Marijuana initiatives, legislation slowly taking root in the Midwest

Ohio joins Illinois, Minnesota, Michigan in legalizing medical marijuana; North Dakota residents to vote on it in November

by Jon Davis (jdavis@csjs.org)

A s the movement to legalize marijuan a — or, at least, medical marijuana — gathers steam, the Midwest is living up to its reputation as neither the first nor last region of the country to adopt big changes.

There are no signs that any state in the region is ready to follow Colorado, Washington, Oregon and Alaska by fully legalizing recreational use, although marijuana industry observers say that has more to do with the industry’s “coasts first” focus. But Illinois, Michigan, Minnesota and, as of June 8, Ohio, have established medical marijuana programs. In addition, four states in the Midwest — Illinois, Minnesota, Ohio and Nebraska — have decriminalized the possession of small amounts of marijuana.

North Dakotans will vote in November on a ballot proposal to legalize medical marijuana; A Michigan petition to fully legalize weed was ruled ineligible because some signatures were gathered outside the official circulation window, and the state Supreme Court declined to bypass an appellate hearing on the matter.

“It’s not the first region to take on marijuana issues, but not the last. It’s really representative of where the country as a whole is,” says Karen O’Keefe, director of state policies for the Marijuana Policy Project, who nonetheless predicts that one or two Midwest states will be among the next wave of legalization by 2020.

Curiously, and perhaps somewhat counterintuitively in this hyper-partisan era, medical marijuana seems to be a mellower subject that cuts across party lines.

Earlier this year in Iowa, House Democrats teamed up with the “nay” side of a divided Republican caucus to defeat HF 2097, which would have allowed Iowans to purchase cannabis oil in other states and bring it home for medicinal purposes.

That same measure also would have added multiple sclerosis and cancer with prognoses of 12 months or less of life to intractable epilepsy as eligible conditions for treatment. (Iowa currently allows intractable epilepsy patients only to use medicinal cannabis, but does not allow it to be manufactured in the state).

In Ohio this year, HB 523 passed the Republican-controlled Legislature — 67-29 in the House and 18-15 in the Senate — and was signed into law by Republican Gov. John Kasich. (In contrast, the medical marijuana laws in Illinois and Minnesota were passed by Democratic legislatures and governors.) Rep. Steven Huffman, a medical doctor who sponsored the Ohio bill, said its success was based on the will of voters in the state. Polls had shown support for
Economic Development

With new bills and initiatives, Michigan seeks to be hub of driverless-vehicle activity

Using a site where B-24 bombers were made during World War II in a factory built by Henry Ford, Michigan hopes to build on its heritage as a hub of automotive manufacturing and innovation and become the world’s leader in autonomous vehicle technology.

In July, citing the creation of more and better jobs in the state’s thriving automotive industry, Gov. Rick Snyder announced the approval of $17 million in startup funds for the creation of the American Center for Mobility in Ypsilanti. The facility at the former Willow Run site will be a public-private venture focused on testing, verification and self-certification of connected and automated vehicles and other mobility technologies.

The center is a joint initiative among the state (working through the Michigan Department of Transportation and the Michigan Economic Development Corporation), the University of Michigan, business leaders and Ann Arbor SPARKS.

In addition, the Toyota Research Institute in Michigan announced that it will commit $22 million to the university’s Mobility Transformation Center over the next four years to advance research and development on artificial intelligence, robotics and autonomous vehicles.

That center’s mission is to collaborate with industry and government to accelerate development of voluntary standards for automated vehicles. Meanwhile, a legislative package (SB 995-998) now making its way through the state Senate would authorize the American Center for Mobility, while making statutory changes to ensure that Michigan can be at the forefront of research and development.

“Autonomous vehicle technology continues to develop, but current law is becoming outdated as technology advances,” says Sen. Horn, chair of the Economic Development and International Investment Committee. “In order to compete, Michigan must evolve.”

The four Senate bills specify that companies will be able to operate driverless vehicles on public roads provided that an operator is able to supervise and control the vehicle.

The legislation also sets standards for these cars and requirements that crash data for fleets of autonomous vehicles be collected. That information would then be used to improve technologies and ensure consumer safety.

The legislative package received committee approval in August. “Data shows that more than 90 percent of auto accidents are caused [by] human error,” Horn says. “And if we can remain integral in the development of technology to reduce these errors, I think it will be a great move for our state.”

Midwest-Canada Relations

‘Buy America’-type rules at odds with vitality of cross-border supply chains

Supply chains linking Canadian and U.S. companies play a crucial role in provincial and state economies, and two recent studies underscore just how important they have become in the world’s largest binational trading relationship.

Vehicles, for example, generally have more than 40,000 individual parts, and even the manufacturers of smaller components often have many suppliers of their own.

In a recent study of the operations of a single southern Ontario firm that makes car seats, researchers at the Automotive Parts Manufacturers’ Association found that the company had 95 suppliers alone — most of them based in the United States.

And this interdependent relationship extends well beyond making cars and vehicle parts; the manufacturers of industrial machinery and equipment, chemicals, plastics and construction materials rely on cross-border supply chains as well. As a result, goods officially counted as “Canadian made” often include components made in the United States, and vice versa.

In 2014, U.S. content accounted for nearly $70 billion of the value of Canadian manufacturing output (8.5 percent of the total value), according to a report commissioned and released this year by the Embassy of Canada; likewise, Canadian content in U.S. manufacturing totaled roughly $44 billion (2.5 percent of the value of U.S. exports).

Because Canadian companies rely on U.S. suppliers, and vice versa, provincial, state or federal policies that require the use of domestically made products can be problematic.

As one example, the Embassy-commissioned report cites how domestic-content requirements (for example, “Buy America” language in the American Recovery and Reinvestment Act of 2009 and other federal legislation) impacted the cross-border supply chain that makes pipes for U.S. municipal water systems.

An end manufacturer of these pipes was based in Ontario, but 95 percent of the raw materials was coming from the United States. The partly finished pipe then crossed between facilities in the two countries for further processing. But because the manufacturer was based in Ontario, the finished product didn’t meet domestic-content provisions.

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* The total value for the manufacturing sector includes $77.5 billion in motor vehicles and parts; $10.7 billion in chemicals, rubber and plastics; $16.6 billion in industrial machinery and equipment; $16.9 billion in processed foods; and $13.9 billion in petroleum and coal products.


Cross-border supply chains rely not only on the free flow of goods between countries, but also on the efficient movement of those goods across the border.

