The future of gun laws

Some measures would tighten gun control, others seek to eliminate ‘gun-free’ zones

by Tim Anderson (tanderson@csg.org)

R

ep. Kelly Cassidy doesn't have to go far from her office in Springfield to understand the deep division over gun control and gun owner rights in Illinois.

Her suite mate inside the state Capitol is not only a fellow legislator, but a fellow member of the House Democratic caucus. She represents a part of Chicago, a part of downstate Illinois.

They respect one another and can find agreement on many issues, but not when it comes to what to do about the state's gun laws.

"We live in two different worlds," she says.

From her perspective, more has to be done about gun violence, and part of the answer lies in new laws that aim to keep lethal weapons out of the hands of criminals.

In her North Side district, she says, shots are heard so regularly at night that some have made a game out of the noise: guns or fireworks?

Last year alone, there were more than 500 homicides in Chicago. Those statistics, along with the mass school shooting in Newtown, Conn., helped lead lawmakers to consider several changes to the state's laws at the tail end of last year.

HB 1263 called for a ban on certain types of semiautomatic weapons. HB 815 would have barred ammunition magazines capable of holding more than 10 rounds.

One of Cassidy's top priorities is to crack down on straw gun purchases — cases in which someone buys a gun for an individual unable to purchase it due to a criminal background or other reasons. Many of the guns found at Chicago crime scenes have been traced back to local gun shops. Cassidy says, where the weapons were likely bought by straw purchasers.

She wants to require gun owners to report a lost or stolen gun. Not doing so would be a felony, thus creating a state penalty aimed at straw purchasers.

Lawmakers, too, have considered a proposal (HB 5831) backed by Chicago Mayor Rahm Emanuel to establish a handgun registry.

But efforts in Illinois to change or tighten its gun laws have thus far fallen short, with opponents saying the various measures trample on the constitutional rights of law-abiding gun owners while doing nothing to keep guns out of the hands of criminals.

Illinois will be one of the states to watch in 2013 in a national debate over guns that will play out in state capitols across the country.

Firearms deaths, per 100,000 residents, in Midwest (2009)

<table>
<thead>
<tr>
<th>State</th>
<th>Firearms deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Dakota</td>
<td>10.9</td>
</tr>
<tr>
<td>South Dakota</td>
<td>9.2</td>
</tr>
<tr>
<td>Minnesota</td>
<td>7.3</td>
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<td>Illinois</td>
<td>7.3</td>
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<tr>
<td>Indiana</td>
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<td>11.4</td>
</tr>
<tr>
<td>Ohio</td>
<td>8.4</td>
</tr>
</tbody>
</table>

Below U.S. firearms death rate of 10.1
Above U.S. rate

Source: National Vital Statistics Reports, Vol. 60, No. 3

Decade of legislative victories for concealed-carry supporters: Trends in state laws between 2002 and 2012*

<table>
<thead>
<tr>
<th>Year</th>
<th>No Issue</th>
<th>May Issue</th>
<th>Shall Issue</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>No Issue</td>
<td>Authority issuing concealed-carry permit has discretion to deny permit</td>
<td>Shall Issue: A permit must be issued if an individual meets state requirements</td>
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<tr>
<td>2012</td>
<td>No Issue</td>
<td>Authority issuing concealed-carry permit has discretion to deny permit</td>
<td>Shall Issue: A permit must be issued if an individual meets state requirements</td>
</tr>
</tbody>
</table>

* The U.S. Seventh Circuit Court of Appeals ruled in December that Illinois must remove its ban on carrying concealed weapons.

A look back, a look ahead

Over the past decade in the Midwest, changes in state gun laws have tilted in favor of gun-rights advocates. In 2002, for example, five states prohibited people from carrying concealed weapons. Today, Illinois is the lone “no issue” state, and it may soon be forced to pass a concealed-carry law as the result of a recent federal court ruling.

This past year, South Dakota came close to becoming the Midwest’s first constitutional-carry state: no permit needed to carry concealed weapons. HB 1248 passed the Legislature but was vetoed by Republican Gov. Dennis Daugaard.

In the state-by-state activity tracked through its Legislative Action Institute, the National Rifle Association counts many victories over the past few years in the Midwest — from changes to the licensing process for purchasing guns in Michigan, to stronger self-defense laws in states such as Indiana, Nebraska and Wisconsin (known as “stand your ground”) by proponents and
Economic Development

Declining state support, rising enrollments putting pressure on public research universities

State support for the nation’s public research universities declined by 20 percent between 2002 and 2010, a period in which enrollment increased by 13 percent.

The result has been steep tuition hikes, fewer resources for science and engineering programs, and shrinking budgets for research and development, according to a report by the National Science Board, the governing body of the National Science Foundation.

The report “Diminishing Funding and Rising Expectations” includes data from the nation’s top 101 public research institutions. As the major producers of bachelor’s, master’s and doctoral degrees in science and engineering, these institutions contribute greatly to economic development. In 2009, research universities conducted over half of the nation’s total basic research. Furthermore, according to a report by the National Science Foundation, the nation’s top 101 public research universities contributed greatly to economic development. In 2009, research universities conducted over half of the nation’s total basic research.

Brief written by Laura Tomaka, CSG staff liaison to the Midwestern Legislative Conference Economic Development Committee. She can be reached at ktormey@csg.org.

Health & Human Services

More than half of states miss first deadline for setting up Affordable Care Act health exchanges

Less than half of the states met the first major deadline for setting up health care exchanges under the federal Affordable Care Act. And it’s likely that most states in the Midwest will opt not to have a role in setting up their health exchanges at all.

States that plan to operate their own state-based exchange had to submit blueprints by Dec. 14, 2012. Though they will follow the federal guidelines set out in the 2010 Affordable Care Act, the state-based exchanges will be run entirely by the states themselves.

Minnesota was the only Midwestern state (and one of 18 in the nation) requesting to operate a state-based exchange beginning in 2014, according to the Kaiser Family Foundation.

The remaining states have until Feb. 15 to decide whether they will have a role in operating their exchanges, which must be running on Jan. 1, 2014. They still have the chance to partner with the federal government on a state partnership exchange, under which states can choose to handle certain aspects of the marketplace, such as consumer assistance, plan management and eligibility determinations. As of mid-December, seven states — including Illinois, Iowa and Michigan — had announced plans to pursue such an exchange. In some cases, too, these states plan to transition to a state-based exchange.

Policymakers that support having a role in exchanges have said it is a way to ensure that the new health care marketplaces best serve their populations.

Officials in Illinois, for example, plan to have the federal government run the exchange’s website and call center. The state will determine which insurance plans can be sold in the marketplace and will provide in-person customer service. In 2015, the state plans to move to a full state-based exchange.

If undecided states do not opt for the partnership option, full responsibility for running an exchange will be assumed by the federal government. As of mid-December, 25 states had not expressed interest in a partnership, according to Kaiser — meaning that absent any action, they will default to a federally facilitated exchange.

Governors of the remaining seven Midwestern states have expressed an unwillingness to set up a state exchange, citing the costs of setting one up and maintaining it. Some have also pointed out that even if the exchanges are run by states, they must adhere to federal regulations.

States can apply at any time to operate an exchange in future years — but they may not be able to take advantage of federal planning grants available only through 2014. States can determine how to fund their exchanges, which must be financially self-sustaining (no federal support) by 2015. The federally facilitated exchanges will be funded through a fee on participating health plans. Enrollment for all exchanges will begin in October.

