Deadly rise in drug overdoses has states searching for answers

Midwest hit hardest by health crisis; policy responses include greater oversight of prescription drug use, access to treatment

by Tim Anderson (tanderson@csg.org)

A

cross the country, communities are dealing with an epidemic of drug abuse and overdoses. And nowhere is this health crisis more pronounced than in the Midwest: Between 2008 and 2013, the number of heroin-related overdose deaths in this region increased sixfold (see graphic).

This fall, over only a four-day span, emergency crews in Chicago responded to 74 cases of heroin overdose. The heroin in these instances, police say, was laced with the prescription drug fentanyl (an opioid). Nearly all of the overdose victims survived, in part because first-responders at the scene administered naloxone, which reverses the effects of an opioid overdose.

Earlier this year, in a single rural Indiana county, state and local health officials had to stem an outbreak of HIV — nearly 150 confirmed cases over a four-month period. The cause: use of an opioid painkiller via needle injection.

Ohio health officials, meanwhile, recently released data showing that fentanyl-related drug-overdose deaths in the state had increased by nearly 500 percent in a single year, from 84 in 2013 to 502 in 2014.

The epidemic is impacting cities, suburbs and rural areas alike, and is the result of changes in the supply of and demand for opioids — both legal and illicit.

“There has been a flood of painkillers onto the market in recent years,” notes Indiana Attorney General Greg Zoeller, who heads up his state’s Prescription Drug Abuse Prevention Task Force.

“People are demanding large amounts of prescription medications, some physicians are overprescribing, and much of this medication is winding up in home medicine cabinets or finding its way to medicine cabinets or finding its way to

the streets where risk of abuse is high.”

Once addicted to an opioid painkiller, an individual is much more susceptible to heroin abuse — 40 times as likely, according to the U.S. Centers for Disease Control and Prevention.

Compounding the problem, heroin has become less expensive and more accessible, and it becomes an even more dangerous drug when mixed with fentanyl, a potent painkiller.

Leading cause of injury death

The number of people dying every year from a drug overdose has reached nearly 44,000, more than double the total from just 14 years ago.

Drug overdose has surpassed traffic accident as the nation’s leading cause of injury death, the Trust for America’s Health notes. About half of these overdose fatalities involve prescription drugs.

As evidenced by the range of strategies now being employed by states in the Midwest and across the country, no single policy or law will solve this health problem.

But policymakers are hoping a multi-pronged approach can prevent overdose deaths and also begin to address some of the epidemic’s root causes.

One of the common legislative approaches, for example, has been to provide immunity to witnesses who seek medical help when an overdose is occurring (providing them protection from criminal prosecution for drug possession, for example).

Some states, too, have adopted laws improving access to naloxone. Most Midwest states now provide additional

Deaths due to heroin overdoses, 2000-2013: Greatest increase is occurring in Midwest

Deaths per 100,000 people

Source: National Center for Health Statistics, “NHIS Data on Drug-Prescribing Deaths” (June 2015)

Drug use, abuse and overdoses are on the rise in communities across the Midwest. States are adopting a number of strategies to address this health problem — for example, greater access to naloxone, more oversight of prescription drug use, and an expanded use of drug courts.
Agriculture & Natural Resources

Dropping crop prices expected to squeeze economies in states most dependent on farming

How will falling commodity prices impact the Midwest?

All of the region’s major commodity crops — corn, wheat and soybeans — are going to be priced right around the cost of production for the next year, North Dakota State University agriculture economist Frayne Olson told lawmakers this summer at the Midwestern Legislative Conference Annual Meeting.

And for the first time in many years, farmers will be losing money on their crops. The U.S. Department of Agriculture has predicted that net farm income will be down 36 percent from 2014 and reach its lowest level since 2002.

The causes of this hit to the farm economy range from a slowing global economy and a stronger U.S. dollar, to higher grain reserves and the weather.

But what will be the broader effects of this fall in commodity prices on the region’s states? The biggest impact will likely be felt in North Dakota, South Dakota, Iowa and Nebraska, states where farm income provides more than 18 percent of gross domestic product and where one in four jobs are tied in some way to agriculture.

A drop in farm income will be accompanied by a decline in the value of assets and an increase in farm debt, all of which will extend beyond the farm gate.

Farmers will put off purchases, dip into savings or borrow more, Olson said during his presentation to the region’s state legislators, while household expenditures and spending on equipment will decrease.

Manufacturing companies that rely on farm purchases are already feeling the pinch — for example, John Deere laid off employees at its Illinois and Iowa plants, Kinze Manufacturing reduced its workforce in Iowa, and CNH Industrial cut jobs in Nebraska due to sagging sales of farm equipment. Combine sales alone are down 40 percent as compared to last year.

For states that use a multi-year formula to calculate farmland taxable value, the decline in commodity prices will also impact property tax collections over the next several years.

Decreasing grain prices will cause tax revenue to fall for several years beyond the price drops, whereas the cash value of farmland may stay high because investors are increasingly turning to farmland purchases to build their portfolios.

Currently, institutional ownership of farmland is less than 1 percent, but that is growing.

Of course, as every farmer in the Midwest knows, agriculture prices depend on the weather, and this could all turn around if South America has weather problems.

Economic Development

New accounting standards will require local governments to report impact of tax incentives

Every state uses tax and financial incentives to attract, retain and expand businesses.

The benefits are the jobs and economic activity that these firms bring to a state, but what are the costs?

In 2012, a New York Times investigation put the price tag for states and local governments at more than $80 billion, but to a large degree, policymakers have been establishing and continuing these incentive programs without a firm handle on the costs.

That may begin to change in 2017, when a new rule of the Governmental Accounting Standards Board takes effect. It will require state and local governments to report how much revenue they are losing or willingly not collecting as the result of their tax-abatement agreements with businesses.

“It’s long overdue,” Illinois Rep. Jack Franks says. “It’s something that I’ve been asking a long time because there are no standard metrics to determine whether there is any return on the investment when we don’t even know how much we are giving away.”

“There is no empirical evidence showing us that taxpayers are receiving any return on their investment and that we are actually incurring companies to do anything they normally would not do anyway,” he adds.

David Vaudt, chairman of the Governmental Accounting Standards Board, says the new rule is about transparency — making the impact of tax breaks on the financial health of states and local governments more clear to policymakers and the people they serve.

As part of the disclosure, governments will have to describe the purpose of the abatement program and the dollar amount of the taxes being lost.

Franks has long been a critic of tax and financial incentives in his state, especially those that target help for a single company.

“I have a big problem with the fact that government is in the business of picking winners and losers,” he says. “Oftentimes we have small businesses that are paying their taxes subsidizing large companies that aren’t paying taxes. It’s unfair.”

Under the current policy framework, he says, states and local governments are pitted against each other in a “race to the bottom.” He would like to see lawmakers take a more cooperative, regional approach to economic development.