States and provinces can make this movement smoother by ensuring that their roads and bridges support the truck traffic that delivers manufacturing components. Though good roads benefit all shippers, they are most important for industries that rely on just-in-time deliveries, such as the auto industry.
Agriculture & Natural Resources

Already allowed in Ontario, fish farming in Great Lakes proposed in Michigan

Could the Great Lakes be used even more to satisfy the U.S. demand for seafood? There is no question that U.S. consumers seem to have an insatiable appetite for it. In addition to the production of $9 billion worth of edible fish in 2015, we imported more than $20 billion worth. And as a result of decades of overfishing, natural fisheries cannot meet global demand — about half of all seafood is farmed fish from China, Thailand, Indonesia and Vietnam.

In Michigan, state agencies have received concept proposals to establish privately owned net-pen operations (where fish are raised in an underwater net) in the Great Lakes. And various bills were introduced this year to modify state law on aquaculture. Michigan currently allows net-pen aquaculture on private waters; some state legislators want to sanction it in the Great Lakes and regulate it under a newly established Office of Aquaculture Development. Rep. Triston Cole, a sponsor of the legislative package in the House (HBs 5166-5168), says fish farming in the Great Lakes would be a natural expansion of the rainbow trout production already taking place in states from Idaho to North Carolina.

After Michigan received the proposals about net-pen fish farming, three state agencies formed a work group to explore topics ranging from the proper siting of these facilities and their economic impact, to ecological concerns such as higher levels of nutrients and the potential introduction of fish diseases. According to the group’s findings, lessons from the poor fish-farming practices of the past have led to greater protections for water quality and habitat. However, most public comments that the state received about allowing fish farms in the Great Lakes opposed the idea (110 of the 128 comments received). This, along with the expected cost of regulations and environmental uncertainties, led the agencies to come out against the net-pen proposal.

Meanwhile, Sen. Rick Jones has introduced legislation (SB 526) to prohibit fish farming in the Great Lakes as well as in any waters that lead to them. “It would be insanity to endanger the waters of Michigan for a few companies to grow fish,” Jones says. But while it appears unlikely that fish farming will be allowed anytime soon on the U.S. side of the Great Lakes, it already is happening in Ontario. Twelve facilities in Lake Huron have been producing about 10 million pounds of rainbow trout annually since 1988. They are now seeking to expand and experiment with production of walleye.

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Health & Human Services

Girl’s allergy death spurs Illinois lawmakers to push for improved access to lifesaving medicine

Before the night she suffered a severe allergic reaction that took her life nine days later, 13-year-old Annie LeGere had grown up with only minor allergy symptoms. There was no reason for her, her family or her health providers to believe she should have a prescription to an epinephrine autoinjector, the emergency treatment that can save lives in cases of anaphylaxis (a serious allergic reaction, most commonly to food).

But what if the first people often to respond to a medical emergency (including in Annie’s case) — local police officers — could carry these autoinjectors and be trained on how to administer them? The minutes saved by administering the drug on-site rather than in an emergency room could be the difference between life and death.

In Illinois, these officers now will have the opportunity, thanks to a bill passed this year (HB 4662) known as Annie’s Law. The story hit particularly close to home for Nybo. A group of Michigan legislators, including Rep. Triston Cole (who provided this photo to CSG Midwest), recently took a tour of a facility on Lake Huron where rainbow trout are being raised. Ontario already has 12 net-pen facilities in operation on Lake Huron. Over the past year, the question of whether to allow these types of operations on the Great Lakes has been raised in Michigan.

This summer, Ontario released a new draft policy focusing on long-term environmental sustainability for commercial-scale, open-net production. After a 90-day public comment period this spring, the province is now considering the final rules. The proposed rules would limit the size of operations based on the amount of fish feed (2,755 tons of low-phosphorus feed annually) rather than the number of fish. Ontario’s draft regulations also require applicants to provide ongoing monitoring of the ecosystem.

However, HB 4662 provides the statutory authority that police needed to get the prescription.

Similarly, a 2011 bill (HB 3294) set no mandates on local schools to stock the autoinjectors, but Nybo says the reaction across the state has been “wonderful,” with thousands of schools deciding to carry the medicine after they got the authority to do so.

Nybo, Mussman, Annie LeGere’s family and friends, and others joined together in late August at a ceremony that honored Annie and celebrated passage of the law allowing law enforcement to carry the autoinjectors. Around the same time, a huge spike in the cost of EpiPens — which dominate the market for epinephrine autoinjectors — made headlines across the country.

“Then it may not work sufficiently to save some one’s life,” Nybo says.

Higher costs could mean that fewer police depart ments and schools in Illinois choose to stock the lifesaving product, and Nybo says their decisions are critical because potentially deadly allergic reactions can hit people who have had no or only mild allergy symptoms in the past. As a result, these people don’t have prescriptions for an epinephrine autoinjector.

Nybo worries, too, that the big change in pricing could keep individuals from refilling their prescriptions in a timely manner.

“Then it may not work sufficiently to save some one’s life,” he adds.
seventy-four citizen-led initiatives will be voted on this fall in the United States, the highest number in 10 years, says Josh Altic, project director of ballot measures for Ballotpedia.org. That number includes 10 different proposals to either legalize the recreational use of marijuana or the medical use of cannabis. North Dakota is among the five states where voters will decide the medical marijuana question. Last year, by a wide margin, Ohio voters rejected a proposal to legalize marijuana.

Other notable topics this year, Altic says, include proposals related to gun control, health care and the minimum wage. Altic cites a few factors that have led to this year’s uptick in citizen-led initiatives. One is that people "aren’t seeing the policies they wanted enacted by their legislatures."

The second factor is historically low voter-turnout numbers in 2014. In most states, the number of signatures needed to get an initiative on the ballot is based on a percentage of the number of votes cast in the last election. As a result, fewer signatures were required this year in many states. (There is variation in the signature rules from state to state; see table below.)

Ballot measures can have a major impact on policymaking in the states, and even the legislative institutions themselves. Two notable examples in the 1990s, for example, were the enactment of legislative term limits (now in place in Michigan, Nebraska, Ohio and South Dakota, among other states) and constitutional bans on gay marriage.

More recently, Altic says, "there has been a trend toward more-progressive initiatives."