Meanwhile, state policymakers must also decide whether to expand Medicaid coverage to all residents earning less than 134 percent of the federal poverty level. The U.S. Supreme Court ruled in mid-2012 that states cannot be forced to expand the program, which had been mandated in the federal legislation.

Brief written by Kate Tormey, staff liaison to the Midwestern Legislative Conference Health and Human Services Committee. She can be reached at ktormey@csg.org.

Affordable Care Act health-insurance exchanges in Midwestern states*

In a December letter to governors, U.S. Health and Human Services Secretary Kathleen Sebelius said states can decide at any time to move forward with the expansion. States that choose now to expand Medicaid can also decide to discontinue coverage at a later date.

However, the federal government will not provide funding for a partial expansion. States must fully expand Medicaid coverage to those earning less than 134 percent of the federal poverty level, or forgo the federal funding that would come with it.
Agriculture & Natural Resources

First-of-its-kind ‘right to farm’ now North Dakota law; stronger animal cruelty law considered

Most recent state ballot initiatives have not been welcomed by traditional production agriculture and its legislative supporters.

Among the results have been new laws (in Arizona, California and Florida) banning the use of crates for gestation housing for sows. Other initiatives have prohibited the processing of horse meat, instituted regulations on dog breeding, and restricted hunting.

In all, the Humane Society of the United States has a 72 percent success rate on 42 ballot initiatives since 1990. But North Dakotans bucked that trend in 2012, rejecting a HSUS initiative while also approving a first-of-its-kind constitutional right for farmers to conduct “modern agriculture” operations.

The HSUS-backed proposal, Measure 5, was defeated soundly. It would have created a Class C felony penalty for malicious cruelty to a dog, cat or horse. It included exemptions for agricultural workers, veterinarians, scientific researchers, and hunters.

The HSUS introduced Measure 5 after the North Dakota legislature failed to pass an animal welfare bill in 2011. Supporters of the measure, such as the organization North Dakotans to Stop Animal Cruelty, noted that the state is one of only three in which extreme animal cruelty is a misdemeanor instead of a felony. With the measure defeated, these groups will have to seek a change in the law through the legislative process.

While both sides agreed that the state’s anti-cruelty laws need to be strengthened and that they don’t want to see animals abused, opponents of Measure 5 argued that its language was too vague. They asked whether, for example, the use of a shock collar on a dog could be construed as illegal. Another concern was that the Measure 5 language classified horses not as livestock, but as companion animals along with cats and dogs.

“We were also concerned that an outside group was trying to dictate state law,” notes Sen. Tim Flakoll, chair of the Senate Agriculture Committee.

According to North Dakota Rep. Wes Belter, a coalition of farmers, veterinarian and animal-shelter groups united to form North Dakota Animal Stewards, which opposed the measure “because they felt a legislative solution was a better response to [concerns about] animal welfare.” The group also noted that 94 percent of the funds supporting Measure 5 came from outside the state.

Hearings have been held on a legislative response to strengthen anti-cruelty laws in North Dakota, with input from key stakeholder groups such as veterinarians and agriculture producers. Measure 3, approved by voters by a 2-to-1 margin, bars laws limiting farmers’ right to “employ agricultural technology, modern livestock production and ranching practices.” North Dakota is the first state to put such a guarantee for “modern” farming practices in its constitution. Opponents of Measure 3 argued that it was too broad and could pre-empt local laws, such as those dealing with zoning and water drainage.

“Farmers are now protected in the Constitution from groups who have been attacking them on separate and scientifically sound farming practices,” Belter says.

“It will stop bans on the use of genetically modified (GMO) seeds or the use of sow gestation crates and cages for egg-laying hens. It would prevent statutes like the one that California voters defeated this year requiring the labeling of any food made from plants or animals with genetic material changed in specific ways.”

Flakoll expects legal challenges over interpretation of the measure, but says voters’ overwhelming approval of the right-to-farm amendment sends a strong message.

“North Dakotans recognized that agriculture is the backbone of our economy and our No. 1 industry,” he adds, “and we need to provide reasonable protections to our producers.”

Brief written by Carolyn Orr, staff liaison to the Midwestern Legislative Conference Agriculture and Natural Resources Committee. She can be reached at corr@sarl.us.

Energy

Newly available resources in Midwest seen as key in making U.S. self-sufficient in energy

By 2020, the United States is projected to become the largest oil producer in the world, and by 2035, the nation could be nearly self-sufficient.

These are two of the findings in the 2012 edition of the World Energy Outlook, published by the International Energy Agency (IEA) in November 2012. The Midwest will play a big role in the move toward self-sufficiency, through its production of renewable energy and fossil fuels and because of the energy efficiency requirements of many states in the region.

“The United States, which currently imports around 20 percent of its total energy needs, becomes all but self-sufficient in net terms by 2035 thanks to rising production of oil, shale gas and bioenergy, and improved fuel efficiency,” a brief accompanying the report states.

By tapping previously inaccessible domestic oil reserves, the report predicts, the U.S. will move ahead of Saudi Arabia as the world’s largest oil producer in 2020 and for the following five years will produce more oil than any other country, becoming a net exporter by 2030.

Natural gas will continue to replace coal as a power source in the U.S. And by 2035, renewables are projected to be the largest source of power generation in the country, surpassing natural gas.

New technologies have made it easier to reach unconventional oil and gas resources. Tight oil and shale gas can now be reached by hydraulic fracturing and horizontal drilling, accounting for much of the growth in U.S. energy production.

Most unconventional fossil fuel production in the Midwest comes from shale gas, but the Bakken shale play, which covers more than one-third of North Dakota and a small part of Montana, is producing well over half a million barrels of oil a day. This is the equivalent of 9.5 million gallons of gasoline production daily.

In 2011, the U.S. Energy Information Administration estimated that the country has 862 trillion cubic feet of “technically recoverable” shale gas. The Marcellus shale formation, which extends from New York, Pennsylvania and West Virginia into Ohio and Kentucky, contains more than half of that.

In addition to the Marcellus formation, which might be the second-largest natural gas discovery in the world, the Utica shale formation also reaches into Ohio. Utica shale is located under the Marcellus formation, and is just beginning to be explored. Development of these energy sources will bring job growth and other economic benefits to Ohio through at least 2035, according to a report by IHS Consulting.

“Unconventional gas activity contributed value-added economic activity of $4.1 billion in Ohio in 2012.” said the report. During the past year, the report found that 4,210 people were directly employed in the industry, with another 34,000 jobs in related sectors such as manufacturing, construction and transportation. By 2035, those numbers will rise to 77,000 and 189,000, respectively.

As for renewable energy, the IEA estimated in 2012 that it would account for one-third of the growth in electricity generation, excluding hydropower, between 2010 and 2035. Wind energy is projected to double, with biomass also increasing significantly.

According to the National Renewable Energy Laboratory, six states in the Midwest have among the best wind capacity in the country. Large sections of Kansas, Nebraska, North Dakota and South Dakota, and smaller areas in Iowa and Minnesota, have winds well above the threshold for commercial development.

Many states in the region have also promoted the move toward renewable energy by requiring utilities to produce a portion of their electricity from renewable sources, such as wind or solar power. Seven states in the Midwest — Illinois, Iowa, Kansas, Michigan, Minnesota, Ohio and Wisconsin — have renewable portfolio standards in place.

Brief written by Ilene Grossman, assistant director of the CSG Midwest office. She can be reached at igrossman@csg.org.