“Talk about working together to have a good business climate to have companies come together so we can all grow together instead of giving away billions of dollars in tax revenue,” he says.

Brief written by Laura Tomaka, staff liaison to the Midwestern Legislative Conference Economic Development Committee. She can be reached at ltomaka@csg.org. The committee’s co-chairs are Michigan Sen. Ken Horn and Nebraska Sen. Heath Mello.

Recent laws to improve oversight of tax incentive programs in Midwest

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<thead>
<tr>
<th>State</th>
<th>Bill</th>
<th>Requirements</th>
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<tbody>
<tr>
<td>Indiana</td>
<td>HB 1020 (2014)</td>
<td>Evaluation of each tax incentive every five years; legislative commission provides oversight, makes recommendations</td>
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<tr>
<td>Minnesota</td>
<td>SF 849 (2015)</td>
<td>Evaluation of at least one incentive program each year and a study of “exclusive incentives” for individual projects/companies; oversight by Legislative Audit Commission</td>
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<tr>
<td>Nebraska</td>
<td>LB 538 (2015)</td>
<td>Review of each incentive program at least every three years and measurement of its economic and fiscal results</td>
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<tr>
<td>North Dakota</td>
<td>SB 307 (2015)</td>
<td>Evaluation of each tax incentive every six years; legislative committee conducts evaluations and makes recommendations</td>
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Source: Pew Charitable Trusts’ Economic Development Tax Incentives Project

He would also like to see even more done in the area of reporting — for example, details on how many jobs are being created and/or retained, a listing of recipient companies, and information on the value of each tax-abatement deal and the number of deals being used in a specific area.

Brief written by Carolyn Orr, staff liaison to the Midwestern Legislative Conference Agriculture and Natural Resources Committee. She can be reached at corr@sal.us. The committee’s co-chairs are North Dakota Sen. Don Schaible and Iowa Sen. Mary Jo Wilhelm.

% of Midwestern states’ gross domestic product generated by farm income

Source: U.S. Department of Agriculture
Midwest-Canada Relations

Trusted-traveler program is helping cross-border travelers save time and money

The NEXUS trusted-traveler initiative is helping people travel more seamlessly between the United States and Canada, but policy experts say program enrollment has been hampered by an inconvenient, unclear application process.

Once accepted into the program, NEXUS members use designated lanes at land borders (and machines at airports) that speed their entry process. These travelers have a NEXUS card that can be scanned to retrieve all of the relevant personal data needed by a border inspector.

NEXUS lanes are open at 19 land-border ports of entry in Canada and 24 in the United States, including four crossings in Michigan (Sault Ste. Marie, Port Huron, and the Detroit tunnel and Ambassador Bridge), one in Minnesota (International Falls) and one in North Dakota (Pembina).

NEXUS membership costs $50 for five years, and its benefits extend well beyond the people who use it, says Laurie Trautman, associate director at the Western Washington University’s Border Policy Research Institute.

“Security experts compare identifying terrorists to looking for a needle in a haystack, and the NEXUS trusted-traveler initiative is helping cross-border travelers save time and money helping cross-border travelers looking for a needle in a haystack, and the NEXUS trusted-traveler initiative is helping cross-border travelers save time and money.”

States, federal government spending $74 million this year on Asian carp control plan

In the decades of battling invasive species and trying to mitigate their economic and ecological impacts, one point has become abundantly clear to Mike Weimer and other fish biologists.

“Prevention is by far the most effective strategy,” he told legislators at this fall’s Great Lakes Legislative Caucus meeting in Buffalo, N.Y.

So ever since Asian carp appeared to be dangerously close to entering the lakes via the Chicago Area Waterway System, states and the federal government have been pouring millions of dollars into a wide range of prevention plans.

New electric fish barriers have been built. The movement and presence of Asian carp continues to be intensely monitored, in part through cutting-edge eDNA technologies. Commercial fishing operations (hired by the state of Illinois) have removed more than 3 million pounds of Asian carp.

As co-chair of the state-federal Asian Carp Regional Coordinating Committee, Weimer is helping oversee these and many other prevention strategies. In 2015 alone, he told lawmakers, the committee will fund a total of 43 projects at a cost of $74 million. Its goal: Protect a Great Lakes fishery that has an estimated value of $7 billion.

Weimer, a senior fish biologist at the U.S. Fish and Wildlife Service, told the caucus that these various strategies appear to be helping control the spread of Asian carp. The most recent samples of eDNA found no positive findings of Asian carp above the fish barriers, for example, and adult populations have declined in different parts of the Illinois River.

Meanwhile, some promising new technologies and methods may be on the horizon. To prevent the movement of all fish, scientists are testing the efficacy of using sound technologies or carbon dioxide bubble screens. Another idea is to employ a toxicant that specifically targets species of Asian carp.

“A lot of environment work still has to be done so you’re sure it’s not going to affect native populations,” Weimer said about these potential strategies.

For now, electric fish barriers are the primary method for keeping Asian carp out of the Great Lakes. Three barriers are already in place in the Chicago Area Waterway System, and a fourth will be installed by 2017. The U.S. Army Corps of Engineers has also launched an $8.2 million study to assess the viability of controlling the upstream movement of Asian carp at a single location: the Brandon Road Lock and Dam in Joliet, Ill. The study itself could take up to 46 months, but new federal legislation would give the U.S. Army Corps of Engineers authority to take immediate action.

Though the Chicago Area Waterway System remains the highest-priority pathway, Weimer noted that at least 18 other sites have been identified as places where invasive species could move between the Mississippi River and Great Lakes systems (see map). Of those 18, three have become immediate priorities for the Asian Carp Regional Coordinating Committee: one in Indiana (Eagle Marsh) and two in Ohio. (Killbuck Creek and the Ohio and Erie Canal at Long Lake).

“We’re implementing new structures (berms, barriers and fencing) at those locations to essentially close them off,” Weimer told the caucus.

Great Lakes

NEXUS trusted-traveler initiative is helping cross-border travelers save time and money

The institute published a policy brief this summer titled “NEXUS: The Great Lakes’ Border Security,” which says program enrollment has been hampered by an inconvenient, unclear application process.

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Personal vehicles crossing border from Ontario to Michigan, June 2015

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<tr>
<th>Crossing</th>
<th># of vehicles</th>
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<tr>
<td>Detroit-Windsor, Ont.</td>
<td>350,106</td>
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<tr>
<td>Port Huron, Mich.- Sarnia, Ont.</td>
<td>148,028</td>
</tr>
<tr>
<td>Sault Ste. Marie (Michigan/Ontario)</td>
<td>69,550</td>
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Source: U.S. Department of Transportation

Brief written by Tim Anderson, who can be reached at tanderson@csg.org. CSG Midwest provides staffing services to the Great Lakes Legislative Caucus, a nonpartisan group of lawmakers from eight U.S. states and two Canadian provinces. The caucus chair is Wisconsin Rep. Cory Mason. More information on the caucus is available at www.greatlakeslegislators.org.
W
hen it comes to the impact on states, it would be hard to top the last U.S. Supreme Court term, when same-sex marriage bans were ruled unconstitutional, the newly created health insurance exchanges were saved, and Michigan and other states prevailed in a lawsuit over federal regulation of air quality.