### Ballot measures in the Midwest

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### Signatures needed in Midwest states to get a citizen-led initiative on the ballot

<table>
<thead>
<tr>
<th>State</th>
<th>Signature requirement</th>
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<tr>
<td>Michigan</td>
<td>A percentage of total votes in most recent governor’s race (general election): 10 percent to amend the Constitution; 8 percent to propose a new law, and 5 percent to vote on recent legislation signed into law</td>
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<tr>
<td>Nebraska</td>
<td>A percentage of the state’s registered voters: 10 percent to amend the Constitution; 7 percent to propose a new law, and 5 percent to vote on recent legislation signed into law</td>
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<tr>
<td>North Dakota</td>
<td>A percentage of the state’s total population: 4 percent to amend the Constitution, 2 percent to propose a new law, and 1 percent to vote on recent legislation signed into law</td>
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<td>Ohio</td>
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<td>South Dakota</td>
<td>A percentage of total votes cast in most recent governor’s race (general election): 10 percent to amend the Constitution and 5 percent to propose a new law or to vote on recent legislation signed into law</td>
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### Across Midwest, this fall’s ballots full of big issues for voters to decide

Some November, voters in the Midwest won’t just be deciding on who their state legislators, governors and other elected officials will be. They also will directly decide the future of a wide range of public policies — for example, whether to impose the death penalty in Nebraska and how to set legislative salaries in Minnesota.

As of early September, 20 proposals in seven Midwestern states had been certified for the November elections, according to Ballotpedia.org. They include a mix of legislatively referred constitutional amendments and citizen-initiated proposals, as well as attempts to overturn recent state legislative actions. Here is an overview of some of the ballot proposals in the Midwest this fall.

#### Illinois’ ‘lock box’ for road funding

The General Assembly is seeking a change in the state Constitution to ensure that revenues from the road fund are used for transportation purposes only. The “lock box” amendment received near-unanimous legislative support this year, but it now requires voter approval. In 2014, Wisconsin voters overwhelmingly approved a similar change in their state Constitution.

### Hunting, fishing and state constitutions

According to the Congressional Sportsmen’s Foundation, constitutions in 18 states (including Minnesota, Nebraska, North Dakota and Wisconsin in the Midwest) have been amended over the past 40 years to give residents the right to hunt and fish. Indiana and Kansas would be added to that list under this fall’s legislatively referred constitutional amendments.

### Who sets legislator pay in Minnesota?

When it comes to setting and changing legislative salaries, the most common approach used by states is a full vote by the legislatures themselves. Minnesota lawmakers, though, want to hand over that authority to an independent, citizen-run board. Eight members would be appointed by the governor; another eight by the chief justice of the Minnesota Supreme Court.

Proponents of the change say it removes a clear conflict of interest (people voting on their own wages). They add that legislators are reluctant to approve salary increases for themselves, even if such increases could encourage or allow more people to serve.

Not all legislators in the Midwest make the final decisions on the pay of state senators and representatives. In Nebraska, for example, voters themselves must make the change, because the legislative salary of $1,000 a month is part of the state Constitution. In Indiana, a statutory formula ties the pay of legislators to that of trial court judges.

### Future of death penalty in Nebraska

One year ago, Nebraska legislators repealed the state’s death penalty, muster enough votes not only to pass the bill but to withstand a gubernatorial veto. After that decision, proponents of capital punishment immediately began working on a veto referendum — the chance for voters override the actions of their state legislature.

Nebraskans’ vote this fall on the death penalty will be one of the nation’s most closely watched ballot measures. According to the Death Penalty Information Center, four states in the Midwest have laws authorizing capital punishment: Indiana, Kansas, Ohio and South Dakota.

### Proposed tax increase in North Dakota

Among the ballot measures being voted on this fall in North Dakota are a proposal to legalize medical marijuana (see this month’s cover story and page 6) and a plan to raise the state’s tobacco tax.

The latter measure would, in part, raise the state tax on cigarettes from 44 cents per pack to $2.20. The additional revenues would go to two trust funds: the first for veterans and their families; the second to improve state services related to behavioral health, community health and chronic disease management.

North Dakota’s tax on cigarettes is the lowest in the Midwest. The highest rate is in Minnesota, $3 per pack, according to the Campaign for Tobacco-Free Kids.

### Big year on South Dakota ballot

South Dakotans will be voting on at least 10 ballot proposals, third most in the nation (behind only California, 17, and Alabama, 14).

One of the state’s proposed constitutional amendments would create an independent, nine-member commission to draw state legislative districts. A second would create nonpartisan primaries to select candidates for elected office.

Voters also will be asked to determine South Dakota’s law on the minimum wage — this time for workers under the age of 18. Two years ago, a successful ballot measure raised the minimum wage for all workers; it currently is $8.55 per hour. But the Legislature then decided to establish a youth minimum wage of $7.50 per hour. That decision has now been referred to a statewide vote.

One of South Dakota’s citizen-initiated statutes is a union-backed proposal that would give “corporate organizations and nonprofit organizations the right to charge a fee for any service provided.” This would include the fees that unions charge workers for negotiating with employers over salaries and benefits.

### Laws on direct democracy in Midwest

- Proposed constitutional amendments, statutes can be initiated by citizens and appear on the ballot without legislative approval
- Citizen-initiated proposal can only amend legislative article of Illinois Constitution
- Legislative approval required for measures to appear on ballot

Source: Ballotpedia.org - "The Ballot of the States"
Iowa launches plan to meet children’s mental health, other needs

Right now in Iowa, it’s no sure bet that a child in need of mental health services is going to get them. Instead, access can depend on where his or her family happens to live.

“There is no statewide system or network of care in place, and over the long term, we need to develop it because there are clear gaps,” explains Anne Gruenwald, president and CEO of Four Oaks, a Cedar Rapids-based nonprofit agency that provides a range of services for children in need.

“When you have those gaps, needs go unmet, or we have to rely on our adult system of care — and that’s not always a good fit.”

Iowa appears to be taking some important first steps, thanks to the recommendations of a work group formed by the Legislature in 2015 and actions taken by lawmakers during their 2016 session.

Gruenwald is one of 30 members of the Children’s Mental Health and Well-Being Work Group (formed as the result of SF 505 in 2015); four Iowa legislators serve on it as well.

Late last year, the group prioritized two areas for immediate state action: first, begin to make mental-health crisis services available across the state; and second, create a handful of “child well-being labs” that can experiment with the best ways to address the multiple, complex needs of a single young person.

The Legislature included both of these priority areas in its larger health-and-human-services budget (HF 2460).

Under that new law, two models of delivering crisis services will be developed: one for the eastern half of the state, another for the western portion.

The urgency of creating these two models, the work group concluded, reflects the serious consequences of not having trained professionals available to intervene in situations involving a mental health crisis. These cases cannot be handled by family, schools and the community alone, and without adequate help, young people in crisis can be at risk to themselves and others.

The goal in Iowa is to have a network of crisis-response providers available across the state to provide intensive, face-to-face services that help a young person return to a “baseline level of functioning.”

But sometimes mental illness is only one of a complex set of needs that must be addressed. A child may also be dealing with family problems, difficulties in school, homelessness or other issues.