Shale gas and oil resources in Midwest

<table>
<thead>
<tr>
<th>Shale gas and oil resources in Midwest</th>
<th>Formations/Location</th>
<th>Estimated resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antrim (Michigan)</td>
<td>20 trillion cubic ft of natural gas</td>
<td></td>
</tr>
<tr>
<td>Bakken (North Dakota)</td>
<td>1.6 billion barrels of oil</td>
<td></td>
</tr>
<tr>
<td>Marcellus (Ohio)</td>
<td>410 trillion cubic ft of gas</td>
<td></td>
</tr>
<tr>
<td>New Albany (Indiana, Illinois)</td>
<td>11 trillion cubic ft of gas</td>
<td></td>
</tr>
<tr>
<td>Utica (Ohio)</td>
<td>15 trillion cubic ft of gas</td>
<td></td>
</tr>
</tbody>
</table>

Source: U.S. Energy Information Administration
New laws for next year: A recap of some notable, unique bills taking effect in Midwest

Just as they do every biennium, the Midwest’s state legislatures enacted hundreds of bills — thousands in some cases — in 2011 and 2012. Some of those measures just began to take effect this month, from a new “Facebook” law in Illinois to new proof-of-citizenship voting requirements in Kansas. Here is a look at some of the notable and unique measures that became effective Jan. 1 or that passed in 2012.

Privacy laws for social-network users

Illinois became the second U.S. state with a law that bans employers from making hiring and firing decisions based on information from private social network accounts. HB 3782, the “Facebook law,” took effect in January. It bars employers from trying to access the user name and password of a prospective or current employee. Employers are not prevented from obtaining or using information in the public domain.

Kansas adopted its own version of the law in late 2012 (HB 5523). ‘Lifeline laws’ in Indiana, North Dakota

Indiana has a new law to prevent the tragedies that can occur as a result of underage drinking. SB 274, which took effect in July, prevents minors who are under the influence of alcohol from being prosecuted for certain crimes (possession or consumption) if they cooperate with law enforcement officers. Since 2004, more than two dozen Indiana residents under the age of 21 have died due to alcohol poisoning.

North Dakota adopted a similar “lifeline law” in 2011.

New tax credit for life-saving volunteers

Beginning this year, Iowa’s approximately 21,000 volunteer firefighters and emergency medical services personnel will be eligible for a $50 income tax credit. SF 2322 passed both legislative chambers with only one “no” vote. Iowa Democratic Sen. Tom Hancock, a longtime volunteer firefighter, says the credit is a “small token” of recognition for the volunteers who “save the taxpayers millions and millions of dollars annually.”

In Kansas, voters must prove citizenship

Starting Jan. 1, any person registering to vote in Kansas must provide proof of U.S. citizenship. Documents that would fulfill this new requirement include a driver’s license, a birth certificate and a U.S. passport. The change in law was based on legislation passed in 2011 (HB 2067). According to the Tax Foundation, local sales taxes are in place in nine Midwestern states (all but Indiana and Michigan), with average rates ranging from a high of 1.97 percent in Illinois to a low of 0.43 percent in Wisconsin.

Higher phone bills for 911 upgrades

Starting in July of 2012, South Dakota began imposing a higher 911 surcharge on people’s phone bills in order to upgrade the state’s emergency-communications services. The new surcharge of $1.25 applies to traditional phone services, telecommunications services. The new surcharge passed unanimously by the House and Senate. According to the National Emergency Number Association, most states in the Midwest impose a surcharge of $1 or less.

Hunting, trapping in state parks

A new law that took effect on Jan. 1 opens Wisconsin’s state parks to hunting and trapping. Currently, there was a general prohibition on such activities, though the Wisconsin Department of Natural Resources could authorize certain parks or areas of a park for hunting. AB 311, known as the Sporting Heritage Act, essentially reverses state policy: Hunting and trapping must be allowed in state parks, though some discretion is still left to the DNR and Wisconsin Natural Resources Board.

Budget conditions improving, but effects of recession still felt

The fiscal storm that rocked states late in the last decade has passed, but lawmakers will continue to feel its effects as they begin crafting new annual and biennial budgets.

Nationally, state spending levels in fiscal year 2013 will still fall nearly $6 billion below levels in FY 2008, the National Association of State Budget Officers reports in its latest “The Fiscal Survey of States.” Indiana and Michigan are among the states where general-fund spending in FY 2013 is expected to be lower than expenditures five years ago, NASBO data show.

When all 50 states close the books this year on FY 2013, total revenue collections are projected to surpass pre-recession levels for the first time. However, NASBO notes that when this revenue is adjusted for inflation, FY 2013 collections are 7.9 percent lower than they were in 2008.

State budget conditions, though, have at least stabilized and improved in much of the Midwest. In FY 2012, revenue collections exceeded initial forecasts in 10 of the region’s 11 states. (Kansas, where revenues came in on target, was the lone exception.) And for FY 2013, five states in the region — Indiana, Iowa, Nebraska, North Dakota and South Dakota — expect to have end-of-the-year balances that exceed 10 percent of expenditures. Four days after publication of the NASBO report, the U.S. Census Bureau released data showing that tax collections for the third quarter of calendar year 2012 were up in nine of the 11 Midwestern states (see table). The lone exceptions were Michigan and South Dakota.

The negative rate of revenue growth in Michigan was due to General Motors declaring bankruptcy in July of 2009 and the filing of a class-action suit in July of 2011.

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Ohio law aims to curb teen suicide

As the result of one of the last bills signed into law in 2012, all teachers and school personnel in Ohio will receive in-service training on youth suicide and prevention. HB 543 was passed unanimously by the House and Senate. According to the American Foundation for Suicide Prevention, Illinois and Indiana are among the 13 other states that require such training.

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**QUESTION OF THE MONTH**

Do any states place per-beneficiary restrictions on the number of prescriptions covered under their Medicaid programs?

In a 2012 survey for the Kaiser Family Foundation, 16 states, including Illinois and Kansas, reported having some type of “script limits” in place for Medicaid recipients.

Illinois is one of the latest U.S. states to adopt such a cap, having done so as part of a legislatively-oversized Medicaid cap that expired in 2012. Initial estimates indicated that a script limit would save the state’s public health-insurance program approximately $140 million in fiscal year 2013.

That savings estimate in Illinois was based on a monthly limit of five prescriptions. Lawmakers ultimately chose to place the cap at four prescriptions per month.

Above this limit, prior approval is now required by the state. A prescriber must enter the request into a state database and have it approved by a physician or pharmacist. These prior-approval requests are typically reviewed within two hours of being entered into the database.

According to the Illinois Department of Healthcare and Family Services, the goal of the new limit is to reduce duplication and unnecessary medications, as well as to curb health problems associated with negative drug interactions.

There are exemptions to Illinois’ new cap, and they are similar to many of those in place in the other 15 states with script limits.

For example, Illinois does not limit the number of prescriptions for children (18 and under) or for individuals living in long-term-care facilities. In addition, contraception does not count toward the four-prescription limit, and certain drugs needed in organ transplants or to fight cancer and HIV/AIDS are exempt.

Kansas has a limit of four prescriptions as well. However, any drug on the state’s “preferred drug list” (lower-cost drugs determined not to compromise safety, effectiveness or clinical outcomes) do not count toward the cap.

Among the 16 U.S. states that report having some type of script limit in place, the cap falls somewhere between three and eight prescriptions per month.

In addition to exemptions for birth control and cancer- and HIV/AIDS-fighting drugs, several states exclude from the cap medications used to treat certain mental health conditions.

These states, too, generally have a process in place for a Medicaid recipient to exceed the limit and receive coverage if he or she can prove the drug is a medical necessity.