But the term that began in October will be one to watch as well.

Cases involving redistricting, affirmative action and collective bargaining have already been accepted by the court. Adding to the intrigue, many of the decisions this term are likely to become part of the 2016 race for president.

Here is a preview of the most significant cases for the states that the court has agreed to decide so far.

Who to count when redistricting?

Under the principle of “one person, one vote,” (based on the U.S. Constitution’s Equal Protection Clause), voting districts must have roughly the same population.

But what population is relevant: total population or total voting population? And who gets to decide? The Court will answer these questions in Abood v. Abbott.

Traditionally, states have used total population as the metric. But plaintiffs in the case now before the Supreme Court argue that this practice essentially violates the Equal Protection Clause, one-vote principle. The reason: Not everyone is eligible to vote — non-citizens, for example — and this population group is not evenly distributed among different districts. The number of voting-eligible residents in a district, the plaintiffs say, should be used by states in redistricting.

The case could change how states redraw their political maps and adversely impact districts with large numbers of people who are ineligible to vote.

Are ‘fair share’ laws constitutional?

Nearly 40 years ago, the U.S. Supreme Court upheld the state of Michigan’s “fair share” law: a requirement that public-sector employees who don’t join the union still pay their “fair share” of costs related to collective bargaining, contract administration and grievance adjustment.

This term, justices will be revisit that 1977 decision (Abood v. Board of Education).

In two recent cases, the court’s more conservative justices, including Justice Anthony Kennedy (often an important swing vote), have criticized Abood. Even if the court doesn’t outright overturn Abood, it may decide that public employers should be able to “opt in” to the payment of other union expenditures (such as political or ideological activities), rather than having to opt out. Overturining either “fair share” or “opt out” would substantially weaken public-sector unions.

Illinois, Minnesota and Ohio are among the U.S. states that currently have “fair share” laws in place.

When can race be used in admissions?

For the second time, the justices have agreed to decide whether a university’s race-conscious admissions policy is unconstitutional.

And because the court decides relatively few affirmative-action cases, its decision in Fisher v. University of Texas at Austin could have broad implications for states.

Under Texas law, students who graduate in the top 10 percent of their class are automatically admitted to public colleges and universities. In 2008, at the University of Texas at Austin, minorities made up 21.5 percent of the students admitted under the Top 10 Percent Plan.

Most other applicants are evaluated through a holistic review in which race is one of a number of factors. The plaintiff in this case, Abigail Fisher, unsuccessfully applied to UT-Austin in 2008. She says the use of race is unnecessary because of the Top Ten Percent Plan.

In the past, the U.S. Supreme Court has held that the use of race in college admissions is constitutional if it is being used to further the compelling government interest in diversity and if it is narrowly tailored. A lower court ruled that the UT-Austin’s admissions policy is narrowly tailored. Only time will tell whether the nation’s highest court agrees.

Should 2012 ruling apply retroactively?

Two years ago, in a 5-4 decision, the U.S. Supreme Court ruled that states cannot mandate to a judge or jury that a juvenile offender be sentenced to life in prison without the possibility of parole.

“Such a scheme prevents those meting out punishment from considering a juvenile’s ‘lessened culpability’ and greater ‘capacity for change,’” the majority opinion read.

Should the court’s 2012 decision, in Miller v. Alabama, be applied retroactively? Different state supreme courts have come to different conclusions. For example, the Illinois, Iowa and Nebraska supreme courts ruled that Miller should apply to criminal cases before that decision was handed down. The Michigan and Minnesota courts ruled differently.

The U.S. Supreme Court will now weigh in, and its decision will affect more than 2,000 prisoners.

Other potential cases to watch

As of late September, the court’s docket was only about half full. Thus far the justices have accepted two more narrow redistricting cases as well as cases involving the death penalty.

The court will also likely accept a case on the constitutionality of state laws that require abortion doctors to have admitting privileges at hospitals. Does this requirement, because it has caused numerous clinics to close, create an unconstitutional undue burden on those seeking an abortion?

Finally, the court will also almost certainly take a case alleging that compliance with the Affordable Care Act’s contraceptive mandate violates the rights of nonprofit religious employers under the Religious Freedom Restoration Act.

Article written by Lisa Soronen, who can be reached at lsoronen@sso.org. She is executive director of the State & Local Legal Center (see sidebar article for details on the center).
How Nebraska won admission to the union, despite a presidential veto

by Mike McCabe (mmccabe@csg.org)

When the Territory of Nebraska joined the union in 1867, it became the nation’s 37th state — and the first ever to be admitted over a presidential veto.

A simple proclamation issued by President Andrew Johnson marked the end of an unprecedented path to statehood. But it revealed little of the unusual story behind it: a story of national expansion and contentious debates over the separation of powers, Reconstruction, civil rights, and the respective limits of state and federal authority.

Created by the Kansas-Nebraska Act of 1854, the sparsely populated Territory of Nebraska was initially reluctant to embrace the idea of statehood.

But in 1864, the nation was embroiled in the Civil War, and President Abraham Lincoln faced an uncertain campaign for re-election. To bolster his chances, sympathetic Republicans in the U.S. Congress secured passage of a measure allowing the predominantly Republican territories of Colorado, Nebraska and Nevada to adopt constitutions, establish new governments and petition for statehood, which, presumably, would result in additional electoral votes for the incumbent president.

This plan produced only mixed results; citizens in Colorado rejected a proposed constitution in September, and a convention in Nebraska failed to produce a new charter. Only Nevada acted quickly enough to win statehood before the fall election.

Following the war’s end and Lincoln’s assassination in April 1865, the new president, Democrat Andrew Johnson, quickly found himself at odds with the Republican majority in Congress over post-war Reconstruction policy.

The national debate over Reconstruction and the rights of black Americans quickly spilled over into the Nebraska Territory, where economic and population growth fueled support for another pass at statehood.

In June of 1866, Nebraska voters narrowly approved a draft constitution; one of its provisions limited voting rights to white males.

A bill to admit Nebraska to the union was then introduced in Congress, where it was adopted just before session ended in late July, notwithstanding some resistance from Republicans who opposed the “white suffrage” clause in the new constitution, as well as Democrats who were leery of granting statehood to another Republican stronghold.

President Johnson pocket vetoed the bill as Congress adjourned, making Nebraska the second would-be state to be defeated by veto. (Johnson had affirmatively vetoed a Colorado statehood bill just two months earlier.)

