though, partisan gerrymandering may be a thing of the past in Michigan and Ohio, where major changes have been made to the states’ redistricting processes.

Michigan is poised to become the first Midwestern state to have an independent commission to draw the state’s political maps. That commission will be made up of 13 registered voters: four affiliated with the Democratic Party, four with the Republican Party, and five with neither political party.

Under the voter-approved constitutional amendment, several groups are barred from serving on this commission — partisan elected officials, political candidates and their paid consultants, party leaders and registered lobbyists.

This summer, members of the Michigan Republican Party filed a federal lawsuit challenging the constitutionality of the commission and its eligibility requirements. By barring party leaders, political candidates and others from serving on the commission, plaintiffs in the case argue, the state is violating individuals’ rights to free speech and political association.

The redistricting changes in Ohio are the result of two legislatively referred constitutional amendments approved by voters — one for drawing maps for state General Assembly districts, the other for U.S. congressional districts.

4

Legal sports betting comes to three states in Midwest; more bills being considered

U.S. Supreme Court decision from 2018 gave states across the country the authority to allow sports betting.

By June of this year, three states in the Midwest—Illinois (SB 690), Indiana (HB 1015) and Iowa (SF 617) — had laws on the books that legalize sports wagering at casinos and on mobile devices.

In Illinois, sports betting also is now permitted at several other venues: horse tracks; stadiums with a seating capacity of 17,000 people or more; and thousands of gas stations, convenience stores and other lottery retailers.

In September, the first month of legal sports betting in Indiana, the state’s 13 casinos reported a handle of $35.2 million and adjusted gross revenue of $8.6 million. This resulted in $813,000 in tax revenue for the state.

In October, the Michigan House approved a bill (HB 4916) to legalize sports betting at casinos and on mobile devices. The tax rate would be 8.75 percent.

According to the American Gaming Association, sports-wagering bills were introduced this year in five other Midwestern states: Kansas, Minnesota, North Dakota, Ohio and South Dakota.

U.S. State Legislatures

7-member political commission draws state legislative districts; commission or legislature draws U.S. congressional districts

Legislature votes, without amendments, on maps drawn by Nonpartisan Legislative Services Agency

Independent redistricting commission

Tax rates on sports betting

<table>
<thead>
<tr>
<th>State</th>
<th>% of adjusted gross receipts from wagers</th>
</tr>
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<tbody>
<tr>
<td>Illinois</td>
<td>15.0%</td>
</tr>
<tr>
<td>Indiana</td>
<td>9.5%</td>
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<tr>
<td>Iowa</td>
<td>6.75%</td>
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To fund roads, more states raise gas tax and add fees on electric vehicles

This year’s actions in Ohio and Illinois also reflect another trend in U.S. state legislatures: the decision to impose new or higher fees on the owners of electric vehicles.

In Ohio, under HB 62, the annual fee will be $200 for electric cars and $100 for hybrids. Under Illinois’ SB 1939, electric-vehicle owners must pay the state $100 “in lieu of the payment of motor fuel taxes.” This is on top of the $148 fee paid by all car owners in Illinois.

As of the end of 2017, Illinois led the Midwest, and was among the top 10 states in the nation, in electric-vehicle registrations, at nearly 8,000. That figure pales in comparison to California, where nearly half of the nation’s electric care are registered. Still, more and more states have taken notice of the rise in the number of cars that run without gasoline — sales went up 81 percent between 2017 and 2018, according to the Edison Electric Institute.

Some states such as Minnesota have been exploring the feasibility of mileage-based use fees. Much more common so far, though, is the imposition of fees on electric vehicles, whose owners don’t pay the gas tax. Along with Illinois and Ohio, Iowa (HF 767), Kansas (HB 2214) and North Dakota (SB 2061) adopted such fees in 2019.

According to the American Road & Transportation Builders Association, Indiana, Michigan, Minnesota, Nebraska and Ohio already had such fees in place.

In contrast to this year’s agreements on transportation funding in Ohio and Illinois, this issue has divided the Michigan Legislature and first-year Gov. Gretchen Whitmer. Whitmer has proposed a 45-cent increase in the gas tax; the Legislature has rejected this plan, instead passing a state budget in September that provided a one-time, $375 million boost for roads via the state’s general fund. The governor vetoed this proposal, one of 147 line-item vetoes totaling $947 million.