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**STATERELINE MIDWEST**

**JANUARY 2013**

**QUESTION: Do any states place per-beneficiary restrictions on the number of prescriptions covered under their Medicaid programs?**

**Prescription drug costs in Medicaid and drug spending as % of total program expenditures ($ in thousands)**

<table>
<thead>
<tr>
<th>State</th>
<th>Average age of legislator</th>
<th>Median age of state resident</th>
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<td>U.S. average</td>
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<td>37.2</td>
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</tbody>
</table>

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**Median age of Midwestern state legislators is slightly below national average; lawmakers span seven decades in age**

by Kate Tormey (ktormey@csg.org)

**Age an asset for oldest, youngest**

Hagan is five years younger than Wisconsin Sen. Fred Risser was when he first joined the legislature. Risser, now 85, also came from a political family — he is a fourth-generation member of Wisconsin state government.

In the 56 years since he first took office, Risser has seen a lot of changes in his state and the legislature itself. Issues of critical importance today, such as the environment and consumer protection, weren’t even discussed in 1957, he says.

And the makeup of the legislature has changed dramatically as well.

“When I was first elected, the legislature was 100 percent white men — no women or minorities,” he recalls.

“There were no women’s bathrooms on [our] floor. We didn’t even have female pages.”

Advances in technology, too, have changed the way legislators interact with one another and their constituents.

The fact that he can recall different eras in state government doesn’t just make for trivia. Risser believes it’s an asset as well.

“You learn from history,” Risser says. “You know the mistakes that have been made and if something has been tried before.”

He also points out that some movements and reform efforts take many years to be resolved, and it’s important to have longtime legislators in office to see them through.

Risser recalls, for example, that when he first took office smoking was permitted just about everywhere.

But as the years went on, concerns grew about the effects of secondhand smoke. Over the course of 20 years, Risser fought to pass an indoor smoking ban.

“It was a 180-degree turn-around, but it took a long time.”

Despite the advantages of experience, Risser says, it’s also important to have the voice of younger legislators, too.

Hagan agrees, saying that she brings a unique perspective to every decision the legislature makes.

“The policies we implement today will impact my generation the longest,” she says. “Instead of making short-sighted political decisions, I have to be conscious that my generation will bear the burden of any regulation we pass.”

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**Capital Closeup**

Risser fought to pass an indoor smoking ban just as the state’s women made major advances in the legislature.

At age 24, Ohio Rep. Christina Hagan is one of the region’s youngest state legislators. But even before taking office, she had spent a lot of time in the Capitol watching her father, John, serve four terms in the House. She ran her first campaign at 19; she wouldn’t even have female pages.

“[My colleagues] know I have a little bit of grit and I have built relationships and a level of trust,” she says. “I let concerns among constituents and colleagues alike — and led to some ‘razzing’ as well.

“It’s a difficult task to walk into a room when everyone is doubting your ability,” she says. “But I have built relationships and a level of trust. I let [my colleagues] know I have a little bit of grit and I am willing to do my job.”

As for the “razzing,” she jokes that growing up with three brothers adequately prepared her for that.

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**Sources:** CSG Midwest, U.S. Census Bureau data (2010) and Bringham Young University professor Adam Brown.

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**North Dakota data not made available.**
“Shoot first” by opponents). Will this momentum for gun-rights advocates continue in 2013? Or will there be a shift in favor of tighter restrictions on guns? And what do proponents on opposing sides of the gun-law debate believe are the top priorities for state legislators to consider? CSG Midwest recently talked to two oft-quoted and cited experts on the issue to get their perspectives: Daniel Webster, director of the Center for Gun Policy and Research at Johns Hopkins University; and John Lott, author of the influential book “More Guns, Less Crime.”

Webster: Mix of new laws would help keep guns from ‘dangerous people’

Webster compares the nation’s current gun regulatory system to a hypothetical airline security system. In one line, individuals are subject to all of the checkpoints; in another, people walk right on the plane.

“What’s the point if you’re going to let people bypass security?” he asks. “But that’s what we have in the majority of states right now. Individuals purchasing a firearm from a federally licensed gun dealer must first pass a background check. However, an estimated 40 percent of sales are from private, unlicensed dealers.

Commonly referred to as the “gun show loophole,” the term minimizes what actually is a gaping hole in the system, Webster says.

“That makes it very difficult to meet what should be the core objective: keeping guns from dangerous people.”

According to his center’s research, about 80 percent of the individuals who reported using a gun in a crime obtained it via a transaction outside the current system of background checks.

Closing the loophole, he says, “has to be priority No. 1.”

According to the Coalition to Close the Gun Show Loophole, Illinois is the only state in the Midwest that requires universal background checks on all firearm sales at gun shows. The coalition lists Iowa, Michigan and Nebraska as among the other states that have taken some action to close loopholes in the federal system.

But no single policy will keep guns out of the hands of dangerous people, Webster, for example, notes this other statistic: About half of the people incarcerated for a gun crime were eligible to purchase firearms legally at the time of the crime.

“States should re-examine whether their [criteria] for prohibiting individuals from possessing firearms are sufficient,” he believes.

For example, Webster notes there are many cases in which individuals have been arrested multiple times and have had felony charges turned into misdemeanors (due to plea deals). Should these individuals be able to own a gun? Or should the state threshold at least be more stringent for carrying a concealed weapon?

Webster says state policymakers should be asking these questions, as well as whether the minimum age for possessing a handgun should be raised to 21.

“If you look at homicide offenses, it peaks at that age 18-20 group,” he explains. “Does it make sense to say, no, you may not drink a beer, but you may possess as many handguns as you like?”

Absent raising the age, he suggests states consider adding additional conditions for young people seeking to own a gun — letters of reference, for example, that prove they are responsible.

Illinois and Iowa set the minimum age for possessing a handgun at 21; the nine other Midwestern states follow the federal minimum age of 18, according to the Law Center to Prevent Gun Violence.

As recent legislative trends in the Midwest show, there is general support in most states for allowing law-abiding citizens to not only own a gun, but to carry it. But within that framework, Webster says, laws can be changed to keep guns from getting to those who will most likely do harm.

Another policy option is for states to establish their own framework for licensing and monitoring gun dealers.

“It only takes a small number of licensed gun dealers who are corrupt [to pump] hundreds of guns on the streets that pose a risk to public safety,” says Webster, adding that federal oversight is “woefully inadequate.”

In its scorecard evaluating gun dealer regulations, the Brady Campaign to Prevent Gun Violence notes that only a handful of Midwestern states — Illinois, Michigan and Wisconsin — require dealers to keep and retain records of gun purchases. Even then, Webster says, states often don’t give law enforcement enough power to revoke or suspend dealers’ licenses.

Lastly, Webster suggests two policy ideas for states to consider in response to the recent mass shoot-ings in different parts of the country. One is to ban large-capacity ammunition magazines (prohibiting magazines of more than 10 rounds, for example). The second is to prevent gun access to individuals with severe mental health problems — for example, by

Recent developments in state gun laws in the Midwest

**WISCONSIN BECOMES LATEST STATE TO OK CONCEALED CARRY**

Wisconsin’s passage of right-to-carry legislation in 2011 capped a decade of legislative wins in the Midwest for concealed-carry advocates — a period in which bills were also passed in Kansas, Nebraska and Ohio. In Wisconsin, anyone 21 or older who has completed a firearms training course must be issued a permit if he or she is eligible to own a firearm.

Well more than 100,000 people have been issued permits so far.

**ILLINOIS EXAMINES BILLS TO TIGHTEN GUN LAWS**

Illinois is now the lone “no issue” state in the country, and in December, a three-judge federal panel ruled the concealed-carry ban unconstitutional.