Questions of federalism, voting rights

The issue was renewed shortly after Congress reconvened in December 1866. This time, however, an amendment sponsored by Vermont Sen. George F. Edmunds effectively conditioned statehood on the acceptance by the territories of a prohibition against voting restrictions based on race or color.

The Edmunds Amendment won the support of radical Republicans and others hoping to impose similar conditions on the former Confederate states. But it drew fire from Democrats and Johnson, who opposed the condition on constitutional grounds. They argued that the federal government could not infringe on the power of states to establish their own qualifications for suffrage.

The Nebraska statehood battle served as a telling precursor of the larger Reconstruction debates that followed. In both its framing of key civil rights issues and its shaping of Johnson’s struggles with Congress, the Nebraska debate established important precedents that played out repeatedly over the next few years.

Eventually, radical Republicans managed to pass much of their Reconstruction policy over Johnson’s vetoes. And when most of the former Confederate states were readmitted to the union in 1868, the enabling legislation approved by Congress (once again over Johnson’s veto) included voting-rights provisions resembling those that were previously imposed as a condition of statehood upon Nebraska.

The issue of statehood had become a question of federalism, as well as a tug of war between the president and Congress. Despite Johnson’s objections, Congress passed admission bills in January 1867 for Nebraska and Colorado.

Before the month was out, however, the president vetoed both measures. For Colorado, the veto effectively delayed statehood for almost a decade, due in part to uncertain support in the territory itself.

But the story was different in Nebraska, which boasted a larger population and a growing economy.

Less than two weeks after Johnson vetoed the Nebraska statehood bill, both houses of Congress voted overwhelmingly to override the President. The territorial legislature quickly accepted the condition imposed by the Edmunds Amendment, thus eliminating racial restrictions on voting.

On March 1, 1867, Nebraska became the first — and to this day the only — state to be admitted to the union by means of a veto override.

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Previous articles from CSG Midwest’s First in the Midwest series are available at www.csgmidwest.org.

QUESTION: Do any states in the Midwest have bans on the construction of new nuclear power plants?

Minnesota is the only U.S. state with an outright ban on construction of new nuclear power facilities. The state’s prohibition dates back to legislative actions taken in 1954 amid concerns and legal disputes about how and where to store the high-level radioactive waste from these plants. Minnesota has had two such facilities in operation since the early 1970s (Prairie Island, which has two units, and Monticello). A bill was introduced this year to end the ban (SF 306/HF 1400), but it failed to advance.

Two other states in the Midwest have “de facto” moratoria on new nuclear power plants. In Wisconsin, home to two operating nuclear reactors (at the Point Beach plant) and two decommissioned facilities (Kewaunee and La Crosse), a new facility can only be built once two conditions are met: 1) a federally licensed site is available to dispose of high-level radioactive waste; and 2) the new facility is “economically advantageous” to ratepayers. Legislation was introduced this fall to lift Wisconsin’s ban (SB 288).

In Illinois, which uses the most nuclear energy of any U.S. state, requires one of two stipulations to be met prior to construction of a new plant: approval by the state General Assembly or federal approval of a strategy to dispose of nuclear waste.

This year, Illinois legislators have dealt with another question related to nuclear power: What does the future hold for some of the state’s existing facilities? The Exelon Corp. has indicated that it might close some of its unprofitable plants unless policy changes are made by the Illinois General Assembly. (It announced in September that these plants would remain open for at least the next few years.)

In response, Illinois legislators initiated a study analyzing the economic impact of plant closures and exploring strategies to avoid them. One of those options is the creation of a “low carbon portfolio standard”: requiring wholesale purchasers of electricity to obtain a certain percentage of their supply from sources with low carbon intensity. To help the unprofitable plants, nuclear would be considered “low carbon” alongside other sources such as wind and solar. Illinois’ HB 3293 and SB 1585 would adopt this standard, but as of early October, neither the House nor Senate had passed these bills.

Article written by Tim Anderson (tanderson@csg.org), CSG publications manager. Question of the Month highlights an inquiry sent to the CSG Midwest Information Help Line: csgm@csg.org or 630.925.1922.
States at forefront of efforts to combat epidemic of drug abuse and overdose deaths

Cost and legal penalties to a health professional who prescribes naloxone or a layperson who administers it “in good faith.” In states such as Illinois and Wisconsin, first-responders must now carry naloxone so that they can use it to prevent overdose deaths.

New laws seek to control drug access

Over the past decade and a half, the CDC notes, the amount of painkillers being dispensed in this country has quadrupled. In Indiana, Zoeller says, one policy response to this trend has been to change the prescribing standards and rules for health practitioners. “Since these rules took effect, there has been an 11 percent decrease in the amount of opioids prescribed in Indiana,” he adds.

Other control strategies include:
- laws to clamp down on “doctor shopping” (going from one doctor or hospital to the next in search of a prescription),
- requirements that doctors physically examine a patient before prescribing him or her painkilling medicine,
- setting new time or dosage limits for certain prescription drugs, and
- strengthening oversight of pain-management clinics. (According to the CDC, these clinics sometimes become “pill mills” and the source of large quantities of prescriptions.)

Nearly every U.S. state has also created prescription drug monitoring programs and, with them, databases that collect information on the medications being dispensed in the state (for example, the name of the recipient, the prescriber, and the drug and the quantity of it being dispensed).

These programs can help identify high-risk patients, prevent “doctor shopping,” and uncover problems with individual prescribers or dispensers (“pill mills,” for example).

Though nearly every state now has a database to monitor prescription drugs, the rules are not uniform from one jurisdiction to the next — voluntary vs. mandatory use of the system, for example, or the time given to practitioners to submit the data.

Earlier this year in Illinois, with passage of HB 1, lawmakers shortened the reporting time line. Pharmacies and other dispensers must now provide information to the electronic database within 24 hours.

Under previous law, the reporting time line was seven days. “The problem with [seven days] was that people were piling up prescriptions, by going from emergency room to emergency room, before we could catch them,” explains Rep. Lou Lang, sponsor of the bill.

Rep. John Nygren is seeking the same change in Wisconsin. He also wants to require doctors to check the drug-monitoring database, both when they make an initial prescription and when they refill it.