12 notable actions by Midwest’s legislatures in 2019

In Illinois, minimum wage will gradually rise to $15 an hour by 2025

With passage of SB 1, Illinois lawmakers put their state on a path to have the highest minimum wage in the Midwest — $13 an hour by 2025. Small businesses will be eligible for a tax credit to compensate them for a portion of the higher wages they must pay. SB 1 gradually raises the state’s minimum wage between 2020 and 2024.

Indiana cracks down on fertility fraud with passage of HB 174

Indiana legislators passed first-of-its-kind legislation in the Midwest that makes fertility fraud a felony and allows the victims of this kind of deception to file civil lawsuits. HB 174 stems from a case in which an Indianapolis fertility specialist used his own sperm to impregnate more than 50 women without their consent.

New Iowa law on ag-facility trespassing challenged by animal-rights group

In Iowa, the new crime of agriculture-facility trespassing makes it illegal to use deceptive means to gain access to a farm operation with the intent of causing “physical or economic harm.” The Arenal Legal Defense Fund has filed a lawsuit challenging the constitutionality of SF 519, sometimes referred to as an “ag gag” law.

Long-running legal fight over school funding ends in Kansas

Kansas legislators took the final step to end a long-running constitutional dispute over how, and how much, the state spends on its schools. The Legislature added $90 million for schools (to account for inflation) that is on top of last year’s $375 million boost to increase per-pupil funding over a five-year period. In June, the state Supreme Court ruled the plans constitutional.

Michigan legislators reach long-sought deal to cut car insurance costs

After many years of trying, Michigan legislators reached agreement on a plan to reduce the state’s highest-in-the-nation car insurance rates. SB 1 removes a requirement that drivers purchase a plan that covers a lifetime of uncapped medical benefits for catastrophic injuries. The new law also bans insurers from using ZIP codes and other non-driving factors when setting rates.

Minnesota emerges as national leader in fight against chronic wasting disease

To prevent the further spread of chronic wasting disease, the Minnesota Legislature put more state dollars (SF 1) toward surveillance, development of a new diagnostic test, and an adopt-a-dumpster program to properly dispose of deer carcasses. Lawmakers also strengthened the state’s inspections and enforcement of deer farms.

Cash reserves tapped in Nebraska to ease prison overcrowding

Nebraska lawmakers agreed to use $54.7 million in cash reserves to help address the ongoing problem of prison overcrowding. That money will be used to add 384 beds to a correctional facility in Lincoln. But will this new unit be adequately staffed? Nebraska continues to struggle with the recruitment and retention of prison staff.

Scholarships, loan repayments target North Dakota’s workforce shortage

In an effort to address a persistent workforce shortage, North Dakota is using a mix of state and private-sector dollars to provide targeted scholarships and loan repayments. Under HB 1170, signed into law in April, an individual student or worker will be eligible to receive up to $17,000. He or she must be employed or pursuing credentials in a high-demand profession.

Ohio’s new budget includes new fund for clean-water projects

Over the next two years, Ohio will spend up to $172 million on projects to improve water quality. Decisions on how to use money in this new H2O Fund (part of the state budget bill, HB 166) will be made by state-agency advisory boards. Among Ohio’s water-quality challenges: nutrient pollution, Lake Erie algal blooms, threats of lead contamination and failing septic tanks.

Workers in Saskatchewan get more family-leave time under 2019 law

Saskatchewan is providing workers in the province with more job-protected family leave up to 19 weeks for maternity leave (highest in Canada); an additional 59 weeks of parental leave for the birth parent or primary caregiver; up to 63 weeks of paternity leave for a parent who did not take maternity leave; and up to 17 weeks to care for a critically ill adult. Bill 53 took effect in May.

South Dakota enhances oversight of universities to ensure intellectual diversity

South Dakota legislators set new expectations for public universities and how they protect free expression and intellectual diversity. HB 1087 also includes greater legislative oversight. The Board of Regents must submit an annual report detailing actions taken by each school and describing events “that impeded intellectual diversity and the free exchange of ideas.”