Lawmakers were given 180 days to move ahead with concealed-carry legislation. Attorney General Lisa Madigan, a Democrat, has asked the entire U.S. Seventh Court of Appeals to rehear the case. Meanwhile, several proposals to tighten gun laws are being considered: a ban on certain types of semiautomatic weapons, a prohibition on ammunition magazines that hold more than 10 rounds, a requirement that gun owners report lost or stolen guns, and creation of a statewide handgun registry.

**SOUTH DAKOTA BILL TO ELIMINATE CONCEALED-CARRY PERMIT REQUIREMENT VETOED**

Only a March 2012 veto by Republican Gov. Dennis Daugaard stood in the way of South Dakota becoming the Midwest’s first “constitutional carry” state, meaning a state permit is not required in order to carry concealed weapons. According to the U.S. Government Accountability Office, several criteria are commonly used by states to disqualify an individual from carrying a concealed weapon: substance abuse, a felony conviction, mental deficiencies or psychiatric disorders, a conviction on a domestic abuse charge, a violent misdemeanor or a restraining order against him or her.

**DEBATE ARISES OVER GUN-FREE SCHOOL ZONES IN MICHIGAN, OTHER STATES**

Another veto by a governor in the Midwest made national news late in 2012, in part because it occurred shortly after the tragic school shootings in Newtown, Conn. The Michigan legislation would have allowed an individual to carry a concealed pistol in schools and other gun-free zones if he or she completed additional training. Michigan Republican Gov. Snyder expressed concern that that measure did not give local schools the choice to opt out. States often designate K-12 schools as gun-free zones. Other common gun-free zones include universities, bars, casinos, mental health centers and places of worship.

**ACROSS MIDWEST, LEGISLATURES HAVE CONSIDERED NEW SELF-DEFENSE LAWS**

According to the Law Center to Prevent Violence, seven states in the Midwest — Indiana, Kansas, Michigan, North Dakota, Ohio, South Dakota and Wisconsin — are among the 26 nationwide that have passed laws since 2005 that generally permit the use of deadly force in self-defense in public places. Under these state statutes (sometimes referred to as “shoot first” or “stand your ground”), individuals have no duty to retreat. (In North Dakota, Ohio and Wisconsin, the statute only applies when the shooter is in a vehicle.) Illinois also has these general legal provisions. In Minnesota, a self-defense bill (HF 1467) was vetoed in 2012 by Democratic Gov. Mark Dayton, who said residents already have the right to use deadly force inside and outside their homes if it is “reasonable.” The legislation, he said, would have changed the state’s legal standard, effectively allowing "anyone to claim he or she acted reasonably when using deadly force.”
Lott: States have too many gun-free zones, should reconsider laws

Webster says the right mix of changes to state and federal gun policy will help close the gun marketplace for criminals and other dangerous people.

But John Lott is skeptical. Criminals will find ways around new regulations, he says, while new state laws will likely make it more difficult for everyday citizens to own and carry guns.

"You then unintentionally make it easier for an individual to commit crimes," Lott says.

He believes the right policy response is to ensure gun access to the state’s law-abiding residents — hence the title of the former University of Chicago professor’s book “More Guns, Less Crime.”

There are well over 8.5 million Americans that can now legally carry concealed handguns,” he notes about the recent adoption in many states of concealed-carry laws. “That’s a victory for people to be able to defend themselves."

But Lott says states can do more, and his top priority would be eliminating statutory provisions that restrict guns in schools and other places.

“We’ve got too many gun-free zones.” He says the mass shootings last year at a school in Connecticut and a movie theater in Colorado are two tragic cases in point. The school was a gun-free zone, he says, and the theater posted a sign telling customers that firearms were not allowed.

According to Lott, nearly every multiple-victim shooting in this country has occurred in a place where guns are prohibited.

"The location of these attacks is not random," he says.

“And the big thing that determines how many people die is the amount of time between when an attack starts and when somebody is able to arrive on the scene with a gun."

Lott rejects the idea of having armed guards in every school, a response that he says would be costly and ineffective. Allowing teachers and other adults in the school to carry guns, he believes, would be a more effective deterrent and safety measure.

All states in the Midwest include schools in their list of places where guns are banned. Other common gun-free zones include universities, gaming facilities, bars, courthouses, mental health centers and places of worship. States also commonly allow private business owners to post signs designating their establishments as gun-free.

States such as Indiana, Minnesota and Ohio report that their laws already provide a path for local school officials to allow teachers and others to carry guns on school grounds.

But for the most part, schools around the country are gun-free zones.

Two years ago, legislation was introduced in Nebraska (LB 516) that would have permitted teachers and school personnel to carry guns in schools upon approval by a two-thirds vote of the local school board. The measure did not pass.

Late in 2012, Michigan lawmakers passed a bill to allow an individual to carry a concealed pistol in schools and other gun-free zones if he or she completed additional training.

SB 59 was vetoed by Republican Gov. Rick Snyder, who said schools should be given the option to remain gun-free.

Prior to the start of the 2013 legislative sessions, lawmakers in different states were discussing the possibility of introducing new bills to remove schools from the “gun-free” designation.

Whether states act on the type of proposals recommended by Webster and Lott remains to be seen. But gun policy will be a major issue for states in 2013, particularly in the absence of any legislation from the federal government.

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**Concealed-carry profile: # of active permits and issuing authority (2011)**

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<th>Permits as % of state population</th>
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Source: U.S. Government Accountability Office
Fifth-term lawmaker has passion for education reform, fiscal issues; longtime entrepreneur is taking on key leadership role

by Kate Torney (ktorney@csg.org)

While Wisconsin Speaker Robin Vos had thought about public service for many years, he made the decision to run for the state legislature in less than half an hour.

In 2004, Vos received an unexpected call from his state representative, a woman for whom he had worked as a legislative staffer. She was retiring and was ready to recommend Vos, who had been serving on his county board for 10 years, to replace her. But she needed Vos’s decision before noon. He looked at the clock — and it read 11:35 a.m. “I walked around the block and I thought about it,” he recalls. “I realized I had always wanted to be in public service at the state level, which is my favorite level of government, and I decided to run.”

Vos represents a district in the southeastern corner of Wisconsin, which includes the city of Racine and its surrounding areas. Now serving his fifth term, Vos has moved up through the ranks of the Assembly’s Republican caucus. He has served as a member and co-chair of the state’s powerful Joint Finance Committee, and was elected speaker of the Assembly earlier this month.

Vos has set many goals in his new role. He is particularly interested in trying to bring Democrats and Republicans together in a legislature that has been embroiled in highly contentious partisan battles. One of his first actions after being named speaker-elect was to appoint two Democrats as committee chairs, which Vos says hasn’t been done in almost a generation.

“I am hoping that I can show not just symbolically, but in words and in deeds, that I am willing to work together to see if we can find some common ground,” he says. “It is not going to be easy … but I don’t want it to be ever said that we didn’t try.”

Love of politics spurs call to service

Vos traces his love of politics and policy back to the sixth grade, when his teacher brought him to some local Republican Party meetings. It spurred in him a passion for government, and Vos went on to study political science at the University of Wisconsin-Whitewater. As an undergraduate, Vos was named by then-Gov. Tommy Thompson to the university’s board of Regents, where he represented his 165,000 fellow students. After working as a legislative staffer at both the state and federal levels, Vos launched a career as an entrepreneur. He bought his first business, a small popcorn manufacturing company, at age 28. He’s grown it from a few employees to 20, and now owns several other small businesses.