Under current Wisconsin law, pharmacies must report when the drugs are dispensed, but physicians’ use of the monitoring program is voluntary. According to Nygren, only 14 percent of

Overview of select state policies in Midwest for addressing drug abuse and overdoses

### Good Samaritan law: Provides immunity for individuals who seek aid when they believe an opioid overdose is occurring

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<tr>
<th>State</th>
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Source: Network for Public Health (July 2015)

### Legal protections for medical professionals who dispense, prescribe naloxone and/or laypeople who administer it

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<th>State</th>
<th>Law/policy in place</th>
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<td>South Dakota</td>
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<td>Wisconsin</td>
<td>Yes</td>
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<tr>
<td>United States</td>
<td>Yes</td>
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</tbody>
</table>

Source: Network for Public Health (July 2015)

### Health care providers required to use state-run Prescription Drug Monitoring Program

<table>
<thead>
<tr>
<th>State</th>
<th>Law/policy in place</th>
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</thead>
<tbody>
<tr>
<td>Illinois</td>
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<td>Indiana</td>
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<td>Wisconsin</td>
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<tr>
<td>United States</td>
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</tbody>
</table>

Source: Health Care Institute (July 2015)

### # of medications for opioid use disorder covered under fee-for-service Medicaid plan

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<thead>
<tr>
<th>State</th>
<th># of medications covered</th>
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<tr>
<td>Illinois</td>
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<tr>
<td>Indiana</td>
<td>5</td>
</tr>
<tr>
<td>Iowa</td>
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</table>

Source: American Society of Addiction Medicine

### Does state cover methadone for treatment of opioid use disorder

<table>
<thead>
<tr>
<th>State</th>
<th>Does state cover methadone</th>
</tr>
</thead>
<tbody>
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<td>Illinois</td>
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<tr>
<td>United States</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Source: American Society of Addiction Medicine

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**Deaths from drug overdose, per 100,000 people (based on 3-year average, 2011-2013)**

<table>
<thead>
<tr>
<th>State</th>
<th>Deaths</th>
<th>Change from previous 3-year average (2007-2009)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois</td>
<td>11.8</td>
<td>Increase</td>
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<tr>
<td>Indiana</td>
<td>16.0</td>
<td>Increase</td>
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<td>Iowa</td>
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<tr>
<td>Kansas</td>
<td>11.2</td>
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<td>Michigan</td>
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<tr>
<td>Ohio</td>
<td>19.2</td>
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<tr>
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<tr>
<td>Wisconsin</td>
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<td>Increase</td>
</tr>
<tr>
<td>United States</td>
<td>13.4</td>
<td>Increase</td>
</tr>
</tbody>
</table>

Source: Trust for America’s Health (2015)

**Overview of select state policies in Midwest for addressing drug abuse and overdoses**

- **Good Samaritan law:** Provides immunity for individuals who seek aid when they believe an opioid overdose is occurring.
- **Legal protections for medical professionals who dispense, prescribe naloxone and/or laypeople who administer it:**
- **Health care providers required to use state-run Prescription Drug Monitoring Program:**
- **# of medications for opioid use disorder covered under fee-for-service Medicaid plan:**
- **Does state cover methadone for treatment of opioid use disorder:**

Source: Trust for America’s Health (2015)

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- **Deaths from drug overdose, per 100,000 people (based on 3-year average, 2011-2013):**
  - **State**
  - **Deaths**
  - **Change from previous 3-year average (2007-2009)**

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Source: Trust for America’s Health (2015)
States expand treatment, coverage

By better monitoring and controlling access to prescription drugs, states hope to cut demand for heroin — through a reduction in the number of people who become dependent on opioids of any kind.

But this doesn’t fix the problem for those already addicted.

“Unfortunately, one of the side effects to reducing the supply of prescription drugs into communities is that addicts turn to other places for their high, including cheap heroin,” Zoeller says.

For states, then, treatment becomes an essential part of any strategy to combat the problem of opioid addiction.

“When you treat people, you not only save lives, you save the state money,” Rep. Lang says, “because they won’t be in our prisons and they won’t be in our emergency rooms.”

As the result of HB 1 being signed into law in Illinois, the state’s Medicaid program must now cover all federally approved, “medication-assisted treatment” options for opioid dependence — the use of methadone and buprenorphine, for example. (Gov. Bruce Rauner vetoed this provision, but the legislature successfully overrode it.)

HB 1 will also expand the use of drug courts: specialized programs that provide treatment and rehabilitation as an alternative to incarceration.

In Illinois, more defendants will be evaluated to determine if they should be diverted to drug courts, and prosecutors can no longer unilaterally block access to them.

In Wisconsin, legislators quadrupled funding for drug courts last year, and since then, the number of counties with them has more than doubled.

Nygren sponsored the drug-court legislation, and he also successfully sought new state grants for drug treatment in three underserved areas of Wisconsin. Each of these locally based programs will focus on a different treatment option.

The state will evaluate which option works best, Nygren says, and then try to replicate it in other areas.

Unlike Illinois, Wisconsin already has been providing Medicaid coverage for medication-assisted addiction treatment. And Nygren says most private insurers in his state pay for various treatment options as well.

But he still believes some changes in health-insurer practices would help.

“What we’re hearing is that a lot of times, carriers will require the least-costly treatment first,” he says. “So the concern is that someone has to fail at the least-costly treatment before the more-expensive options are [made available].

“I’m trying to open up a dialogue in our state for our insurers to see this as a more long-term investment, and to fund the most effective treatment in the first place.”

Source: Substance Abuse and Mental Health Services Administration
Minnesota Sen. Sandy Pappas

Longtime legislator has taken on new leadership role while continuing to focus on social justice issues — in Minnesota and around the world

by Katelyn Tye (ktye@csg.org)

Sandy Pappas was just 13 years old when President John F. Kennedy urged Americans to "ask not what your country can do for you, but what you can do for your country." It was a speech that helped shape a generation of young people, and that inspired Pappas herself to become interested in the world around her — from civil rights and women's rights, to the anti-war movement and grass-roots environmentalism. Fast-forward more than 20 years later, and Pappas was busy as a community activist, a community arts organizer and the mother of two toddlers in Minnesota's capital city. But with some convincing from her husband (who was active in the Democratic Party), Pappas decided there was something more she could do for her state and her home district: serve as a member of the Minnesota Legislature.

Pregnant with her third child at the time, Pappas ran for a state House seat under the slogan, "She will deliver." She lost that first race in 1982, but came back two years later and won. Pappas has been a part of the Minnesota Legislature ever since then, first in the House and, since 1991, in the Senate.

She assumed a new leadership role in the state's upper chamber in 2013, when fellow members of the Democratic caucus elected her Senate president. That triumph proved to be an especially memorable period for Pappas because she and fellow Democrats had full control of Minnesota state government.

"For most of my years, we've had a Senate controlled by one party, a House controlled by the other party and Republican governor," Pappas says about her 30-year run in the Legislature. "It was gratifying to be able to get things [passed], that you'd worked on for two decades, like all-day kindergarten, more money for early childhood and important protections for women in the workforce."

"I enjoy finally having victories." For Pappas, one of those legislative wins was passage of the Women's Economic Security Act, a bill that she successfully carried to passage in the Senate.