Wisconsin targets removal of lead from homes of low-income families

Over the next biennium, Wisconsin will use a mix of state and federal dollars to fund lead abatement in the homes of low-income children and pregnant women. Among the services to be provided: the removal of lead-based paint and the replacement of fixtures such as faucets. The state is getting federal assistance via the Children’s Health Insurance Program.
Indiana Rep. Phil GiaQuinta

More than a decade after following in his father’s political footsteps, Fort Wayne native is now heading his caucus as minority leader

by Irene Grossman (igrossman@csq.org)

Phil GiaQuinta was raised in a family where he and his five older siblings were encouraged to find ways to give back to their community. One way to do that, he learned from his father, Ben, was to enter the political arena.

Ben joined the Indiana House in 1990 and held the seat for most of the next decade and a half before retiring. Phil decided to carry on the family tradition, winning election in 2006 to his dad’s old legislative seat.

It’s proved to be a comfortable fit. “Helping the people I represent is the most rewarding part of [the job],” he says. “I like getting legislation passed that will help change their lives for the better.”

GiaQuinta’s hometown of Fort Wayne is Indiana’s second-largest city, an area that has long relied on manufacturing (a General Motors plant still employs 4,500 people in the county) but has more recently needed to diversify its economy.

Early in his legislative career, GiaQuinta found a way to help — passage of a bill allowing for the creation and funding of a capital improvement board in his home county. That board, using a portion of revenue from a tax on food and beverages, is now able to invest up to $6 million a year in capital projects that spur development in Fort Wayne and its surrounding area.

 “[The board] has been able to use this money to attract and retain jobs,” GiaQuinta says, “and make other improvements, including redevelopment of the city’s riverfront.”

He counts that law as one of his most important legislative accomplishments. Others include measures that have made it easier for homeowners to apply for the state’s homestead exemption (by allowing them to simply check a box on a sales-disclosure form required for home purchases) and that provide civil immunity to anyone who breaks into a car to rescue a child.

Legislative wins like these are invariably hard-earned. “That’s because for most of his legislative career, GiaQuinta has been a member of the minority party, a Democrat in a state where Republicans enjoy a majority,” he says.

Starting this past session, the seven-term lawmaker took on a new legislative challenge — the role of minority leader in the Indiana House. In a recent interview with CSG Midwest, GiaQuinta shared his perspective on this new leadership role and his policy priorities for the state. Here are excerpts.

Q: You became House minority leader in 2018. What do you think are the characteristics of an effective leader?

A: You need to be a good listener and take into account all sides. You need to be able to collaborate and understand that sometimes getting 70 percent of what you want is better than not getting anything at all. As a leader, you also want to inspire hope. You don’t ever want to give the impression that you are giving up, especially when we are in the minority and fighting to get our causes and issues out there. And you need to be able to work across the aisle and take a bipartisan approach when you can.

Q: Nine of the 33 members of your House Democratic caucus were new this year. What advice did you give to them?

A: I told them that I, like you, wanted to change the world when I came here. But you have to be patient; you won’t get everything done you want to during your first session. They can start the process by building good relationships, but also remember that half the job is constituent services. They need to pay close attention to constituents, so it is important to respond to emails and phone calls and continue with public outreach.

Q: What are the best ways for members of the minority party to get their own legislation considered and passed?

A: It is about putting in hard work, talking to the chair of the committee where your bill has been assigned, and finding a legislator from the majority to go on the bill as co-author. Work with the chair and co-author to get the bill passed, and be willing to make a few tweaks, if necessary, to win their support. But it is really about forming good relationships with the other side of the aisle.

Q: What are some of the policy priorities of your caucus for the coming session?

A: We want to focus on rising health care costs and health care access. We want to continue to address school safety and make pre-kindergarten and child care more accessible and affordable to working families. Pre-K had been a pilot program, and it has now gone statewide. But we didn’t increase funding enough to cover the expanded program. We are in the process of discussing these issues as a caucus.

Q: Taking a longer view, what do you see as some of the biggest challenges for Indiana over the next decade?

A: Education is both a challenge and opportunity. We have a K-12 education system that does not pay our public school teachers adequately. We underfund our traditional public schools and don’t hold our virtual charter schools accountable. College affordability will be a continuing concern, and college debt will continue to impact students’ future opportunities. We also have to reverse the brain drain in our state, and we can help do that by addressing quality-of-life issues. That means focusing on everything from health care, to roads, to parks.

Finally, we need to think ahead to what the economy is likely to be like, look at ways to bridge the skills gap and meet the needs of the middle class.

Q: Is there anything you would like changed about your state’s political process or system?