Last month, CSG Midwest interviewed the incoming speaker about his leadership style and goals for the upcoming legislative session. Here are some excerpts from the interview.

Q: You are the owner of several small businesses. How does your experience in the private sector enrich your public service?

A: If you’ve never run a business or worked in the private sector, it is very hard to understand what it takes to grow more jobs. In the public sector, it is fairly easy: You just go to public officials and convince them to raise taxes to provide funding for your program. The private sector isn’t quite like that. I was a legislative staffer, and having worked as a part-time employee in the public sector, you think you know how it works. But now that I have run a business, I have been out there getting my hands dirty. I have not paid myself so I make sure I can make payroll for my employees. Those are the things that somebody that hasn’t run a business might not quite understand.

Of course, there are plenty of smart people who serve well who don’t have business backgrounds, but it really gives us a whole wealth of experience when we look for solutions about how to create jobs.

Q: You are a proponent of charter schools and an advocate for school choice. Why?

A: School choice just got expanded to Racine two years ago. The first year it was 250 kids, the second year was 500, and they met that cap very quickly. Now there will be no cap beginning in the next school year. I went door-to-door in my district … and talked to a family whose son was unable to go to a private school, but he really was not succeeding in [the public school district]. They said school choice was the reason that they will be able to send their kid to a school that they think will do a better job of educating him.

I don’t really care who pays the light bill at the school. I want to make sure that the product that they are turning out, whether it be in private, public, parochial, charter or home school, is a child who is ready to succeed and ready to work — and not looking for help from the government but looking to help others who need it more than he or she does.

We have seen that school choice can literally turn around families’ lives.

What else is on your agenda for education reform?

A: I think we definitely need to find a way to reward good teachers. I don’t want to ever see … school districts let the $60,000-a-year math teacher go because they are earning too much and then hire two teachers right out of college earning $30,000. We need to have a system to determine who is doing the best job and make sure it’s not just about money but about the quality of the educational effort they give toward those kids. I think there are a lot of things we need to work on to make sure parents know they are getting a good product — and if they don’t, that they have choices. We need to have teachers and administrators inside schools that are doing the best job and make sure they know we are standing behind them.

Q: What are your policy goals for the next legislative session?

A: We are going to have an income tax cut that will be across-the-board, but really targeted toward the middle class: those that are earning between $20,000 and $200,000.

We are going to have regulatory reform. We have 1,768 chapters in administrative code. Some are half a page long and some are 200 pages, and many of those have not been reviewed in decades. We are going to have a systematic review of those by all of our legislative committees to see if they are still protecting the public, if they are outdated, or if they are hurting our ability to create private-sector jobs.

We are going to pass a mining regulation bill, hopefully sometime before the spring, that protects the public but at the same time actually gives an opportunity to create real, good-paying, family-supporting mining jobs here. I don’t want to just pass a bill to say we passed a bill. I want to be able to get something done and be able to look back and say we were successful in every way we could be to try to bring those jobs here.

Lastly, I want to focus on education reform and continue our efforts in that area. … One of the ideas would be additional areas [of the state] that might get school choice because they have failing schools or schools in need of improvement. We also need to make sure our public schools have the resources that they need, and that parents have the ability to do more to try to keep the public schools accountable in the same ways we do with private schools.

Q: You have also mentioned tax reform as a top priority of yours. Why?

A: [We have] discovered that Wisconsin’s tax code is one of the most complex in the entire country. There was a study done four or five years ago showing that nationwide, 60 percent of poor people needed a tax preparer to fill out their income tax form. And if our tax code is the most complex, I would assume that our percentage is higher than that.

It is silly if people have to hire an accountant so that they can fill out their taxes, which should be fairly simple as a low-income person. So I hope that we can do meaningful tax reform that makes it fairer and simpler, and hopefully lowers taxes for those who are paying them.
Getting it right for kids in need

After privatization model fails to fix broken child-welfare system, Nebraska tries again with legislation increasing state guidance

by Nebraska Sen. Kathy Campbell (kcampbell@leg.ne.gov)

I

n 2009, Nebraska ranked No. 1. But it was hardly a ranking any state would herald.

Nebraska ranked first among states for the number of children in out-of-home placements in its child welfare system. This ranking, coupled with poor scores on the federal Child and Family Service Reviews, became the impetus for an initiative to improve the state's child welfare system.

The "Families Matter" initiative’s goal was to reduce the number of children entering the system and keep more children who are in the system in their homes. It was hoped Nebraska would invert its unacceptable "pyramid" numbers — 70 percent of children served out-of-home and 30 percent in-home.

The state Department of Health and Human Services and Division of Children and Family Services (CFS) began the process by reforming Nebraska's way of purchasing services for child welfare and Office of Juvenile Services clients.

Before the initiative, Nebraska had provided case management and coordination while contractors, with more than 150 private agencies statewide to provide direct services for abused and neglected children and families.

New model, high hopes

Under "Families Matter," the department chose a "lead agency" privatization model and, in late 2009, implemented contracts with five lead agencies to provide an array of safety and in-home services to CFS clients statewide.

These agencies provided case coordination, subcontracted with other private agencies for direct services, and provided services themselves. The payment structure was a set expenditure for all children and families; when in place, it was envisioned that the system would be fully operational by spring 2010.

Quite soon, however, the initiative encountered setbacks. In April 2010, one agency announced that it would fulfill the first year of the contract, but not renew it. This agency lost $5 million of its own resources during that first year. Another agency became insolvent, and its contract was terminated.

A third agency, upon mutual agreement with the department, ended its contract as of Oct. 1, 2010. This agency covered the western, central and northern areas of the state and in the wake of its departure, left nearly $4 million owed to its subcontractors. The department stepped in at once to provide case management and coordination for those three areas.

Two lead agencies remained — in the eastern and southeastern service areas, the most populous areas of the state. Both agencies, struggling financially, felt they could control costs if they also had case management. Subsequently, the department gave this responsibility to the agencies, thus fully privatizing child welfare in those areas. In addition, the department directed another $25 million to bolster the two agencies.

As 2010 progressed, a string of concerns emerged — from judges, foster parents, advocates, county attorneys, parents and others. The most frequent comments centered around the lack of a strategic plan from the department to guide the initiative; no evaluation of the initiative; little to no financial oversight; lost documentation causing delayed permanency; high turnover rate of case managers; and increasing numbers of longtime foster parents leaving in frustration — truly a system in crisis and turmoil.

As a result, the Legislature initiated an investigation (under LR 37) from February through November 2011 by the Health and Human Services Committee. The committee included 18 wide-ranging recommendations, interviews, correspondence, consultations, briefings, surveys and public hearings throughout the state.

Additionally, the committee enlisted the help of its legislative divisions as well as the Auditor of Public Accounts, the Supreme Court, the Foster Care Review Board, and several statewide child-advocacy organizations to aid in the process.

Throughout the work on LR 37, three tenets emerged to form a context for the committee's findings and recommendations:

• Child welfare reform and privatization are not synonymous.

• Privatization is a tool, not an end in itself, for child welfare reform.

• States' and communities' success in reforming child welfare is primarily predicated on ensuring that all three branches of government are involved in developing strategic and implementation plans before contracting with a statewide lead agency.

A system that involves all three branches of government needs their involvement from the beginning. No initiative can be undertaken without good planning, good fiscal analysis and benchmarks, and the continued inclusion of stakeholders statewide.

The committee issued a 435-page report in December 2011, which included 18 wide-ranging recommendations to provide a pathway to the future. The recommendations were incorporated in broad-based child-welfare legislation for the 2012 session. All five bills passed without a single negative vote on three rounds of debate and were signed into law by the governor.