The 2014 law requires state business contractors to pay equal wages, expand access to affordable child care, provide new workforce protections for pregnant women and newborns, and encourage women to seek careers in which their gender is underrepresented.

As the result of last year's elections, Republicans took control of the Minnesota House. But Democrats held on to their majority in the Senate, and Pappas continues to serve as its president — presiding over the chamber, assigning bills to committees, and maintaining decorum among members.

From trying to provide every preschool child with access to high-quality child care, to strengthening state protections for the victims of human trafficking, to helping low-wage workers better plan for retirement, Pappas still has a long list of policy goals.

In a recent interview with CSG Midwest, she reflected on her legislative career to date and how she has embraced her leadership position, and she described her role as an activist outside the Minnesota Capitol. "On a personal level, what I really enjoy is becoming friends with people who are very different from you. You have friends from different parts of the state, different generations and even different political parties. We still do make friends across party lines, even though people don't think we do. I think that is very enriching. Most people just hang out with their crowd — people who think like them, who are just like them — and I think it's very broadening to have friends who are different.

Q: What have you most enjoyed about serving in the Legislature?
A: On a personal level, what I really enjoy is becoming friends with people who are very different from you. You have friends from different parts of the state, different generations and even different political parties. We still do make friends across party lines, even though people don't think we do. I think that is very enriching. Most people just hang out with their crowd — people who think like them, who are just like them — and I think it's very broadening to have friends who are different.

Q: You mentioned one of your proudest accomplishments as a legislator was passing the Women's Economic Security Act in 2014. What made you embrace that particular issue?
A: [It] was really proposed by women in the community who had created a coalition to tell us that we hadn't been paying enough attention to the needs of women in the workplace. We have consistently not had equal pay for equal work, and have consistently seen discrimination against women when they are pregnant or nursing. Women in low-wage jobs are not getting paid sick days and getting family leave like women in other countries — and of higher incomes [in this country] — do.

This is a really broader issue because the way women are treated in the workplace impacts their husbands or significant others, and their children. It was a fabulous coalition that came together [to advocate for the bill], and I think that to be really successful, you need that."

Q: What challenges did you face along the way to passing the Women's Economic Security Act?
A: We had a very long floor debate that was very intense and very exciting. I had conflicts within my own caucus, which is always hard. There was a motion to send it back to conference committee that failed by just one vote, so it was a very dramatic, stressful event. A lot of times you work on issues you might not win — it's hard to put your whole heart into something because you might lose it. You have to have a really long-range perspective.

Q: How did you envision the role of Senate president when you pursued the position?
A: It has not historically been a very significant position in Minnesota, not like in other states. I had been thinking for a long time that we really, really need a strong administrator in the Senate. A lot of [legislators] complained for years about our pay and benefits, lack of professional development opportunities, and the need for a health and wellness program. As Senate president, I can make that happen while relieving the burden on the majority leader. He can focus on being the political leader and leave the administration of the Senate to me.

Q: What is life like for you outside the Legislature?
A: My husband and I have three daughters and 21 grandchildren, all of whom live in an ultra-orthodox community in Israel. I visit Israel twice a year and have a lot of friends there.

With an Israeli friend and a Jordanian friend, I founded an organization called Forward Global Women that trains women leaders in the Middle East and North Africa (MENA) region to be stronger peace-makers. We are in seven countries—Israel, Palestine, Jordan, Egypt, Tunisia, Morocco and the U.S. — and our participants are social activists, academics in the field of negotiation and women's studies, and current and former elected officials. Part of my motivation behind Forward Global Women is that I really want to see peace in the Middle East.

Q: What does retirement mean to you?
A: I've been saying for a long time that I would like to bring my daughter back to Israel. My husband and I have three daughters and 21 grandchildren, all of whom live in Israel. But with some convincing from her husband (who was active in the Democratic Party), Pappas decided there was something more she could do for her state and her home district: serve as a member of the Minnesota Legislature.

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Bio-sketch of Sen. Sandy Pappas

✓ first elected to Minnesota Legislature in 1984; became Senate president in 2013
✓ vice president of the Women Legislators' Lobby and founder of Forward Global Women, a nonprofit that provides leadership training for women in the Middle East/North Africa region
✓ holds a master's degree in public administration from the Kennedy School of Government at Harvard University
✓ she and her husband, Neal Gosman, have three daughters and 21 grandchildren, all of whom live in Israel
‘Citizen’ legislatures, ethics laws and the public trust

Bipartisan changes in Indiana provide more guidance, training

by Indiana House Speaker Brian Bosma

Similar to the situation in many other states, the General Assembly in Indiana is comprised of 150 citizen-legislators who represent their constituents at the Statehouse while living and working in their home communities. One of their greatest challenges is balancing public responsibilities with full-time occupations in classrooms, courtrooms, factories, farm fields, hospitals and service industries, to name just a few.

These part-time legislators are frequently placed in the challenging position of determining whether they can cast votes on issues that may directly affect their personal lives because of a real or perceived personal or pecuniary interest in the matter. A few headlines alleging potential self-dealing exacerbated the issue in Indiana and required bold legislative action to buttress public trust in our democratic institutions.

Based on the above, one of my top priorities for the 2015 legislative session was to strengthen the laws in Indiana addressing legislative and executive branch ethics and lobbyist regulation.

New ethics rules, law now in place

With the assistance and support of the bipartisan House Statutory Committee on Legislative Ethics and Minority Leader Scott Pelath, we began our efforts by incorporating a detailed Legislative Code of Ethics into our House rules for the first time. This included an aspirational preamble outlining our goals of high ethical standards and the avoidance of direct conflicts while recognizing and honoring the part-time nature of service in the Indiana House of Representatives.

This expansion of our rules started a conversation that has been beneficial for elected officials and the public alike, as we analyze how and when elected officials have a direct conflicting interest in a matter pending before the General Assembly.

As an example, a bill in years past dealt with reduced fishing license fees for senior citizens, and under our prior rules, many members asked to be excused from voting because they were eligible for the discount.

Similar issues have arisen for teachers, local government retirees, doctors, lawyers and others in regulated professions. Under the new House rules, a member is determined to have a direct personal or pecuniary interest in a matter if that interest has a “unique, direct and substantial” effect on the member’s non-legislative income or the income of a close relative.

In the example of the discounted fishing license, while it is arguably direct if a member or a member’s close relative is eligible because he or she is a senior citizen, the benefit is not “unique,” as all senior citizens are eligible, and it is likely is not “substantial” because the cost is only a few dollars.

This example may seem trite, but under our standing House rules, every member, except for the speaker, has a duty to vote on every issue, unless he or she has a recognized conflict of interest. We now clarify that duty while maintaining the public’s trust that votes are being cast solely in the best interest of the public.