The well-being labs will help the state explore new methods of case management that try to meet all of those needs in one setting, and get the young person’s family involved in the process.

“We want to get kids to a point where they are stable in all aspects of their lives,” Gruenwald says.

This article was written as part of this year’s Midwestern Legislative Conference Chair’s Initiative of Wisconsin Rep. Joan Ballweg. This initiative is focused on state policies that strengthen families, improve opportunities for children, and yield better long-term outcomes.

QUESTION: What alternatives to traditional marriage are recognized in the Midwestern states?

Three alternatives to traditional marriage are recognized in different parts of this region: domestic partnerships, civil unions and common-law marriages.

Domestic partnerships

Although similar to marriage, domestic partnerships are not recognized by the federal government. As a result, domestic partners are not eligible for the rights, responsibilities and benefits afforded to married couples under federal law, and these partnerships do not have to be recognized outside the jurisdiction in which they originated.

The Wisconsin State Legislature included language in its 2009 budget bill that allowed same-sex couples to register in a domestic partnership, granting them the ability to take family and medical leave, make end-of-life decisions, and have rights to hospital visitation. In all, that law provided same-sex couples with 43 state-level rights that previously had been limited to married couples. (It was passed six years prior to the U.S. Supreme Court decision giving same-sex couples the right to marry.)

Some states have restrictions on who may enter into a domestic partnership — only same-sex couples in Wisconsin, for example. In California and Washington, opposite-sex couples can enter into a domestic partnership only if one or both parties are over the age of 62.

In addition to Wisconsin’s state law, local jurisdictions and 3) a public declaration of each other as husband and wife. Although a common-law marriage is less formal, couples in this arrangement are recognized by the federal government as “spouses” and are given all of the rights and job protections provided by the Family and Medical Leave Act.

In 2010, the Illinois General Assembly passed legislation (SB 1716) enabling all couples to enter into a civil union. This law provided the same rights, protections, obligations and responsibilities that married couples have.

An Illinois law allowing for same-sex marriage took effect in 2014. However, the state has continued to recognize and certify new civil unions.

Common-law marriage

Unlike domestic partnerships and civil unions, common-law marriages do not require any registration or application. The requirements for a valid common-law marriage vary among the nine U.S. states that allow them, including Iowa and Kansas.

In Iowa, the three elements of a common-law marriage are: 1) the present intent and agreement to be married; 2) continuous cohabitation; and 3) a public declaration that the parties are husband and wife. Under Kansas law, the three requirements are: 1) capacity to marry; 2) a present marriage agreement; and 3) a public declaration of each other as husband and wife. Although a common-law marriage is less formal, couples in this arrangement are recognized by the federal government as “spouses” and are given all of the rights and job protections provided by the Family and Medical Leave Act.

Civil unions

Like domestic partnerships, civil unions grant all or some of the state-level rights as marriage, but are not recognized by the federal government. (A domestic-partnership law that provides comprehensive benefits is much like a civil union.)

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a medical marijuana program running between 80 and 90 percent.

In contrast, Ohioans overwhelmingly rejected (by vote of 64 percent to 36 percent) a ballot proposal in November 2015 to legalize marijuana use, cultivation and sales under limited conditions. (The wording of Issue 3 also raised concerns about creating a monopoly by giving 10 “growth, cultivation and extraction facilities’ exclusive rights to commercial production in Ohio.)

“We listened to the people,” Huffman says. “They wanted medical marijuana; they didn’t want the liberalization of it [like some other states].”

HB 523 also was partly defensive; Ohio is a ballot-initiative state, and the medical marijuana advocates were collecting signatures for what Huffman saw as a bill that would have been pseudo-recreational.

“We wanted to lead before we were led down a path that was both recreational and medical,” Huffman says. “Recreational is a discussion for another day, but I think that day is coming.”

Ohio used Maryland’s medical marijuana law as its model because legislators didn’t want medical marijuana regimens as loose as those in California or Colorado (the latter has also legalized recreational use), he said.

HB 523 doesn’t allow patients to smoke marijuana, though it does allow vaporization. Nor does it allow patients to grow their own. “There is no other medication I know of that you grow at home,” Huffman adds.

But what about the tax revenue?

While license fees in Ohio will be generated to cover costs, there is no provision for tax revenue on medical marijuana (Ohio doesn’t tax medicalizations in any form). But the state’s new Medical Marijuana Control Commission will be able to suggest taxation in the future.

“It’s on the radar, but it’s not an emphasis in the bill,” Huffman says. “There’s a fine line to raising taxes and fees so high that you eventually drive everybody into the black market and then you haven’t really accomplished anything.

“There’s an opportunity there, but I think we’re going to have to see how it plays out.”

As for taxation of marijuana in general, the numbers are already eye-catching, and likely to grow as legalization spreads. Colorado reaped $135 million in state marijuana taxes in 2015; Washington gathered $210 million in 2015 and through the first half of 2016, O’Keefe says.

Chris Walsh, managing editor of the online news site Marijuana Business Daily, says his publication estimates there will be between $3.5 billion and $4.3 billion in retail marijuana sales nationally in 2016 — up from between $3 billion

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**Medical marijuana: States and advocates debate its promise, potential and pitfalls**

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**From decriminalization to medical marijuana: Overview of recent actions, proposals in Midwest**

*This summer, Illinois Gov. Bruce Rauner signed bills extending the state’s medical-marijuana pilot program through July 2020 (SB 10) and decriminalizing the possession of 10 grams or less of marijuana (SB 2228): SB 10 added post-traumatic stress disorder to the list of conditions eligible to be treated with medical marijuana and allows people with terminal illnesses to apply for medical-cannabis registry ID cards.*

*In Indiana, a comprehensive medical-marijuana bill (SB 209) was introduced in January but did not make it out of legislative committee. The bill would have allowed caregivers and patients, with a doctor’s recommendation, to possess either up to 8 ounces of dried marijuana or to grow up to 12 plants for medicinal purposes in order to treat certain medical conditions. The measure also would have created a state-level department to issued medical marijuana ID cards to eligible patients.*

*In Iowa, residents with epilepsy can use cannabis oil under a 2014 law, but there is no lawful way to get it. A proposal (HF 2384) to allow Iowans to purchase the oil in another state and bring it home was defeated this year in the House.*

*Legal in Michigan since passage of a 2008 referendum, medical marijuana remains a legislative focus. Bills have been moving in both the House and Senate this year to create a statewide legal/regulatory framework for growers, processors and the transportation of marijuana to dispensaries (HB 4209); to legalize the manufacture and use of “marijuana infused” products (HB 4210); and to create a “seed to sale” tracking system for marijuana products in commercial trade (HB 4827). Outside the Legislature, some advocates of legalizing marijuana use tried to get a measure on the fall’s ballot, those efforts failed.*