Major elements of the legislation included:
• Creation of the position of inspector general for child welfare, and formation of a Children’s Commission with representation from all three branches of state government as well as wide stakeholder representation, charged with developing a strategic reform plan (LB 821);
• Requirements for financial benchmarks, a strategic plan and a separate child-welfare budget, as well as more transparency and reporting on child welfare spending (LB 949);
• A plan for an Internet-based, statewide automated information system, and evaluation of the system by a national entity (LB 1160);
• Formation of a Foster Care Reimbursement Rate Committee and establishment of temporary stipends to increase foster parent payments (LB 800) and;
• Except in the eastern service area, where a lead-agency pilot project continues, placement of case management under the control of the Department of Health and Human Services, and establishment of caseload standards (LB 961).

The package of bills is a foundation. As monitoring continues and the components are fully implemented, stability is expected to return, and reform can proceed, with more emphasis on intervention and prevention.

But the pathway will be difficult and will necessitate renewed commitments from all who work to keep Nebraska's children safe and healthy and to help them establish permanent relationships with committed adults.

Sen. Kathy Campbell of Lincoln was first elected in 2008.

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 610-925-1922 or tanderson@csg.org.
CSG MidWest partners with Canadian provinces to hold legislative exchanges

Late last year, CSG MidWest gave two delegations of state legislators from the Midwest the opportunity to visit and share ideas with their legislative counterparts in Canada.

The cross-border trips were organized by the Midwestern Legislative Conference Midwest-Canada Relations Committee. This bipartisan, binational committee brings together lawmakers from the MLC’s 11 member states and four affiliate Canadian provinces. Its mission is to provide a cross-border forum for dialogue and information sharing on policy issues of common interest and concern.

As part of that mission, the committee organizes legislative exchanges between state and provincial policymakers. Legislators from one country spend several days in the other observing the legislative process while meeting with leaders and other officials.

These exchanges are supported by a grant to CSG MidWest from the Canadian government. The most recent exchanges took place in the provinces of Manitoba and Saskatchewan. The agenda for each trip was designed based on input from participating state legislators on their issue areas of interest.

4 lawmakers travel to Saskatchewan

In November, four Midwestern lawmakers (see photo below) were hosted in Regina, Sask., by Speaker Dan D’Autremont and his colleagues in the Legislative Assembly.

Legislators learned more about the parliamentary system and had the chance to attend “question period” in the Assembly. They also sat in on caucus meetings of both the government and opposition parties.

During its visit, too, the state delegation met with the ministers responsible for agriculture, the economy, the environment, and energy to discuss policies and programs in these areas.

During a meeting with environmental officials,

Lawmakers take part in a legislative exchange to Regina, which was co-hosted by CSG MidWest and the Saskatchewan Legislative Assembly. From left to right: Indiana Sen. Ed Charbonneau, South Dakota Sen. Mike Vehle, Saskatchewan Speaker Dan D’Autremont, Nebraska Sen. John Nelson and Iowa Rep. Deborah Berry.

Manitoba hosts exchange in December

In December, CSG MidWest brought a second delegation of state legislators to Canada — this time to the province of Manitoba.

Speaker Daryl Reid welcomed three Midwestern state legislators to Winnipeg, where they learned more about the province’s legislature and economy. The group met with the ministers responsible for finance, agriculture, health, energy, and children and youth opportunities.

Manitoba Rep. Carolyn Laine was particularly interested in hearing more about the province’s early-childhood development policies, an issue she has been working on in her home state.

“Many of the issues they face in Manitoba are the same as we face,” says Laine, a Democrat. “After all, people’s lives and needs are basically the same. ... Even though Canada has a quite different health care payment system, they still debate similar issues of ease of access and cost.”

Exchange participants had the opportunity to sit in on proceedings in the Assembly and attend “question period.” They also met with representatives of the province’s three caucuses.

“I value the connections I made with people who live just hours away from me, yet live on the other side of a political boundary,” Laine says. “... We can all benefit from a less parochial view of issues and be enriched with good ideas from others.”

More in-state training planned

The December civility session was part of CSG MidWest’s plans to bring more services directly to state capitols in the near future. This in-state programming began early in 2012 with legislative workshops in Michigan and Wisconsin on effective communication strategies for lawmakers.

Programming will be expanded in 2013. The Great Lakes Legislative Caucus will host policy workshops for legislators in Michigan on Feb. 4 and in Minnesota on Feb. 22. For information on these workshops, please contact Lisa Janairo at janairo@csg.org or call 630.925.1922. (CSG MidWest provides staffing services to the caucus.)

The subjects of future training sessions throughout the region will be based on input and recommendations from legislators in each state.

For more information, please contact CSG MidWest director Mike McCabe at mmccabe@csg.org or 630.925.1922.

The Council of State Governments was founded in 1933 as a national, nonpartisan organization to assist and advance state government. The headquarters office, in Lexington, Ky., is responsible for a variety of national programs and services, including research, reference publications, innovations transfer, suggested state legislation and interstate consulting services. The Midwestern Office supports several groups of state officials, including the Midwestern Legislative Conference, an association of all legislators in 11 states: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin. The Canadian provinces of Alberta, Manitoba, Ontario and Saskatchewan are MLC affiliate members.

CSG MidWest moves ahead with in-state training events

In keeping with its plans to sponsor more professional-development workshops inside state capitols, CSG MidWest recently hosted a session on improving civility in the legislative arena.

The December training workshop was held in Columbus, Ohio, and was co-hosted by The National Institute for Civil Discourse, a nonpartisan center located at the University of Arizona.

Two highly respected former state legislators, Ted Celeste from Ohio and J. Scott Raecher from Iowa, led the workshop. Both held office at the end of 2012 after distinguished legislative careers, and are now dedicated to improving discourse in the nation’s statehouses.

Celeste, a Democrat, and Raecher, a Republican, spoke about strategies for building trust among legislative colleagues — a key to spurring productive legislative debate and crafting solutions to today’s difficult policy challenges.

The pair had led a similar session in July at the Midwestern Legislative Conference Annual Meeting in Cleveland. The topic of bridging the partisan divide will also be featured on the agenda of this year’s MLC Annual Meeting in St. Paul, Minn. (please see story on bottom of page 11).
A conference will be delivered by Jonathan Haidt, acclaimed “Thomas Jefferson: The Art of Power.” His most recent book is the influential historical figures. Meacham won a Pulitzer Prize for his 2008 biography of Andrew Jackson, “American Lion.” His most recent book is the highly acclaimed “Thomas Jefferson: The Art of Power.”

The opening keynote address at this year’s conference will be delivered by Jonathan Haidt, a secretary of state, at least four executive-agency heads and several judges. At the local level, two BILLD graduates serve as mayors and one as a city manager; a number of them have also continued their public service as members of city councils and county boards. The deadline to apply for a 2013 BILLD fellowship is April 8.

For more information, and for a full listing of the program’s alumni, please visit www.csgmidwest.org.

BILLD graduates in U.S. Congress
In November, former Wisconsin state legislator and U.S. Rep. Tammy Baldwin (class of 1996) and Nebraska Sen. Deb Fischer (class of 2005) became the first BILLD alumni to be elected to the U.S. Senate.

They are joined on Capitol Hill by six BILLD graduates who have been re-elected to the U.S. House of Representatives:
- Michele Bachmann of Minnesota,
- Bill Huizenga of Michigan,
- Randall Hultgren of Illinois,
- Steve King of Iowa,
- Mike Rogers of Michigan, and
- Adrian Smith of Nebraska.