A: The No. 1 thing is eliminating the gerrymandered districts that we see in the state of Indiana. I believe we need a nonpartisan commission to redistrict the state map in a way that is fair and unbiased. More competitive districts will help create a more balanced legislature, and that will mean better debates and better legislation.
FirstPerson
A FORUM FOR LEGISLATORS AND CONSTITUTIONAL OFFICERS

Families, communities are hurting

Kansas is one of many states trying to address a rise in the number of youth suicides; it has created a new state-level position to strengthen prevention

by Kansas Sen. Molly Baumgardner (Molly.Baumgardner@senate.ks.gov)

"Suicide among teens and young adults reaches highest level since 2000"

"How suicide quietly morphed into a public health crisis"

"Teen suicides are reaching record highs, forcing schools to ‘break the silence’"

This is just a sampling of the headlines that have become the norm throughout the United States in recent years. In my home state of Kansas, we continue to grapple with the stark reality that there aren’t quick answers or proven solutions to prevent youth suicides. Unfortunately, in fact, we have moved dramatically ahead of our neighboring states in youth suicide rates — and often lagged behind these same states in taking legislative action.

However, we have begun to take some important policy steps. We’re requiring school-based prevention training, for example, and more recently, we devoted a position within state government to meet our state’s new aspirational goal — zero youth suicides.

Here is a closer look at what we’ve done so far in Kansas, and what lies ahead.

Step 1: Require training in schools

Between 2005 and 2015, the number of suicides by Kansas 18 years old and younger more than doubled.

Our legislative response in 2016 was to pass the Jason Flatt Youth Suicide Awareness Act (SB 323), making Kansas the 19th state to take such action since 2007. In our state, the bill was sponsored in memory of Cady Housh, a Kansas teen who took her own life the day after learning her high school soccer teammate had committed suicide.

Under SB 323, statewide suicide-prevention training is required of all school employees. Approved by the Kansas Board of Education, this training must take place every year and be at least one hour in duration. Under the law, too, each school must have a crisis and recovery plan that it can implement in the wake of a student’s death by suicide.

Since passage of this law, in hearings held by our Senate Education Committee, we’ve learned that our state’s students (sixth-, eighth-, 10th- and 12th-graders) showed that:

• 29 percent of the student respondents reported depression symptoms,
• 18 percent had considered suicide and 12 percent went so far as to make a suicide plan, and
• 5 percent reported attempting suicide.

Our task force met monthly, traveling across the state to conduct daylong meetings and receive testimony from a wide range of people — yes, national experts, but also family members and professionals who have been directly affected by youth suicidal ideations or suicides.

By the end of last year, we were ready to release our list of recommendations.

Step 2: Gather ideas to do more

To further investigate this disturbing trend, Kansas Attorney General Derek Schmidt (through a collaboration with the Tower Mental Health Foundation) created a state task force to review our state’s prevention efforts and develop new policy recommendations.

It was an honor to serve on this task force with leaders in education, mental health, law enforcement, social work, the legal system and health care.

We received compelling information on the scope of the problem. For example, a survey of our state’s students (sixth-, eighth-, 10th- and 12th-graders) showed that:

• 29 percent of the student respondents reported depression symptoms,
• 18 percent had considered suicide and 12 percent went so far as to make a suicide plan, and
• 5 percent reported attempting suicide.

Next step: Find new ways to reach teens

Gina, state agency staff and others are participating in conversations to update the state’s suicide prevention plan — last revised in 2014. By increasing the collaboration with individual providers and communities, we can better target funding for prevention action plans and improve the capacities of our local communities.

Gina also has been learning from the experiences of other states on how to reach and help teens struggling with depression and/or considering taking their own lives — for example, the use of tip lines and apps.

“It’s my hope that we will know the cost to implement a statewide app and have a detailed plan by the time the Legislature returns in January,” she told me.

When we do return, I remain prayerful that my colleagues will join me in keeping our sights on taking important steps toward achieving the aspirational goal for having zero youth suicides in Kansas.

Sen. Molly Baumgardner is chair of the Kansas Senate Education Committee and also served on the Kansas Youth Suicide Prevention Task Force.

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.
State Legislators, Others Meet with Members of U.S. Congress in October

Members of the Midwest Interstate Passenger Rail Commission traveled to Washington, D.C., in October to amplify the region’s voice as the U.S. Congress begins discussions and negotiations over renewal of the Fixing America’s Surface Transportation Act.