*Medical cannabis was legalized in Minnesota in 2014 (SF 2470, signed by Gov. Mark Dayton on May 29), and dispensaries began opening in mid-2015. As of Aug. 5, patients with intractable pain are eligible for medical marijuana. Advocates have petitioned the Minnesota Department of Health to add post-traumatic stress disorder to the list of conditions that permit individuals to use medical cannabis.*

*LB 643 would have established a medical marijuana program, but was defeated earlier this year after four hours of debate on the floor of Nebraska’s unicameral Legislature. The bill would have allowed medical cannabis in liquid, oil, pill or vaporized form and authorized one manufacturer of medical cannabis in each of the state’s three congressional districts.*

*A medical marijuana Initiative will be on the Nov. 8 ballot in North Dakota. It would create a state-regulated medical marijuana program for patients with specified conditions and written certifications from their doctors. These patients would then purchase marijuana from licensed, nonprofit “compassion centers” or, if they live 40 miles or more from a center, grow their own for medical use.*

*Ohio Gov. John Kasich signed HB 523 into law on June 8, establishing a medical marijuana program based on the state of Maryland’s. Under the new law, seriously ill patients can buy and use medical cannabis that is cultivated and processed within Ohio. Smoking and home cultivation are not allowed, however.*

*After a referendum petition in 2015 to legalize medical marijuana in all forms was ruled ineligible for the ballot (almost half of the 16,541 signatures were thrown out as invalid), South Dakota legislation introduced a bill with identical language as SB 171. An amendment to the bill, though, would have only allowed the medical use of cannabis oil with less than 3 percent THC, a doctor’s prescription would have been required. The amended bill passed the Senate, but failed to make it through the House.*

*Proposals to decriminalize possession (AB 945) and establish a medical marijuana program (SB 789) were introduced during Wisconsin’s 2015-16 session, but did not advance. SB 789 would have allowed qualified, registered patients to possess up to 3 ounces of marijuana or up to 12 plants grown indoors; it also would have authorized the state to establish licensed growers, dispensaries and quality control labs.*

**Sources:** CSG Midwest research and the Marijuana Policy Project
and $3.5 billion last year. That range is anticipated to grow by 2020 to between $6 billion and $11 billion. But tax revenue is “just one piece of the package,” O’Keefe says. “Legislators and the public need to be convinced that [legalization] is good policy and won’t cause too many problems.”

Taming, or creating a monster?

That’s where Kevin Sabet comes in. The president and CEO of Smart Approaches to Marijuana, Sabet says the legalization movement is not good public policy, but rather the result of a well-financed public relations campaign by hedge funds and private equity groups hoping to turn legal marijuana into “Big Tobacco 2.0.”

And just like tobacco, he says, the marijuana industry relies on creating new users, which means targeting young people. According to Sabet, the percentage of people 12 and older in Colorado and Washington who report using marijuana within the last year is rising faster than the national average.

Between 2011 and 2013, those two legalization states had higher rates of marijuana use than the national average — 16 to 21 percent in Colorado and 15 to 19 percent in Washington vs. the national average of 12 to 13 percent, data from the National Survey on Drug Use and Health show.

Among 12- to 17-year-olds who reported using marijuana within the last month, there was a drop nationally from 7.6 percent to 7.2 percent nationally; at the same time, increases were reported in Colorado (from 10.5 percent to 12.6 percent) and Washington (9.5 percent to 10.1 percent).

“It’s about a corporate free-for-all and policies that allow for edibles, candies and cookies,” claims Sabet, who is also director of the Drug Policy Institute at the University of Florida’s College of Medicine.

“This isn’t about hippies who can’t get the time of day right. This is about 30-year-old Yale graduates who are geniuses putting this together.”

Moreover, he adds, marijuana itself is far more potent than it was during the 1970s, when levels of THC (the main active chemical source of the “high”) was 1 to 4 percent. Today, it’s around 14 percent.

In marijuana edibles and candies, or cannabis oil concentrates or “waxes,” Sabet says the percentages can approach 80 percent to 90 percent.

“This is not your Woodstock weed, this is not what your parents smoked. This is more potent and dangerous stuff,” Sabet says.

As for medical marijuana programs, Sabet says he doesn’t oppose them; the potential medical benefits should absolutely be investigated, but marijuana should be treated as any other potential medication — with federal oversight and rigorous tests and, if cleared, by prescription only.

So, what are states to do?

States have options besides “legalization or incarceration,” he adds. They can allow “smokable” marijuana while banning edibles, or adapt the ban on tobacco advertising for marijuana.

An advertising ban is also one of the recommendations from David Jernigan, associate professor at Johns Hopkins’ Bloomberg School of Public Health and director of the Center on Alcohol Marketing and Youth.

In a 2003 presentation available at Smart Approaches to Marijuana’s website, Jernigan cites the historical experience with alcohol to recommend particular steps for any state’s marijuana regulation regimen, starting with the point that marijuana cannot and should not be treated as an “ordinary” commodity because “the market” will not regulate it in ways healthy for young people.

Nor should states be lured by the potential tax revenue. Marijuana regulation belongs with public health departments, not treasuries; tax revenue should be secondary and incidental to regulation, and indexed to inflation.

According to Jernigan, states also should control the size and power of the marijuana industry; in part by banning marketing. Precedent for that exists from tighter regulations of medicinal marketing and, of course, the ban on tobacco marketing.

Lastly, he says, states should ensure that the marketing ban and other controls are working as designed.

Sabet says states will have legal leeway to explore these questions and approaches because the federal government is likely to maintain its hands-off approach.

Even though the U.S. Drug Enforcement Administration kept marijuana as a Schedule 1 narcotic because plant material isn’t a medication, he adds, it correctly allowed for more investigation of marijuana as a medication.

“Congress has no appetite for this,” he says. “We’ll see where this takes us in the next few years.”

Marijuana Business Daily’s Walsh agrees: “The most likely scenario at this point is that the federal government essentially codifies into law that the states can decide this one on their own,” he says.

States may not be willing to legalize marijuana, but appear more willing to decriminalize it

Befitting its status as the 21st state to decriminalize possession of small amounts of marijuana. Under SB 10, signed into law in July, law enforcement agencies no longer arrest or incarcerate someone caught with 10 grams or less; criminal penalties have been replaced with civil law violations punishable by fines of between $100 and $200.

Moreover, possession of between 10 and 30 grams, up from 2.5-10 grams, is now a Class B misdemeanor and possession of between 30-100 grams is a Class A misdemeanor. Possession of more than 100 grams is a Class 4 felony (the lowest level).