Leader Pelath and I also worked closely with Senate President Pro Tempore David Long and Senate Minority Leader Tim Lanane to author and sponsor historic bipartisan ethics reforms through House Enrolled Act 1002, which was passed overwhelmingly in both chambers and became law on July 1, 2015. These reforms affected the General Assembly, legislative lobbyists and the executive branch.

We created the Office of Legislative Ethics in our nonpartisan Legislative Services Agency. The chief counsel of this new office will bring best practices in the area of legislative ethics from around the nation to our House and Senate ethics committees and will serve as an active resource for all members.

In addition, members must attend ethics training each year, and the required statements of economic interest for each member will be reviewed to ensure that they are complete and available to the public.

We now ensure that all business interests are fully disclosed, and we lowered the reporting threshold for stock holdings and sources of non-legislative income.

Also, each member’s statement of economic interest must now be posted on our website, a House practice since 1997 that was not previously required under law.

More disclosure required of lobbyists

With respect to registered lobbyists, we now require clear disclosure of any legislator who is a “close relative” of a registered lobbyist and have authorized civil and potential criminal penalties for failure to file required lobbying reports and statements. In addition:

• We clarified that all state colleges and universities must report lobbying-related expenses by their employees and related foundations to bring more transparency to lobbying efforts on behalf of these schools.

• We tightened ethics rules relating to the executive branch, especially regarding post-employment restrictions and the nongovernmental use of state property.

• We plugged a loophole in the definition of “employer” so that a sole proprietor or self-employed former state employee working exclusively for a prohibited company is clearly within the post-employment prohibitions.

• We added a requirement that all waivers from the post-employment rules be vetted by the State Ethics Commission after a public hearing on the matter, ending the “private” waivers generously granted, bringing such waivers to a virtual halt.

• We also revised the laws regarding use of state property so that state materials, funds, property, personnel, facilities or equipment cannot be used for non-state purposes unless expressly permitted by a written policy approved by the State Ethics Commission.

Increasing transparency of government, especially the inner workings of the legislative branch, has been a constant goal during my years of leadership in the Indiana House of Representatives.

This work on both the House rules and HEA 1002 represents the outcome of extensive study during last year’s interim, and I am proud of the bipartisan changes we have made to ensure the trust, respect and confidence of all Hoosiers.

Indiana House Speaker Brian Bosma, a Republican from Indianapolis, was first elected as state representative in 1986. He served as speaker from 2004 to 2006 and again from 2010 to the present.

The Office of Legislative Ethics will bring best practices from around the nation to our House and Senate ethics committees.

This year’s changes in Indiana to state ethics rules affect legislators and lobbyists alike, and the goal is to improve public trust in government.

Submissions welcome

This page is designed to be a forum for legislators and constitutional officers. 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 630.925.1932 or tanderson@csg.org.
Great Lakes Caucus meets in September, passes 5 resolutions

Nonpartisan group of legislators weighs in on issues ranging from new plan to control nutrient runoff to proposed nuclear waste disposal site in Ontario

At their two-day meeting this fall in Buffalo, N.Y., close to 40 members of the Great Lakes Legislative Caucus explored how states can help protect the largest system of fresh surface water in the world.

CSG Midwest provides staff support to this nonpartisan group of legislators from eight states and two Canadian provinces. The caucus is funded in part by the Joyce Foundation.

This year’s featured topics included state-federal efforts to stop the spread of Asian carp, the risks associated with transporting crude oil through the basin, binational strategies to prevent toxic algal blooms, and the challenge of maintaining the region’s commercial and recreational harbors.

Lawmakers also updated colleagues about notable developments in their jurisdictions to protect the Great Lakes. They passed five policy resolutions:

• support of an agreement signed by the Michigan and Ohio governors and the Ontario premier to reduce phosphorus loadings into the western basin of Lake Erie by 40 percent over the next 10 years;
• opposition to any permanent underground repository for nuclear waste in the Great Lakes basin (Ontario Power Generation has proposed disposing of low- and intermediate-level waste at an underground site near Lake Huron);
• a call for the Great Lakes governors to reject a plan by the Wisconsin city of Waukesha to divert Lake Michigan water for use as drinking water;
• support for federal legislation that aims to help revitalize waterfront communities; and
• more federal support to maintain 112 small harbors in the Great Lakes.

Caucus now counts 183 legislators as members

Membership in the Great Lakes Legislative Caucus is free and open to all lawmakers who represent the basin’s eight U.S. states and two Canadian provinces. The benefits of membership include:

• priority in securing travel scholarships to attend caucus events;
• the possibility of becoming a caucus leader (as a member of its Executive Committee or as an officer);
• having a voice on state and federal policies related to Great Lakes protection (via sign-on letters and caucus resolutions); and
• the chance to stay up to date on important Great Lakes issues through the caucus’ quarterly electronic newsletter and state and legislative trackers.

As of September, the number of legislators in the caucus had reached 183. A membership form is available at www.greatlakeslegislators.org.

Two officers and an Executive Committee oversee the work of the caucus. Wisconsin Rep. Cory Mason serves as the chair, and Michigan Sen. Darwin Booher is the vice chair. The Executive Committee is made up of at least one member from each of the Great Lakes’ 10 jurisdictions.

The Great Lakes Legislative Caucus Executive Committee

- Indiana — Sen. Ed Charbonneau
- Michigan — Sen. Darwin Booher (vice chair) and Rep. Bruce Rendon
- New York — Sen. Joseph Robach
- Ohio — Rep. Dan Ramos
- Ontario — Speaker Dave Levac
- Pennsylvania — Rep. Curt Sonney
- Quebec — MNA Guy Ouellette
- Wisconsin — Sen. Cory Mason (caucus chair) and Rep. Nick Milroy

CSG study outlines state ‘pathways to prosperity’

The Council of State Governments has released a national report that highlights policy options for states to pursue in their efforts to promote economic prosperity and build a more skilled workforce.

CSG’s Pathways to Prosperity Initiative began in 2014, and the report’s findings reflect the work of various task forces and committees of legislators and other state leaders under this ongoing initiative.

Several Midwestern states’ laws and programs are highlighted in the new report. For example,

• “Ban the box” laws in Illinois, Minnesota, Nebraska and Ohio prohibit public employers (and private employers in Illinois and Minnesota) from having a box on employment applications that asks about an individual’s previous criminal convictions.
• The goal of these laws is to give people with a criminal history a better chance of finding employment.
• The Elevate Iowa program has expanded the capacity of community colleges in the state to provide training for “middle-skill” jobs such as welding and industrial maintenance.
• An initiative in Kansas (based on legislation passed in 2012, SB 155) offers high school students access to free college-level, technical education classes in high-demand career fields.
• New employer-driven, workforce-development programs in Ohio (Incumbent Workforce Training Voucher Program) and Wisconsin (Fast Forward Initiative) that provide financial assistance to businesses that train their workers in high-demand fields or prepare them for jobs of the future.