CSG Midwest provides staff support to MIPRC, an interstate compact agency created by the region’s states. Commissioners include state legislators, gubernatorial designees and members from the private sector.

While in the nation’s capital, MIPRC commissioners met for three days to hear from state departments of transportation, Amtrak, the Federal Railroad Administration and others, and to develop positions on and priorities for the FAST Act — for example, sustained funding for intercity passenger rail and more dollars for state grant programs. During a daylong visit to Capitol Hill, commissioners shared these legislative priorities with Midwestern members of the U.S. Congress and staff from congressional committees that oversee rail programs. Eight legislators participated in the meeting in their role as MIPRC commissioners:

- Michigan Sen. Roger Victory
- Missouri Rep. Glen Kolkmeyer
- North Dakota Rep. Kim Koppelman
- Ohio Rep. Robert Cupp, co-chair of the MLC
- Sen. McGinn

In 2020, Rep. Negele will once again serve as one of MIPRC’s three officers, continuing her role as financial officer. The commission’s new chair is Robert Guy, the state director for SMART-Transportation Division and Illinois Gov. J.B. Pritzker’s private-sector appointment to the commission. The vice chair is Dave Simon, director of the Wisconsin Department of Transportation’s Bureau of Transit, Local Roads, Railroads & Harbors.

CSG Launches Center to Help Youths with Disabilities

The Council of State Governments has established an innovative center to develop policy ideas that boost employment opportunities for youths with disabilities. As part of this work, the National Youth Center for Research — established by the Council of State Governments has established an innovative center to develop policy ideas that boost employment opportunities for youths with disabilities. As part of this work, the National Youth Center for Research — established by the Council of State Governments has established an innovative center to develop policy ideas that boost employment opportunities for youths with disabilities.

For this project, the CSG Center of Innovation and Development established an innovative center to develop policy ideas that boost employment opportunities for youths with disabilities. As part of this work, the National Youth Center for Research — established by the Council of State Governments has established an innovative center to develop policy ideas that boost employment opportunities for youths with disabilities.

Creation of the National Youth Center is the result of a $4 million grant awarded by the U.S. Department of Labor’s Office of Disability Employment Policy. For this project, the CSG Center of Innovation is partnering with the Yang-Tan Institute on Employment and Disability and the University of Massachusetts Medical School’s Transition to Adulthood Center for Research.

MLC Formally Welcomes Province of Saskatchewan as Full Member

Leaders of CSG’s Midwest Legislative Conference traveled to Saskatchewan in November to sign a proclamation officially welcoming the province as a full member of the MLC. Saskatchewan is the first province to become a full member of this nonpartisan group of legislators. Pictured at the signing ceremony (held in Regina) are Illinois Sen. Elgie Sims; chair of the MLC; Speaker of the Legislative Assembly Mark Docherty; Saskatchewan Minister of Trade and Export Development Jeremy Harrison; and Ohio Rep. Robert Capp, co-chair of the MLC Midwest-Canada Relations Committee.

CSG National Conference

December 4-7, 2019 — San Juan, Puerto Rico

Event details
- Meeting for legislators and other U.S. state officials to explore myriad issues in state government
- Visit csg.org for more information

75th Annual Meeting of the Midwestern Legislative Conference

July 19-22, 2020 — Detroit, Michigan

Event details
- Premier meeting for the Midwest’s state and provincial legislators
- Mix of sessions on public policy and professional development, as well as renowned speakers
- Visit csgmidwest.org or call CSG Midwest at 630.925.1922 for more information

26th Annual Bowhay Institute for Legislative Leadership Development (BILLD)

August 7-11, 2020 — Minneapolis, Minnesota

Event details
- Leadership development program for legislators in their first four years of service
- BILLD Fellows chosen through competitive application process
- Applications available at csgmidwest.org
- Visit csgmidwest.org or call CSG Midwest at 630.925.1922 for more information

CSG Henry Toll Fellowship Program

August 21-25, 2020 — Lexington, Kentucky

Event details
- One of nation’s premier leadership programs for state government officials
- Toll Fellows chosen through competitive application process
- Visit csg.org for more information
Creating a culture of excellence and civility

Good governance. Public trust. Civility. How can state legislators and their leaders reach positive outcomes like these? At The Robert D. and Billie Ray Center at Drake University, where I serve as executive director, we believe the answers begin with a commitment to ethical leadership and character development.