MLC Annual Meeting will include speech by historian Jon Meacham, keynote session on root causes of the nation’s deep political divide
This summer’s premier event for Midwestern state legislators will feature a Pulitzer Prize-winning historian and a nationally renowned social psychologist who has done pioneering work on the causes of our nation’s deep political divide.

The four-day Midwestern Legislative Conference Annual Meeting is designed for lawmakers from 11 Midwestern states and four Canadian provinces. It offers a mix of policy sessions, professional development seminars and networking opportunities for attendees.

This year’s MLC meeting will be held July 14-17 in St. Paul, Minn.

Best-selling author Jon Meacham will speak to lawmakers about leadership, drawing from his extensive work and research on U.S. presidents and other influential historical figures. Meacham won a Pulitzer Prize for his 2008 biography of Andrew Jackson, “American Lion.” His most recent book is the highly acclaimed “Thomas Jefferson: The Art of Power.”

For more information, and for a full listing of the program’s alumni, please visit www.csgmidwest.org.

Graduates of BILLD program have gone on to variety of leadership positions
Applications are now available for the region’s premier legislative-leadership training program.

Since its inception in 1995, the Bowhay Institute for Legislative Leadership Development has trained more than 600 newer legislators from the Midwest — including some who have gone on to hold top positions in leadership and others who are serving in the U.S. Congress.

The BILLD program is for legislators from the Midwest who are in their first four years of service. CSG Midwest conducts the institute in conjunction with the University of Wisconsin’s LaFollette School of Public Affairs. This year’s program will be held Aug. 9-13 in Madison, Wis.

More than 600 Midwestern Legislators have received training through the program. There are nearly 300 BILLD fellows — approximately one-fifth of all state lawmakers — currently serving in the Midwest’s state legislatures.

In addition to the dozens of BILLD fellows who serve as chair, vice chair and ranking members of legislative committees, more than 45 of the leadership positions in the Midwest’s legislatures are held by graduates of the Bowhay Institute.

Eight BILLD graduates now hold hold the top leadership position in their party caucus or legislative chamber.

The ranks of BILLD graduates also include four lieutenant governors, two attorneys general, 14 secretaries of state, and at least four executive-agency heads and several judges.

At the local level, two BILLD graduates serve as mayors and one as a city manager; a number of them have also continued their public service as members of city councils and county boards.

The deadline to apply for a 2013 BILLD fellowship is April 8.

For more information, and for a full listing of the program’s alumni, please visit www.csgmidwest.org.

CSG MIDWESTERN RADIOACTIVE MATERIALS TRANSPORTATION COMMITTEE MEETING
May 14, 2013
Buffalo, New York

6TH ANNUAL MEETING OF THE MIDWESTERN LEGISLATIVE CONFERENCE
July 14-17, 2013
St. Paul, Minnesota

19TH ANNUAL BOWHAY INSTITUTE FOR LEGISLATIVE LEADERSHIP DEVELOPMENT (BILLD)
August 9-13, 2013
Madison, Wisconsin

THE COUNCIL OF STATE GOVERNMENTS HENRY TOLL FELLOWSHIP PROGRAM
August 16-21, 2013
Lexington, Kentucky

THE COUNCIL OF STATE GOVERNMENTS 2013 NATIONAL CONFERENCE
September 19-22, 2013
Kansas City, Missouri

Contact: Laura Tomaka (ltomaka@csg.org)
630.925.1922
www.csgmidwest.org/BILLD/default.aspx

Contact: Lisa Janairo (ljanairo@csg.org)
630.925.1922
www.csgmidwest.org

Contact: Kelley Arnold (karnold@csg.org)
859.244.8258
www.csg.org/LeadershipCenter

Contact: Gail Meyer (gmeyer@csg.org)
630.925.1922
www.csgmidwest.org

Contact: Kelley Arnold (karnold@csg.org)
859.244.8258
www.csg.org/events
Michigan recall law for state legislators gets revamped

One of the five states in the Midwest that allows for voter recall of state legislators has made significant changes to the process. Michigan’s HB 6060 and HB 6063, signed into law in December, reduce the amount of time to gather recall-petition signatures (from 90 days to 60 days) and change the format of the recall election. There will no longer be an up-or-down vote on the current officeholder. Instead, voters will choose between the officeholder and a challenger.

Lastly, mlive.com reports, the new law places limits on when legislators can be subject to a recall. House members, who serve two-year terms, are exempt in the first six months or last six months of their term in office. State senators cannot be recalled in the first year or last year of their four-year term. Several Michigan legislators have been the targets of recall campaigns in recent years, and one member of the House was ousted from office in 2011. That same year, many lawmakers in Wisconsin had to fend off recall elections, including more than a quarter of the members of the state Senate.

Kansas, Minnesota and North Dakota are the other three Midwestern states with provisions to recall state legislators from office.

Minnesota, Indiana 8th-graders outperform international peers

In the most recent international assessment of students from 53 countries and other education jurisdictions, Minnesota and Indiana eighth-graders scored above most of their peers. The Trends in International Mathematics and Science Study was released in December. Minnesota and Indiana are the only two Midwestern states that participated. The science scores of Minnesota eighth-graders were third-highest in the world. Similarly, only five countries (all East Asian nations) posted higher eighth-grade math scores than Minnesota. Indiana’s scores were lower than Minnesota’s, but still well above the international average.

In both states, the study’s findings also highlighted significant gaps in student achievement. For example:

- Male students in the two states outperformed female students (except for Minnesota’s eighth-grade math scores, where there was no gender gap);
- Black students in Indiana and Minnesota scored below the international average in the two subject areas and grades tested; and
- Students from schools with a high percentage of low-income families scored below the international average.

Population data show North Dakota gaining, Midwest lagging

North Dakota’s population is increasing faster than any other state in the nation, recent federal data show, at a time when the Midwest as a whole is lagging behind U.S. growth.

The recently released population statistics highlight the remarkable turnaround that has occurred in North Dakota. Between 2000 and 2010, for example, the state’s population grew at a rate of less than half the national average (4.7 percent vs. 9.7 percent). In the 1990s, North Dakota’s population was essentially stagnant. The state’s 10-year growth rate was 0.5 percent, lowest among the 50 states.

Over the past two years, though, the state’s population has risen 4.0 percent. The spike in numbers is the result of a booming economy and job market, state officials told The Jamestown Sun.

The Midwest’s population (Missouri included) will be used to fund construction projects.

Video gaming spreads in Illinois, yielding revenue for state

The start of video gaming in Illinois netted the state $1 million in November, and those figures could climb much higher in the months and years ahead.

Under a law passed in 2009, up to five video gaming terminals are allowed at truck stops and at Illinois businesses with licenses to sell alcohol onsite, the Quad-Cities Times reports. The rollout of video poker, blackjack and other games began in October. In November, wagering activity on the more than 1,400 terminals in the state totaled $50.2 million. Income from the video gaming terminals is taxed at a rate of 30 percent — with that revenue divided between the state (which gets most of it) and the municipality where the video gaming activity takes place. According to the Chicago Tribune, state officials estimate that 75,000 machines will eventually be up and running, generating $375 million in annual revenue. That money will be used to fund construction projects.

In fiscal year 2009, gaming revenue accounted for 3.1 percent of Illinois’ own-source revenue, according to the Rockefeller Institute of Government. The national state average that year was 2.4 percent. In the Midwest, it ranged from a high of 6.2 percent (South Dakota) to a low of 0.2 percent (North Dakota).