That’s what decriminalization is — reducing the charges for possession of small amounts of marijuana from criminal to civil counts, along with (usually) elimination of jail or prison time in favor of state- or local-level monetary fines.

Ohio, Minnesota and Nebraska have also decriminalized marijuana. Ohio, for example, classifies possession of less than 100 grams — along with growing less than 100 grams or giving less than 20 grams to another person — as “minor misdeemeanors” not punishable by jail, but fines up to $150 and possibly a driver’s license suspension of six months to five years.

In Minnesota, possession of an ounce or less results in a fine up to $200. But two or more ounces could land you in jail for up to five years and cost you a fine up to $10,000.

In Nebraska, the first offense for possession of less than an ounce of marijuana is a civil infraction punishable by a $500 fine. That rises to $400 and up to five days in jail for a second offense, and $500 and up to a week in jail for third offenses. And although second and third offenses are misdemeanors, they’re ones for which you can be cited only, not arrested.

Opponents argue that marijuana remains a “gateway” to harder drugs such as cocaine or narcotics, has a negative, cumulative effect on society, and has dangerous developmental effects on children’s brains.

Proponents argue that police time is better spent on more-serious offenses and that tax dollars are saved by not clogging the judicial system with low-level offenders — especially when Latino and African American youth are disproportionately targeted.

But Kevin Sabet, president and CEO of Smart Approaches to Marijuana, cites statistics from the Colorado Department of Public Safety to note that despite legalized marijuana, more Hispanic and African American youths are being arrested for possession than before legalization in 2012. (Marijuana use remains illegal for those under 21.)

According to Sabet, 3,234 juveniles were arrested for marijuana-related offenses in 2012 compared to 3,400 in 2014, an increase of 5 percent. But within those numbers is a glaring racial disparity: Arrests of Hispanics and African Americans rose 29 percent (from 778 to 1,006) and 58 percent (205 to 324), respectively.

Arrests of white juveniles dropped 8 percent (from 2,198 to 2,016).

### Marijuana use and perceived risk: Results from 2012-2014 surveys of people ages 12 and over

<table>
<thead>
<tr>
<th>State</th>
<th>% reporting marijuana use in last month</th>
<th>% that perceive great risk of harm from smoking marijuana once a month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois</td>
<td>7.26%</td>
<td>28.18%</td>
</tr>
<tr>
<td>Indiana</td>
<td>6.95%</td>
<td>27.18%</td>
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<tr>
<td>Iowa</td>
<td>5.48%</td>
<td>27.59%</td>
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<tr>
<td>Kansas</td>
<td>5.25%</td>
<td>26.06%</td>
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<td>Michigan</td>
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<td>Minnesota</td>
<td>6.84%</td>
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<td>5.93%</td>
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<td>North Dakota</td>
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<td>Colorado</td>
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<tr>
<td>Washington</td>
<td>12.74%</td>
<td>18.97%</td>
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</tbody>
</table>

*R: Recreational marijuana legalized in 2012

Source: U.S. Substance Abuse and Mental Health Services Administration, “Marijuana Use and Perceived Risk of Harm from Marijuana Use” (U.S. DHHS and Access.Slider [July 2016])
During long tenure in the legislature, Ohio native has gone from behind-the-scenes staff person to leader of the House Democrats

by Laura Tomaka (ltomaka@csg.org)

S
ix years ago, after nearly a decade of service in the Ohio General Assembly, Fred Strahorn got swept away from office in the Republican “wave election” of 2010. But it didn’t take long for him to resurface, this time with a newfound appreciation for the job of legislator and a commitment to making his third go-around in the legislature even better than the first two.

“It’s always a bit of a gut check to lose an election; it was soul-searching for me,” Strahorn recalls of that unsuccessful 2010 race for a state Senate seat (he had been appointed to the position a year earlier). “I made the decision that I do really want to be here and that I love what I do. So when I came back, I tried out a different attitude. I was more focused on paying attention to time and making the most out of the time I have in the legislature.” And soon after returning to the legislature, this time as a member of the Ohio House, his Democratic colleagues chose him to be their top caucus leader, a position he continues to hold today.

It has been a long, and surprising, run for a man who in college “didn’t care for politics at all” and, even once he did, initially took on behind-the-scenes roles.

For Strahorn, the path to the Ohio Statehouse began by “tagging along” with his brother, a volunteer for then-U.S. Rep. Tony Hall. Along the way, Strahorn met his future mentor and boss, Tom Roberts, and began to discover that he did care about politics. But that didn’t necessarily mean being a legislator himself. Strahorn instead volunteered, advised, and worked for candidates and elected officials. He served for years as a staff person to Roberts, who at the time was a state legislator.

When approached to run for office and replace the term-limited Roberts, Strahorn was hesitant. The reason: his discomfort with speaking in public. “I was at a crossroads,” he recalls. “I needed to move up or move on. I realized that I had fallen in love with the institution, and I didn’t want to leave. So I told my principal to work through my public-speaking issues. I really do want other people’s input, and it’s about helping me understand the history of the institution and the rules. The rules, which were here way long before I was, are for a reason. They are designed to drive civility if we adhere to them. I like that about the institution.” But that didn’t necessarily mean being a legislator himself. Strahorn instead volunteered, advised, and worked for candidates and elected officials. He served for years as a staff person to Roberts, who at the time was a state legislator.

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Fight to stop financial fraud

Indiana law provides new tools to prevent elder exploitation; statewide outreach aims to improve financial literacy for all ages

by Indiana Secretary of State Connie Lawson

Since assuming the role of Indiana secretary of state in 2012, I have witnessed firsthand the devastating impact financial fraud can have on the lives of trusting Hoosiers.

To combat the estimated $2.6 billion that victims lose to financial exploitation every year in Indiana, my office has expanded both enforcement and educational initiatives. We have taken the stance that the best way to prevent individuals from falling victim to fraud is lifelong education.

In conjunction with our office’s full-time investor education coordinator, I regularly travel the state in order to educate Hoosiers young and old on the dangers of credit card debt, current scams, and the warning indicators that signal fraudulent activity.

I was alarmed to learn several years ago that only 1 in 44 cases of elderly financial exploitation are reported.

Financial fraud is particularly damaging to elderly individuals who have worked their entire lives to build retirement nest eggs and do not necessarily have time to earn back their losses.

As we looked for ways our office could further protect seniors and improve reporting, we took notice of initiatives passed by state legislatures in Washington, Delaware and Missouri.

We decided to follow their example.

Partnering with financial professionals

Our office worked closely with the Indiana General Assembly this past session on the Senior Protection Act.