That is because an intentional focus on fostering and demonstrating character-based leadership competencies can lead to excellence — and excellence with integrity — in the public arena.

Our research with the Excellence with Integrity Institute asserts that excellence comes from personal habits and individual mindsets, which are formed from an organizational culture shaped and built by leaders. In short, leadership shapes culture, which influences character, which leads to optimal performance.

Intentional relationship building

Leadership is based on relationships. The challenge in our fast-paced society is to take the time to intentionally build relationships. It is more challenging to move from surface-level relationships to substantive relationships with others, especially those who hold different viewpoints and perspectives than our own. Thus, leaders must have the courage and curiosity to build relationships, especially with those who are new and different.

Shared ground rules for engagement

When working with others, it is important to establish shared ground rules for engagement. Begin by identifying what it will take to do the best work and treat each other with care and respect as you work together. When intentional norms and processes for working together have been defined and agreed upon in advance, the outcomes for success are significantly enhanced.

Character-based leadership

Leadership skills are enhanced when we reflect and build on our strengths and areas of improvement in our core competencies. Research shows us that a synergy of moral character and performance character is necessary for optimal performance. “Performance character competencies” include perseverance, work ethic, positive attitude, initiative and creativity. These habits and traits enable us to do our best work and achieve our goals. “Moral character” competencies include caring, courage, respect and responsibility. These traits ensure that we achieve our goals in ethical, fair and harmonious ways.

Integrity

Excellence, optimal performance and public trust are rooted in the concept of integrity. Integrity (integras) speaks to the wholeness needed to lead effectively, such as honoring our word (including commitments to ourselves) and communicating with others promptly when we are unable to fulfill our commitments. Integrity also includes the quality and consistency of systems and organizations. When individuals and systems are “out of integrity,” it negatively impacts performance, reliability and workability.

Clear communication

Thinking through the “who, what, where, when and how” leads to positive outcomes. In addition, clear communication begins with clarity regarding what we want to achieve, and avoid, as outcomes of our communication. And it is essential to seek to understand as well as to be understood.

Assessment of process

Optimal performance in organizational structure and processes requires periodic organizational assessments. Implement an intentional practice with colleagues to audit which systems and processes should be stopped, started, continued and improved.

The ‘CHAMP’ operating system

The operating system for optimal performance is captured in the acronym CHAMP. Great leaders shape character through: Clarity of expectations, proactive habits, accountability of self and others, and a positive mindset, which leads to optimal performance. When one of these elements is weak, or missing altogether, the expected performance outcome will not be achieved.

Prior to being elected to the Ohio House, Rep. John Patterson (BILLD class of 2009) taught U.S. history for 29 years. His dedication to K-12 education has continued as a legislator. The Ohio Democrat is co-chair of the House Finance Subcommittee on Primary and Secondary Education.

Along with his Republican co-chair, Rep. Bob Cupp (a longtime BILLD faculty member), Patterson led a comprehensive study of school funding in Ohio. Their study group released a Fair School Funding Plan earlier this year. The group’s plan, the two lawmakers say, “is fair, rational and justifiable, in contrast to our current system that is often unfair and nearly always incomprehensible.”

The proposal remains under consideration.

Here is a list of other BILLD alumni who hold leadership positions on K-12 education policy committees in their respective state legislatures.

Committee Chairs

• Indiana Rep. Bob Behning, class of 1995
• Indiana Sen. Jeff Raatz, class of 2016
• Iowa Sen. Amy Sinclair, class of 2016
• Minnesota Sen. Carla Nelson, class of 2003
• North Dakota Rep. Mark Owens, class of 2006
• North Dakota Sen. Don Schaible, class of 2012
• Ohio Sen. Peggy Lehner, class of 2010
• Wisconsin Sen. Luther Olsen, class of 1996

Committee Vice Chairs

• Kansas Rep. Brenda Dietrich, class of 2018
• Michigan Sen. Ken Horn, class of 2007
• Nebraska Sen. Lynne Walz, class of 2019
• North Dakota Rep. Cindy Schreiber-Beck, class of 2015
• Wisconsin Sen. Alberta Darling, class of 1995

Ranking Committee Members

• Indiana Sen. Eddie Melton, class of 2018
• Iowa Rep. Ras Smith, class of 2018
• Kansas Sen. Dinah Sykes, class of 2017

Ministers of Education

• Manitoba Minister Kelvin Goertzen, class of 2008
• Saskatchewan Minister Gordon Wyant, class of 2011

Please submit Alumni News to Laura Tomaka, CSG Midwest program manager for BILLD. She can be reached at ltomaka@csg.org.
Ohio enlists National Guard to help with elections security

A new Ohio law is taking aim at what state election officials and legislators say is a growing threat — cyber attacks.