Much of the study highlights policy options for states in four areas that are barriers to prosperity for many Americans: child poverty, hunger and nutrition, veterans’ concerns and criminal justice.

“Act framework for State Policymakers: Developing Pathways to Ensure a Skilled Workforce for State Prosperity” is available at www.csg.org.

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, supported 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 MCC affiliate members.
Regional group of legislators, transportation leaders met in late September

With a congressional deadline looming that could stop intercity passenger rail and commuter service in the Midwest, a regional group of state lawmakers and transportation leaders is asking federal lawmakers to intervene.

The Midwest Interstate Passenger Rail Commission wants the U.S. Congress to extend the time frame for when “positive train control” (PTC) must be installed on most passenger railroads and Class I freight railroads.

PTC provides continuous, real-time information on train location and speed. It allows for a train to be automatically stopped in order to avoid collisions, derailments caused by excessive speed and other types of accidents.

Under current law, the deadline to install PTC is the end of 2015; however, most railroads are not yet ready to fully implement this safety technology.

The commission’s decision to request a congressional extension came this September at the group’s three-day annual meeting, which began in Chicago, included a trip on the Amtrak Empire Builder to the Twin Cities, and concluded at the recently restored St. Paul Union Depot.

On the train ride to Minnesota, commissioners heard about the master plan for Chicago’s Union Station and a proposed second frequency of Amtrak service between Chicago and the Twin Cities. (Currently, the only Amtrak service to the Twin Cities is via the long-distance Empire Builder.) Once in St. Paul, the commission:

• received an update on federal legislation as well as an overview of passenger rail projects and planning in individual Midwestern states;
• examined the economic impact of rail suppliers in this region; and
• discussed plans for a commission-led survey of the Midwest’s university campuses on the value and use of passenger rail.

Also at the meeting, the commission learned about a new multistate planning project of the Federal Rail Administration. The goal of the project is to bring the Midwest’s transportation leaders together to determine regionwide priorities for improving rail service. (This region was chosen by the Federal Rail Administration. The goal of the project is to bring the Midwest’s transportation leaders together to determine regionwide priorities for improving rail service. This region was chosen by the Federal Rail Administration.)

While traveling on Amtrak’s Empire Builder, Midwest Interstate Passenger Rail Commission members heard a presentation on plans to add more service between Chicago and the Twin Cities. Pictured are Robert Guy, Illinois legislative director of SMART-Transportation Division (front); Missouri Sen. David Pearce and Kansas Rep. Bud Estes (middle) and Wisconsin Sen. Mark Miller (back).

The 2015 volume includes 152 in-depth tables, charts and figures illustrating how state government operates. It also includes 29 articles from state leaders, innovative thinkers, noted scholars and CSG’s in-house policy experts that analyze and report on the transformations taking place in state government.

Staff members mined more than 500 sources to obtain the information shared in “The Book of the States.”

This year’s edition, as well as past editions, is available via the CSG Knowledge Center: knowledgecenter.csg.org.
Michigan partners with struggling communities to boost local economies

Ten “economically challenged communities” in Michigan will soon be getting some extra assistance from the state.

Under the Rising Tides program, state officials will help community leaders develop a local economic development strategy and craft potential changes to zoning laws. Staff from Michigan’s housing, economic development and workforce development agencies will be involved in these new state-local partnerships.

Several factors were used in choosing the Rising Tides communities: for example, high levels of poverty, low labor participation rates and high numbers of unemployed residents.

Recent unemployment numbers in Michigan (for the month of August) show continuing signs of progress statewide. According to the U.S. Bureau of Labor Statistics, the jobless rate in Michigan was 5.1 percent — the lowest that it has been since 2001.

Most other states in the Midwest have unemployment rates at or below the national average (5.1 percent), with the lone exception being Illinois (5.6 percent). Nebraska and North Dakota have the lowest jobless rates in the nation — 2.8 percent and 2.9 percent, respectively.

States revisit gambling codes with rise in fantasy sports leagues

Are fantasy sports leagues legal under state law?

More legislators have been mulling this question, especially as participation in these leagues continues to climb. According to the Fantasy Sports Trade Association, the U.S. and Canada now have nearly 57 million players, a 40 percent increase over the previous year.

In Kansas this year, a bill was signed into law (HB 2135) exempting fantasy sports leagues from the state’s gambling code. Prior to the bill’s passage, the state attorney general’s office issued an opinion stating that fantasy sports leagues are games of skill and are not lotteries. (Under the state Constitution, lotteries must be state-owned and -operated.)

Legislative proposals in Iowa (SF 166/HF 281) and Michigan (SB 459) also seek to clarify the legality of fantasy sports leagues, from the state’s gambling code. Prior to the bill’s passage, the state attorney general’s office issued an opinion stating that fantasy sports leagues are games of skill and are not lotteries. (Under the state Constitution, lotteries must be state-owned and -operated.)

Medicaid expansion; federal waiver possible

South Dakota leaders are taking steps this fall to become the Midwest’s eighth state to expand Medicaid access under the Affordable Care Act.

According to the Sioux Falls Argus Leader, the planned expansion would add 48,500 residents to the public health insurance program. Though details of South Dakota’s plan had not been released as of early October, it will likely require a federal waiver. To date, Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota and Ohio have expanded Medicaid, the Kaiser Family Foundation reports. Of those states, three have received federal waivers:

- Indiana — Enrollees contribute monthly to personal savings accounts, which they use to pay for care until their deductible is met.
- Iowa — Individuals eligible via the expansion receive insurance from private health plans. Medicaid pays the premium, but the member may be charged $10 a month if certain healthy behaviors are not followed.
- Michigan — Newly eligible adults are enrolled in private health plans and have co-payments. Preventive services, though, are completely covered, and members can receive reductions in co-pays if they follow certain healthy behaviors.

Midwest states investing more in ‘earn while you learn’ apprenticeships

Across the country, the number of “earn while you learn” programs is growing rapidly, and some states in the Midwest are leading the way with new policies to expand apprenticeship opportunities.

One year ago, Iowa legislators tripled the state’s investment in these programs. The money goes to training grants for employers as well as the sponsors of apprenticeships (a labor or trade organization, for example) that meet federal standards.

Iowa’s decision to deepen support for apprenticeships came on the heels of a statewide study documenting their success: Residents who take part in these programs ultimately earn higher wages when compared to graduates of traditional community college programs.

Over the past year, apprenticeship opportunities in Iowa have increased by more than 20 percent, federal data show. Michigan, Minnesota and Nebraska also are among the U.S. states with the highest rates of growth. In 2013, Michigan legislators established a Skilled Trades Training Fund, which fosters apprenticeship partnerships between community colleges (or other training providers) and local employers. Nationwide, the three most popular occupations for apprenticeship programs are electrician, carpenter and plumber.

October 2015

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