When the measure (SB 221) passed in March with overwhelming legislative support, Indiana became the fourth state in the nation to give financial professionals the authority to report fraud and even block the suspected fraudulent withdrawal of funds. The law took effect in July.

Indiana is the fourth state in the nation to give financial professionals the authority to report fraud and even block the suspected fraudulent withdrawal of funds.

Prior to passage of the Senior Protection Act, broker-dealers had no civil immunity in denying a request to withdraw funds from an account, even if they suspected fraud was taking place.

Now, broker-dealers are required to notify authorities when they witness unusual and suspicious activity and are given specific protections when doing so.

These broker-dealers are often responsible for managing retirement accounts and the first to notice unusual and potentially fraudulent activities taking place. Encouraging them to report this activity is a commonsense measure that reduces the amount of retroactive investigation needed to confirm fraud.

SB 221 also gives broker-dealers the power to refuse a request for funds if they believe the disbursement will result in the financial exploitation of the account holder.

This refusal of funds remains active for 15 days, during which time an authorized third party can be notified of the suspected exploitation. This law allows my office, law enforcement and adult protective services to work cooperatively to protect vulnerable investors.

As our population continues to age, we must remain ever vigilant and put in place commonsense protections that will prevent older adults from being victimized. The financial costs, not to mention the emotional toll, of elder abuse are staggering.

Two years ago, Indianapolis attorney Charles Blackwelder was arrested for running a Ponzi scheme that preyed on elderly investors.

For over a decade, Blackwelder and his daughter solicited more than 300 seniors for nearly $23 million in fraudulent investments. He was caught and imprisoned, but fraudsters remain difficult to uncover, and the tradition of keeping quiet about money sometimes exacerbates the problem.

For many seniors, the topic of personal finances is an intensely private one that is never openly discussed — even among family — and this has slowed the dissemination of financial literacy across the nation.

Many of us have elderly family members who have been taken by financial scams simply because they have no idea how to respond when confronted by a fraudster. In Indiana, our senior population is a highly targeted demographic, with 1 in 5 seniors falling victim to financial fraud, including exploitation by friends and family members.

Focusing on financial literacy, security

This problem extends beyond seniors. Forty-one percent of American adults gave themselves a grade of C, D or F on their knowledge of personal finance, and in my state, two-thirds of adults who own financial investments have little to no knowledge about potential fraud schemes.

Legal protections such as the Senior Protection Act are extremely important, but we cannot underestimate the value of public awareness.

With that in mind, my office recently partnered with local public television to produce and promote “Scammed,” a short documentary that aims to educate citizens on the dangers of investment fraud.

The video has been aired on local stations and is available free-of-charge on our website: in.gov/sos.

We are hosting screenings of the documentary across Indiana over the next 48 months, with a particular focus on seniors and citizens without regular access to media.

We also offer a number of education resources through IndianaMoneyWise.com, including personal-finance materials, debt-management tips, savings plans and guides to safe investing.

Investment fraud awareness and financial literacy go hand-in-hand, and we are constantly promoting our message through seminars, workshops, advertisements, web content and social media.

We strive to equip Hoosiers of all ages with these tools in the hopes of creating a permanent culture of security. Ultimately, an informed population is the surest safeguard against financial fraud and abuse.

My office has considered policy protections for Hoosiers in the past and will continue to do so.

Indiana Secretary of State Connie Lawson, a Republican, previously served in the state Senate for 16 years and was the first woman to serve as Senate majority floor leader. She also is a 1999 graduate of CSG Midwest’s Bowhay Institute for Legislative Leadership Development.

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 First Person article are welcome, as are pieces written on other topics. For more information, contact Tim Anderson at 630.925.1922 or tanderson@csg.org.
Congratulations to 2016 BILLD Class

Select group of Midwest’s legislators complete five days of leadership training

The 22nd class of graduates from CSG Midwest’s renowned leadership training program includes a diverse, bipartisan mix of legislators from 11 Midwestern states as well as three Canadian provinces. The five-day Bowhay Institute for Legislative Leadership Development was held in August in Madison, Wis. Here is a list of this year’s successful graduates.

- Illinois — Reps. Tim Butler, Will Guzzardi and Frances Ann Hurley;
- Kansas — Reps. Sue Boldra and Fred Patton and Sen. Pat Petry;
- Michigan — Reps. Leslie Love, Jim Runestad and Mary Whiteford (not pictured in class photo below);
- Minnesota — Reps. Kelly Ann Fenton, Jeff Howe and Bob J. Loonan;
- Nebraska — Sens. Laura Ebke, John McCollister and John Stinner;
- North Dakota — Reps. Jason Dockter, Ben Hanson and Ben Koppelman;
- Ohio — Reps. Jonathan Dever (not pictured in class photo below), Stephanie Howse and William Reinke Jr.;
- South Dakota — Reps. Shawn L. Bordeaux, Nancy Rasmussen and Mathew J. Wollmann;
- Wisconsin — Reps. Mike Rohrkaste and Lisa Sabvek;
- Alberta — MLA Cameron Westhead;
- Manitoba — MLAs Andrew Micklefield and Greg Nesbitt;
- Saskatchewan — MLA Bronwyn Eyre

Four legislative leaders from the Midwest share their experiences and perspectives during a session at this year’s BILLD program: Speaker of the Wisconsin Assembly Robin Vos, Michigan Assistant Senate Majority Leader Geoff Hansen, South Dakota House Assistant Minority Leader Julie Bartling and Illinois Senate President Pro Tempore Don Harmon.

Training on policy and leadership

This regional leadership institute is designed for legislators in their first four years of service; every year, the bipartisan Midwestern Legislative Conference BILLD Steering Committee selects a new class (CSG Midwest provides staff support to the MLC). In addition to taking part in sessions on consensus building, negotiation, civil discourse, and political communication, BILLD Fellows get the chance to learn from current legislative leaders in the Midwest as well as top experts in state government and public policy — all while developing new relationships that cut across partisan, state and provincial lines.

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.

BILLD moving to Twin Cities, has new academic partner

After 22 years of calling Wisconsin’s capital city of Madison its home, the Bowhay Institute for Legislative Leadership Development will have a new host city and state in 2017. The reason for the move is that CSG Midwest has a new academic partner for its BILLD program — the Hubert H. Humphrey School of Public Affairs at the University of Minnesota.

One of the nation’s top-ranked professional-public policy and planning schools, the Humphrey School is located in Minneapolis, where next year’s BILLD program will be held on Aug. 11-15.

This switch in academic partners is the result of a months-long review and evaluation process conducted by the Midwestern Legislative Conference BILLD Steering Committee: the bipartisan group of state legislators that oversees the leadership institute.