Under SB 52, signed into law in October, an Ohio Cyber Reserve will be created as a division of the state National Guard. It will consist of cyber-security experts who can help deter and mitigate attacks. This force will work with local governments and businesses. One focus of the Ohio Cyber Reserve will be election security.

SB 52 received unanimous approval in the Ohio House and Senate. Other provisions in the bill include requiring the secretary of state to appoint a chief information security officer, making the secretary of state a member of Ohio’s Homeland Security Advisory Council, and mandating that county boards of elections conduct post-election audits in order to ensure the accuracy of results.

The threat of cyber-attacks to state election systems has prompted a mix of new laws and investments across the Midwest. Other examples include: a cyber navigator program in Illinois, Indiana’s $10 million investment this year in new election equipment (HB 1001), and a 20-point security plan being implemented by Minnesota’s secretary of state that includes participation by the National Guard’s new Cyber Protection Team.

Michigan ends practice of trying 17-year-old offenders as adults

As the result of a bipartisan package of bills signed into law in October, most 17-year-old offenders in Michigan will no longer be treated as adults in the state’s criminal justice system.

The goal of the “Raise the Age” Law is to better treat and rehabilitate young offenders by having them go through Michigan’s juvenile justice system. For teenagers who commit certain violent offenses, a prosecutor will have discretion to try them as adults.

According to the National Juvenile Defender Center, most Midwestern states already give their juvenile courts jurisdiction over cases involving 17-year-old offenders; the lone exception is Wisconsin. States also typically allow juvenile courts to retain jurisdiction, (most commonly up to age 21), provided the alleged offense occurred before the offender was an adult.

In a 2018 study, the National Center for Juvenile Justice estimated that close to 76,000 U.S. juveniles are prosecuted as adults. The change in Michigan will substantially reduce this number. But states also typically allow for or require certain young offenders to be charged as adults — through statutory exclusions, and language allowing for prosecutorial discretion or transfers by the juvenile court.

Wisconsin to provide health insurance to fallen officers’ families

Wisconsin will now allow families of police officers killed in the line of duty to continue health insurance coverage rather than switching to federal COBRA coverage.

Under SB 266, which passed unanimously and was signed by Gov. Tony Evers in October, families of municipal, Marquette University or University of Wisconsin police, and state police are covered. So, too, are Capitol police, Department of Revenue special agents and Department of Natural Resources conservation wardens.

Coverage will not apply to spouses who remarry or reach 65 years of age, or to children once they turn 26. The state will reimburse local jurisdictions for this coverage.

According to Concerns of Police Survivors, an advocacy organization of and for surviving family members, similar continuing coverage is available for the spouses of state and county officers in Illinois, Indiana, Iowa, Kansas, Minnesota, North Dakota, Ohio and South Dakota. Michigan covers spouses of state police officers for life, and dependent children until age 18.

Math, reading scores fall in handful of Midwestern states

Student scores in the 11-state Midwest on math and reading either remained steady or fell between 2017 and 2019, according to the National Assessment of Educational Progress. The latest NAEP results were released in October. Among its findings:

- Indiana, Kansas and Ohio were among the 17 U.S. states where fourth-grade reading scores fell between 2017 and 2019. They remained the same in every other Midwestern state.

- Reading scores among eighth-graders fell in 20 U.S. states, including five in the Midwest: Illinois, Michigan, North Dakota, Ohio and Wisconsin.

- In the subject of math, the scores of fourth-graders did not change in any Midwestern state between 2017 and 2019. Among eighth-graders, scores fell in Iowa, Kansas, Nebraska, North Dakota and two other U.S. states.

Over the longer term, student scores on math and reading have risen since the NAEP began being administered in the early 1990s. This year’s results show three Midwestern states — Minnesota, North Dakota and Ohio — having scores higher than the national average on all four tests (fourth-grade math and reading, and eighth-grade math and reading).