Starting next year, faculty at the Humphrey School will lead the various policy sessions held during the five-day institute. The university will also host participating BILLD Fellows.

Since its inception in 1994, more than 700 legislators have taken part in the BILLD program. Applications for next year’s program will be available soon. For more information, please visit www.csgmidwest.org or contact CSG Midwest senior program manager Laura Tomaka at ltomaka@csg.org or 612.925.1922.

About the BILLD program

- designed for legislators in their first four years of service
- legislators selected through competitive application process overseen by bipartisan committee of state legislators
- program includes a mix of sessions on public policy and professional development topics such as conflict resolution, negotiation and media training
- 2017 program will be held Aug. 11-15 in Minneapolis; applications are due in early spring
- Nearly a quarter of top legislative leadership positions in Midwest are held by BILLD graduates
Historic Colonial Williamsburg hosting CSG National Conference in December

State leaders from across the country are encouraged to register now for this year’s CSG National Conference, which will be held Dec. 8-11 in historic Colonial Williamsburg, Va. In addition to a wide array of policy sessions, the event will offer attendees the opportunity to hear a luncheon speech from best-selling novelist Jeff Shaara, author of acclaimed books such as “Gods and Generals,” “The Last Full Measure” and “Gone for Soldiers.” Conference participants also will get unique, after-hours access to the American Revolution Museum in Yorktown, Va.

Here is an overview of some of the topics that will be explored during the four-day meeting (an agenda is available at www.csg.org):

• Dec. 8 — Policy academies on Medicaid, state pension systems, and workforce development strategies for people with disabilities;
• Dec. 9 — Fiscal trends, state and federal education policy, water management, health care, transportation, regulation of e-cigarettes, military and overseas voting, civics education, federalism, workforce investment, chronic disease, and the knowledge economy;
• Dec. 10 — Data-driven decision-making, case studies in collaboration, combating opioid abuse, the new U.S. president and relations with the states, state economic development strategies; and
• Dec. 11 — CSG’s Campaign Against Hunger Service Project and a meeting of CSG’s Executive Committee.

On Dec. 10, CSG Midwest’s Midwestern Legislative Conference Executive Committee will meet. Nebraska Sen. Beau McCoy currently serves as CSG national chair. He was the MLC chair in 2014. Founded in 1933, The Council of State Governments is the nation’s only organization serving all three branches of state government. It fosters the exchange of insights and ideas to help state officials shape public policy.

CSG Midwest is one of the nonpartisan organization’s four regional offices; it provides staff support to the MLC.

Interstate collaboration focus of new CSG event

In the two days following its National Conference in Colonial Williamsburg, Va., CSG will hold the first-ever Summit of the States on Interstate Collaboration.

The event is designed for state legislators, members of the judiciary, and the administrators of interstate compacts — as well as those interested in creating new agreements among states.

CSG’s National Center for Interstate Compacts is convening the event, which will be held Dec. 12 and 13 in Colonial Williamsburg.

The summit will promote successful approaches to interstate compacts and foster research directed at developing new interstate partnerships. It also will give policymakers the chance to discuss issues that lend themselves to interstate policy cooperation.

Registration for the Summit of the States can be completed at www.csg.org/NCICSummit2016/.

CSG Justice Center continues work in North Dakota

The CSG Justice Center has delivered a series of presentations in recent months to a multi-branch group of leaders in North Dakota seeking to improve the state’s criminal justice system.

The North Dakota Incarceration Issues Committee has been pursuing strategies to reduce recidivism, lower corrections spending, avert costly future expansions of the state’s correctional facilities and increase public safety.

As it has done in several other states, The Council of State Governments’ Justice Center is providing North Dakota lawmakers with data-driven, evidence-based policy options. State-specific findings for North Dakota were shared at April, June and July meetings of the interim legislative committee.
State-run retirement plans for private-sector workers get federal help

The U.S. Department of Labor unveiled a new rule in August that it hopes will remove uncertainties about the role of states in administering retirement plans for private-sector workers.

Thus far, eight U.S. states, including Illinois (SB 2758, enacted in 2014), have passed laws to create payroll-deduction IRA programs. They are designed to help individuals who don’t have workplace savings arrangements such as a 401(k) plan. (One-third of U.S. workers do not have access to retirement savings plans through their employer.)

Under the new rule, The Washington Post reports, state-administered plans that meet certain criteria will not be subject to a federal law that oversees retirement plans and pensions.

Administered by a seven-member board, Illinois’ Secure Choice program expects to begin enrollment next year. Participants will be enrolled in a Roth IRA with a default payroll deduction of 3 percent. At any time, enrollees can change their savings plan.

Thousands of 4-year-olds in Minnesota are attending prekindergarten classes this fall as the result of a $25 million investment made by the Legislature. With this money, the state targets aid for school districts and charter schools that serve high numbers of low-income students as well as areas with limited access to high-quality prekindergarten programs.

Minnesota Gov. Mark Dayton has said he wants to provide all of the state’s 4-year-olds with access to free, voluntary prekindergarten. Through another program, Minnesota also offers Early Learning Scholarships for low-income families (either directly to families or through grants to highly rated early-childhood programs in the state).

Minnesota’s new law allows these crime victims to get a P.O. Box as their home address from public records. Participants in the program will have their mail redirected to their home addresses on a daily basis by the Ohio secretary of state’s office.

For voting purposes, each individual will be issued a unique identification number that can be used to request and cast an absentee ballot. The new law also establishes procedures for how state and local election officials should handle and process ballots in order to ensure the information from program participants is not compromised.

Close to 40 U.S. states now have some kind of address-confidentiality program in place, including Indiana, Iowa, Kansas, Minnesota, Nebraska and Wisconsin, according to the National Center for Victims of Crime.

South Dakota districts sharing teachers with new grants from state

Some school districts in South Dakota are using new state incentives that allow them to share teachers and, in the process, expand learning opportunities for their students.

As part of a package of bills passed by the Legislature to address a shortage of teachers (HB 1182 and Sb 131 and 133), the state created the Employee Shared Service Grant program. The grants last for three years, with aid to the participating districts gradually dropping over that time period. With these grants, districts are hiring and sharing Spanish, arts, and English-language-learner teachers.

South Dakota’s new law also invests in local projects to expand online learning opportunities, so that qualified instructors can reach students remotely.

The state is facing teacher shortages in various areas. And while part of the legislative response was to boost teacher salaries (via a sales tax increase that will raise average pay from $40,000 to $48,500), lawmakers tried to address the teacher-workforce problem in other ways — for example, funding programs that match new and veteran teachers, as well as professional-development opportunities for new instructors in the summers between their first and second years in the profession.